

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, February 9, 2021

The House convened at 1:00 p.m., with Speaker K. Koppelman presiding.

The prayer was offered by Rev. LaRue Goetz, Revival Prayer Fellowship, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1173, HB 1231, HB 1238, HB 1315, HB 1376, HB 1424, HB 1455, and HB 1475.

HB 1475, as amended, was rereferred to the **Appropriations Committee**.

HB 1173, HB 1231, HB 1238, HB 1315, HB 1376, HB 1424, and HB 1455, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. LOUSER MOVED** that House Rule 329 (4) be amended temporarily to replace twenty-third legislative day with twenty-eighth legislative day, which motion prevailed on a voice vote.

## MOTION

**REP. LOUSER MOVED** that HB 1179 be moved to the bottom of the calendar, which motion prevailed on a voice vote.

## MOTION

**REP. LOUSER MOVED** that Engrossed HB 1357, which is on the Eleventh order, be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, Engrossed HB 1357 was rereferred.

## MOTION

**REP. LOUSER MOVED** that HB 1487 be moved to the top of the calendar.

## REQUEST

**REP. ERTELT REQUESTED** a recorded roll call vote, which request was granted.

## ROLL CALL

The question being on the motion to move HB 1487 to the top of the calendar, the roll was called and there were 58 YEAS, 36 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beltz; Boe; Bosch; Brandenburg; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fisher; Guggisberg; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Karls; Keiser; Kempenich; Klemin; Lefor; Longmuir; Louser; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Ostlie; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Satrom; Schauer; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, P.; Becker; Bellew; Boschee; Buffalo; Christensen; Ertelt; Fegley; Hager; Heinert; Hoverson; Johnson, M.; Jones; Kading; Kasper; Kiefert; Koppelman, B.; Kreidt; Magrum; Marschall; Meier; Nehring; Nelson, M.; Paulson; Paur; Rohr; Ruby, D.; Sanford; Schatz; Schmidt; Schneider; Simons; Skroch; Steiner; Toman

The motion was adopted.

**SECOND READING OF HOUSE BILL**

**HB 1487:** A BILL for an Act to amend and reenact subsection 1 of section 4.1-03-11 of the North Dakota Century Code, relating to the beef checkoff.

**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 41 YEAS, 53 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Becker; Bellew; Boschee; Christensen; Cory; Delzer; Ertelt; Fegley; Hoverson; Johnson, M.; Jones; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Louser; Magrum; Marschall; Meier; Monson; Nehring; Nelson, M.; Paulson; Paur; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schmidt; Schneider; Schobinger; Simons; Skroch; Toman; Vetter; Weisz; Zubke; Speaker Koppelman, K.

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Karls; Keiser; Klemin; Kreidt; Lefor; Longmuir; Martinson; Mitskog; Mock; Nathe; Nelson, J.; O'Brien; Ostlie; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vigesaa; Westlind

HB 1487 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1390:** A BILL for an Act to provide for a legislative management study of training for election workers.

**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 65 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Tveit; Vetter; Zubke; Speaker Koppelman, K.

**NAYS:** Anderson, B.; Becker; Bellew; Christensen; Cory; Delzer; Ertelt; Headland; Hoverson; Kasper; Keiser; Koppelman, B.; Kreidt; Louser; Magrum; Marschall; Nehring; Paulson; Rohr; Ruby, D.; Schatz; Simons; Skroch; Steiner; Toman; Trottier; Vigesaa; Weisz; Westlind

Engrossed HB 1390 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1494:** A BILL for an Act to provide for a legislative management study of law enforcement and correctional officer recruitment, retention, turnover, and training.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert;

Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Christensen; Delzer; Ertelt; Hoverson; Magrum; Paur; Rohr; Schatz; Simons; Skroch; Toman

Engrossed HB 1494 passed.

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### SECOND READING OF HOUSE BILL

**HB 1404:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to a peace officer student loan forgiveness program.

### 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 18 YEAS, 76 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Bosch; Boschee; Buffalo; Cory; Dobervich; Fegley; Hagert; Hatlestad; Ista; Martinson; Meier; Mitskog; Mock; Schneider; Skroch; Vetter

**NAYS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Brandenburg; Christensen; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Guggisberg; Hager; Hanson; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1404 failed.

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### SECOND READING OF HOUSE BILL

**HB 1364:** A BILL for an Act to amend and reenact section 30.1-18-09 of the North Dakota Century Code, relating to the duties of a personal representative.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Lefor; Mitskog; Mock; O'Brien; Roers Jones; Schneider

Engrossed HB 1364 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1372:** A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to an optional residential property tax freeze for owners who are disabled or age sixty-five or older; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 71 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Becker; Bellew; Boschee; Christensen; Ertelt; Hanson; Hoverson; Kading; Kasper; Koppelman, B.; Lefor; Magrum; Marschall; Paulson; Rohr; Ruby, D.; Ruby, M.; Schatz; Schneider; Simons; Skroch; Speaker Koppelman, K.

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schmidt; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke

HB 1372 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1408:** A BILL for an Act to amend and reenact subsection 37 of section 65-01-02 of the North Dakota Century Code, relating to the definition of wages for purposes of workers' compensation benefits.

**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 15 YEAS, 79 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Ertelt; Guggisberg; Hager; Hanson; Ista; Mitskog; Mock; Nelson, M.; Schneider; Skroch

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

HB 1408 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1497:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-01.21 of the North Dakota Century Code, relating to an income tax credit for charitable contributions to a qualified endowment or a qualified nonprofit organization; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee

recommendation of DO NOT PASS, the roll was called and there were 27 YEAS, 67 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Becker; Christensen; Cory; Ertelt; Hager; Hoverson; Jones; Kading; Keiser; Koppelman, B.; Louser; Magrum; Marschall; Paulson; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schneider; Simons; Skroch; Toman; Vetter; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Pollert; Porter; Pyle; Richter; Sanford; Satrom; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke

HB 1497 failed.

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### SECOND READING OF HOUSE BILL

**HB 1343:** A BILL for an Act to amend and reenact subsection 1 of section 50-10.2-02 of the North Dakota Century Code, relating to rights of health care facility residents to use electronic communication.

### 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1343 passed.

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### SECOND READING OF HOUSE BILL

**HB 1348:** A BILL for an Act to create and enact a new section to chapter 23.1-07 of the North Dakota Century Code, relating to prohibiting the testing of wastewater for genetic material or evidence of disease; 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 24 YEAS, 70 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Boe; Christensen; Cory; Delzer; Ertelt; Headland; Hoverson; Koppelman, B.; Louser; Magrum; Marschall; Paulson; Paur; Ruby, D.; Ruby, M.; Schatz; Simons; Skroch; Thomas; Toman; Tveit; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.;

Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

HB 1348 failed.

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### SECOND READING OF HOUSE BILL

**HB 1241:** A BILL for an Act directing a department of human services study regarding a nurse triage program for medical assistance; and to provide for a legislative management report.

### 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 12 YEAS, 82 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Mitskog; Nelson, M.; Schneider

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

HB 1241 failed.

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### SECOND READING OF HOUSE BILL

**HB 1205:** A BILL for an Act to create and enact chapter 23-51 of the North Dakota Century Code, relating to establishing the maternal mortality review committee; to provide for a continuing appropriation; and to provide for a report to the legislative management and other agencies.

### 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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Ertelt

Engrossed HB 1205 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1471:** A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for property of churches; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Adams; Anderson, P.; Boe; Bosch; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Johnson, M.; Keiser; Mock; Nelson, M.; Schneider; Trotter; Zubke

Engrossed HB 1471 passed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1073, HB 1093, HB 1120, HB 1159, HB 1256, HB 1279, HB 1347, HB 1373.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1188, HB 1211, HB 1436, HB 1492.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2065, SB 2189, SB 2201, SB 2254, SB 2302.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2140, SB 2221, SB 2278.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SCR 4008.

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

**MR. PRESIDENT:** The Speaker has signed: SCR 4008.

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 10, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1065: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1065 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on the expansion of long-term care bed capacity."

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

**SECTION 1. AMENDMENT.** Section 23-16-01.1 of the North Dakota Century Code is amended and reenacted as follows:

**23-16-01.1. Moratorium on expansion of long-term care bed capacity.**

1. Notwithstanding sections 23-16-06 and 23-16-10, except when a facility reverts basic care beds to nursing facility beds or relicenses nursing facility beds delicensed after July 31, 2011, nursing facility beds may not be added to the state's licensed bed capacity during the period between August 1, 2019, and July 31, 2021. A nursing facility may not delicense nursing facility bed capacity, relicense nursing facility bed capacity, convert licensed nursing bed capacity to basic care bed capacity, revert licensed basic care bed capacity back to nursing facility bed capacity, or otherwise reconfigure licensed nursing facility bed capacity more than ~~one time~~two times in a twelve-month period.
2. Transfer of licensed nursing facility bed capacity from a nursing facility to another entity is permitted. The nursing facility may transfer the bed capacity either as nursing facility bed capacity or basic care bed capacity. Transferred bed capacity must become licensed by an entity within seventy-two months of transfer. Bed capacity transferred as basic care bed capacity may not be reverted to nursing facility bed capacity at any time. A receiving entity may transfer the received bed capacity to another entity within the seventy-two-month period originally established at the time the nursing facility first transferred the licensed nursing facility bed capacity. The subsequent receiving entity must license the received bed capacity within the seventy-two-month period originally established at the time of the first transfer.
3. A nursing facility may convert licensed nursing facility bed capacity to basic care. If the converted beds remain in the same facility and are not transferred, the beds may revert to nursing facility status after one year of licensure as basic care beds.
4. Nursing facility beds that are converted to basic care may be transferred as basic care beds. However, upon the transfer, the basic care beds may not be relicensed as nursing facility beds.
5. ~~If an Indian tribe~~a federally recognized tribal nation acquires nursing facility beds, the tribal facility must meet state licensing requirements for those beds within seventy-two months of acquisition. A tribal facility may seek to participate in the medical assistance programs. Medical assistance payments may only be made to a Medicaid certified tribal facility that agrees to participate and adhere to all federal and state requirements of the medical assistance program, including participation, screening, ratesetting, and licensing requirements.
6. A nursing facility, upon prior written notice to the state department of health, may delicense a maximum of ~~twenty-five~~thirty percent of its licensed nursing facility bed capacity and have the delicensed nursing facility held for a period of forty-eight months. The total delicensed nursing facility bed capacity that may be held for a nursing facility at no time may be greater than fifty percent of the number of currently licensed beds in the nursing facility. Delicensed nursing facility bed capacity in excess of fifty percent of the nursing facility's licensed capacity may not be held and is not eligible for the provisions of subsection 7. Delicensed bed capacity not sold or relicensed at the conclusion of the forty-eight-month holding period ceases to exist.
7. During the forty-eight-month holding period established at the time of delicensure, delicensed nursing facility bed capacity that is being held for the nursing facility may be:



- a. Relicensed by the nursing facility. Relicensing of nursing facility bed capacity may not occur for twelve months from the time of delicensure.
  - b. Transferred to another entity as nursing facility bed capacity or basic care bed capacity. The receiving entity must license the transferred bed capacity as the type of bed capacity transferred within a seventy-two-month period established at the time of transfer. Bed capacity transferred as basic care bed capacity may not be reverted to nursing facility bed capacity at any time. A receiving entity may transfer the received bed capacity to another entity within the seventy-two-month period established at the time of transfer. The subsequent receiving entity must license the received bed capacity within the seventy-two-month period established at the time of transfer.
  - c. Licensed as basic care beds by the same facility. If the licensed basic care beds remain in the same facility and are not transferred, the beds may be reverted to licensed nursing facility bed capacity after twelve months.
- 8. Notwithstanding any other provision of this section, a nursing facility bed transferred before July 1, 2019, must be relicensed by the receiving entity within a seventy-two-month period established at the time of transfer.
  - 9. Notwithstanding any other provision of this section, a nursing facility bed in the layaway program before July 1, 2019, may remain in the program for forty-eight months from the time the bed was first laid away."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1080: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1080 was placed on the Sixth order on the calendar.

Page 1, line 20, remove "or the board's assignee"

Page 1, line 21, remove "or the board's assignee"

Page 2, line 1, replace "operator" with "lessee or the lessee's representative or assignee"

Page 2, line 1, remove "or the"

Page 2, line 2, remove "board's assignee"

Page 2, line 2, remove "one hundred fifty days after oil or gas produced under the"

Page 2, line 3, replace "lease is marketed" with "the time prescribed by administrative rule"

Page 2, line 3, replace "operator" with "lessee or the lessee's representative or assignee"

Page 2, line 4, remove "and penalties"

Page 2, line 4, remove "to be no greater than"

Page 2, remove lines 5 through 11

Page 2, line 12, replace "attorney's fees" with "of three quarters of one percent per month, not to exceed nine percent per annum. The commissioner may waive all or a portion of the interest under this subsection for good cause"

Page 2, line 13, after "3." insert "If a lessee or the lessee's representative or assignee fails to respond or refuses to file an amended royalty statement and pay the royalty owed within ninety days of receiving written notice by mail of an underpayment, as provided by rule 4 of the North Dakota Rules of Civil Procedure, the board may impose a penalty of one-half percent per month, not to exceed six percent per annum. A party is deemed to have failed to respond if the party has not responded within ninety days of receipt of the written notice, or the party in response to the notice affirmatively indicates the intent not to pay the royalty or amounts due. The commissioner may waive all or a portion of the interest under this subsection for good cause.

4. If a lessee or the lessee's representative or assignee disputes a royalty assessment or demand by the board, the lessee or the lessee's representative or assignee may tender full payment of the disputed amount under protest any time after an assessment or demand is made by the board. Upon payment of the disputed amount under protest, all interest and penalties must cease to accrue. If it is determined that the payment of the disputed amount resulted in an overpayment, the party that made the payment is entitled to a refund of the overpayment amount plus interest at the rate established under section 28-20-34.
5. If a lessee or the lessee's representative or assignee fails or refuses to comply with demands by the board to pay royalties, interest, or penalties under this chapter, the board may file an action to cancel the lease, recover unpaid royalties, and recover interest and penalties on the unpaid royalties. Notwithstanding chapter 28-01, an action under this subsection must be commenced within six years of the date oil or gas was produced under a lease. An action to cancel a lease, recover unpaid royalties, or recover interest or penalties on unpaid royalties may not be filed for production that occurred under a lease before August 1, 2015.

6."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1090: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Sixth order on the calendar.

Page 1, after line 14, insert:

- "5. "Fair rental value" means the depreciated replacement value of the building, fixed equipment, moveable equipment, and land based on the facility's effective age. The calculation of the fair rental value of the building and fixed equipment must include a location factor, annual depreciation, and an annual replacement cost inflation factor.
6. "Fair rental value rate" means the per diem rate calculated using the fair rental value and rental rate."

Page 1, line 15, replace "5." with "7."

Page 1, line 17, replace "6." with "8."

Page 1, line 20, replace "7." with "9."

Page 2, line 8, replace "8." with "10."

Page 2, line 14, replace "9." with "11."

Page 2, line 17, replace "10." with "12."

Page 2, after line 18, insert:

- "13. "Margin cap" means a percentage of the price limit which represents the maximum per diem amount a nursing home may receive if the facility has historical operating costs below the price limit."

Page 2, line 19, replace "11." with "14."

Page 2, line 22, replace "12." with "15."

Page 2, line 24, replace "13." with "16."

Page 2, line 26, replace "14." with "17."

Page 2, line 27, replace "15." with "18."

Page 2, line 30, replace "16." with "19."

Page 3, line 5, replace "17." with "20."

Page 3, line 9, replace "18." with "21."

Page 3, line 12, replace "19." with "22."

Page 4, line 5, after "diems" insert ", increased by the market basket for skilled nursing facility before productivity assessment."

Page 4, line 11, overstrike "may not fall below" and insert immediately thereafter "must be established using the same percentage of"

Page 4, line 11, overstrike "of the most recent cost report." and insert immediately thereafter "used to establish the limits for the June 30, 2020, base period."

Page 5, after line 24, insert:

- "7. The margin cap used for the rate year beginning 2022 price limits must be no less than three and forty-six hundredths percent.
8. The market basket for skilled nursing facility before productivity adjustment is the preferred index to adjust historical operating costs when a new base period is established and to adjust the price rate in subsequent years until a new base rate period is established.
9. For the rate years beginning 2022 and 2023, the department shall inform the nursing home of the operating rate using historical operating costs and the operating rate using price limits. The nursing home shall inform the department if the nursing home wants to accept the operating rate using historical operating costs as the established rate.

Page 6, line 16, after "Establish" insert an underscored period

Page 6, line 30, after the overstruck period, insert "The per bed property cost limitation must apply to construction or renovation projects currently in process or which have approved financing in place on or before December 31, 2021. The nursing home must have agency approval of the project by December 31, 2022. The nursing home shall notify the department within thirty days of receiving financial approval for any construction or renovation projects that financing is in place on or before December 31, 2022."

Page 7, line 1, remove the overstrike over "3:"

Page 7, line 4, after the overstruck period insert "The maximum allowable movable equipment replacement value per licensed bed must be fifteen thousand dollars when calculating the fair rental value."

Page 7, line 5, remove the overstrike over "4-"

Page 7, line 7, after the second overstruck period insert "The maximum allowable square footage per licensed bed must be nine hundred fifty square feet [88.26 square meters] when calculating the fair rental value."

5. The maximum allowable rental rate must be eight percent when calculating the fair rental value rate.
6. Effective with the 2023 rate year, the property rate component of the payment rate, exclusive of startup and passthrough costs, must be the greater of the rate calculated using allowable property-related costs or the fair rental value rate. If the fair rental value rate is greater than the rate calculated using allowable property-related costs, the increase must be phased in over a four-year period.
7. Effective with the 2023 rate year, if the fair rental value rate is greater than the rate calculated using allowable property-related costs, the increase must be reserved until a major renovation or construction is placed in service.
8. Effective with the 2023 rate year and subsequent rate years, if the fair rental value rate is less than the rate calculated using allowable property-related costs, the department shall inform the nursing home of the property rate using allowable property-related costs and the fair rental value. Before the start of each rate year, the nursing home shall inform the department if the nursing home wants to accept the property rate using allowable property-related costs as the established rate. The allowable property-related costs must be calculated using only the allowable depreciation on capital assets and interest on debt as of June 30, 2022, for all rate years. Once the fair rental value rate is equal to or greater than the rate calculated using allowable property-related costs, or the nursing home does not inform the department the nursing home wants to accept the property rate using allowable property-related costs, the department no longer need inform the nursing home of the property rate using allowable property-related costs and the rate must be calculated using the fair rental value methodology."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1147: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1147 was placed on the Sixth order on the calendar.

Page 2, line 12, after "testing" insert "and assisted reproductive technologies such as oocyte retrievals, in vitro fertilization, and fresh and frozen embryo transfers"

Page 3, line 23, remove ", necessary to"

Page 3, remove line 24

Page 3, line 25, remove "with unlimited fresh and frozen embryo transfers."

Page 3, line 27, remove ", and using no more than two embryos per transfer"

Page 5, after line 17, insert:

- "7. Notwithstanding the coverage required under this section, the board may limit the coverage to a maximum of no less than fifty thousand dollars per covered individual."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1166: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1166 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact sections 43-51-12.1 and 43-51-12.2 of the North Dakota Century Code, relating to occupational licensing of foreign practitioners who are residents of the state;"

Page 1, line 2, replace the first comma with "and"

Page 1, line 2, remove ", 43-51-11.1, and 43-51-11.2"

Page 1, line 3, replace "foreign practitioners who are residents of the state" with "teachers"

Page 1, line 10, after "43-51-11.1" insert "or 43-51-12.1"

Page 1, line 16, overstrike "and" and insert immediately thereafter an underscored comma

Page 1, line 16, after the second comma insert "43-51-12.1, and 43-51-12.2"

Page 1, line 20, remove "and"

Page 1, line 20, after "43-51-11.2" insert ", 43-51-12.1, and 43-51-12.2"

Page 2, line 2, overstrike "section" and insert immediately thereafter "sections"

Page 2, line 2, after "43-51-11.1" insert "and 43-51-12.1"

Page 2, line 3, overstrike "applies" and insert immediately thereafter "apply"

Page 2, remove lines 4 through 29

Page 3, remove lines 1 through 29

Page 4, replace lines 1 through 13 with:

**"SECTION 4.** Section 43-51-12.1 of the North Dakota Century Code is created and enacted as follows:

**43-51-12.1. Foreign practitioners who are state residents - Licensure.**

1. This section applies to an applicant who is a foreign practitioner who is a resident of the state.
2. A board shall adopt rules regarding licensure of an applicant or shall grant on a case-by-case basis exceptions to the board's licensing standards to allow an applicant to practice the occupation or profession in the state if upon application to the board:
  - a. The applicant demonstrates competency in the occupation or profession through methods or standards determined by the board which must include experience in the occupation or profession for at least two of the four years preceding the date of application under this section; and
  - b. The board determines the issuance of the license will not substantially increase the risk of harm to the public. A board with authority to require an applicant to submit to a statewide and national criminal history record check under section 12-60-24 may order a record check under this subdivision.
3. A board shall issue a provisional license or temporary permit to an applicant for which the licensure requirements under subsection 2 have

been substantially met. A provisional license or temporary permit issued under this subsection may not exceed two years and remains valid while the applicant is making progress toward satisfying the unmet licensure requirements. An applicant may practice under a provisional license or temporary permit issued under this subsection until any of the following occurs:

- a. The board grants or denies the applicant a North Dakota license under subsection 2 or grants a North Dakota license under the traditional licensure method;
  - b. The provisional license or temporary permit expires;
  - c. The applicant fails to comply with the terms of the provisional license or temporary permit; or
  - d. The board revokes the provisional license or temporary permit based on a determination revocation is necessary to protect the health and safety of the residents of the state.
4. A board that may elect to subject the board to this chapter under subsection 1 of section 43-51-01 may issue a license, provisional license, or temporary permit to an applicant in the same manner as provided under subsections 2 and 3 regardless of whether the board has adopted rules to subject the board to this chapter.
  5. An individual issued a license under this section has the same rights and duties as a licensee issued a license under the traditional licensure method.
  6. If within thirty days of receipt of a completed application under subsection 2 the board does not grant or deny a license under subsection 2 or does not issue a provisional license or temporary permit under subsection 3, the board automatically shall issue a provisional license or temporary permit. A provisional license or temporary permit issued under this subsection remains valid until the board grants or denies the application for licensure under subsection 2 or issues a provisional license or temporary permit under subsection 3.
  7. For purposes of this section, the term "board" includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, and state board of dental examiners.

**SECTION 5.** Section 43-51-12.2 of the North Dakota Century Code is created and enacted as follows:

**43-51-12.2. Foreign practitioners who are state residents - Licensure applications.**

1. On each licensure application and renewal form, a board shall inquire and maintain a record of whether an applicant or licensee is a foreign practitioner who is a resident of the state. If an applicant self-identifies as and provides the board with satisfactory proof of being a foreign practitioner who is a resident of the state, the board immediately shall commence the process to issue a license, provisional license, or temporary permit under section 43-51-12.1.
2. For purposes of this section, the term "board" includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, and state board of dental examiners."

Page 4, line 17, replace "43-51-11.1" with "43-51-12.1"

Page 4, line 17, replace "43-51-11.2" with "43-51-12.2"

Page 4, line 21, replace "43-51-11.1" with "43-51-12.1"

Page 4, line 21, replace "43-51-11.2" with "43-51-12.2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1181, as engrossed: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1181 was placed on the Sixth order on the calendar.

Page 3, line 14, replace "fifteen" with "thirty"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1190: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1190 was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike "and subject to the power of the court to determine a date that is just"

Page 1, line 9, overstrike "and equitable,"

Page 1, line 9, after "property" insert "and debt"

Page 1, line 9, remove the underscored comma

Page 1, line 10, remove "in writing."

Page 1, line 11, after "property" insert "and debt"

Page 1, line 11, overstrike "the date"

Page 1, line 13, replace "of" with "sixty days before"

Page 1, line 13, replace "pretrial conference" with "trial date"

Page 1, line 14, after "asset" insert "or debt"

Page 1, line 14, remove "final"

Page 1, line 15, replace "distribution" with "date of trial"

Page 1, line 15, after "asset" insert "or debt"

Page 1, line 16, after "distribution" insert "and shall make specific findings that another date of valuation is fair and equitable"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1203: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1203 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1212: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends

**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1212 was placed on the Sixth order on the calendar.

Page 2, line 18, remove the overstrike over the second "one"

Page 2, line 18, remove "two"

Page 2, line 20, remove "one"

Page 2, line 21, overstrike "thousand" and insert immediately thereafter "five hundred"

Page 2, line 21, replace "four" with "twelve"

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1226: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1226 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1228: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1228 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1268: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1268 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1287: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1287 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; to amend and reenact section 19-03.1-23.4 of the North Dakota"

Page 1, line 4, remove "Century Code, relating to overdose prevention and immunity;"

Page 1, line 8, replace "shares, or otherwise provides" with "delivers, or conspires to deliver"

Page 1, line 9, remove "a"

Page 1, line 10, replace "drug overdose" with "the use of that controlled substance and the death of the individual would not have occurred in the absence of the defendant's conduct. This subdivision does not apply to an individual who is immune from prosecution under section 19-03.1-23.4"

Page 1, remove lines 11 through 24

Page 2, remove lines 1 through 6

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1298: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "who was assigned" with "of"



Page 1, line 9, replace "at birth" with "who is under eighteen years of age or who is enrolled in high school"

Page 1, line 12, replace "that" with "which"

Page 1, line 13, replace "who was assigned" with "of"

Page 1, line 13, replace "at birth" with "who is under eighteen years of age or who is enrolled in high school"

Page 1, line 16, after "event" insert "exclusively for males or exclusively for females"

Page 1, line 16, replace "who was assigned" with "of"

Page 1, line 16, remove "at"

Page 1, line 17, replace "birth" with "who is under eighteen years of age or who is enrolled in high school"

Page 1, line 17, remove "in an athletic event conducted exclusively for males"

Page 1, line 18, remove "or exclusively for females"

Page 1, line 19, remove the first "the"

Page 1, line 19, replace "assigned at birth is the sex indicated on the" with "means an"

Page 1, line 20, replace "original birth certificate issued at the time of" with "biological sex and is based solely on an individual's reproductive biology and genetics at"

Page 1, after line 20, insert:

- "3. This section may not be construed to prohibit a female from participating in a school-sponsored athletic team or event that is exclusively for males."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1318: Education Committee (Rep. Owens, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1318 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "pace"

Page 1, line 12, after the underscored period insert "The term does not include devices that are designed or prescribed for therapeutic or safety purposes, and which are used by trained school district personnel on a student or by a student on the student's own body."

Page 2, after line 21, insert:

- "3. Beginning July 1, 2023, and annually by July first each year thereafter, each school district shall submit a written report to the superintendent of public instruction. The report must include:
- a. The number of incidents, not to exceed one incident per student per day for state purposes, of both restraint and seclusion in each school located within the district during the preceding calendar year, and whether the student who was the subject of the restraint or seclusion was on an individualized education program, or a 504 plan in compliance with the requirements of section 504 of the Rehabilitation Act [29 U.S.C. 794];

- b. The number of students, not to exceed one incident per student per day for state purposes, who were the subject of restraint and seclusion methods by school district personnel during the preceding calendar year, and whether the students were on an individualized education program, or a 504 plan in compliance with the requirements of section 504 of the Rehabilitation Act [29 U.S.C. 794]; and
- c. The type of restraint or seclusion used during each incident.
- 4. The superintendent of public instruction shall publish the data received under subsection 3 to the department's website within ninety days of receipt of the data."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1328: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1328 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new section to chapter 43-15 and"

Page 1, line 23, replace "3" with "2"

Page 2, remove lines 1 through 4

Page 2, line 10, remove "pharmacist or"

Page 2, line 22, replace "3" with "2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1345: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1345 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "criminal" with "felony"

Page 2, line 7, replace "polygraphicists" with "polygraphists"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1354: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1354 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**HB 1355: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1355 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1356: Education Committee (Rep. Owens, Chairman)** recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1356 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1363: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1363 was placed on the

Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1374: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1374 was placed on the Sixth order on the calendar.

Page 1, line 10, after the underscored period insert "A benefit under this subdivision excludes unemployment compensation received from a state or federal program. The amount of the total deduction determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1400: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1400 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1403: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1403 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1407: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1407 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to repeal section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements;"

Page 1, line 2, remove "a"

Page 1, line 3, replace "report" with "and legislative council reports"

Page 1, line 3, remove "and"

Page 1, line 3, after "appropriation" insert "; and to provide a contingent effective date"

Page 1, line 20, replace "ninety" with "seventy"

Page 1, line 20, replace "ten" with "thirty"

Page 2, line 2, remove the overstrike over the overstruck colon

Page 2, line 3, remove the overstrike over "(1)" Use "

Page 2, line 3, remove "use"

Page 2, line 6, after "services" insert "; however, no more than thirty-five percent may be used for capital construction"

Page 2, remove the overstrike over lines 14 through 21

Page 2, line 25, remove the overstrike over "~~upon completion of any auditing and verification actions of the~~"

Page 2, line 26, remove the overstrike over "~~department,~~"

Page 2, remove the overstrike over lines 28 through 30

Page 3, remove the overstrike over lines 1 through 7

Page 3, line 13, remove "The Three Affiliated Tribes of the Fort Berthold Reservation, Spirit Lake Tribe."

Page 3, remove line 14

Page 3, line 15, replace "each" with "Each participating tribe"

Page 3, line 16, replace "tribes" with "tribe's"

Page 3, after line 16, insert:

**"SECTION 2. REPEAL.** Section 50-24.1-40 of the North Dakota Century Code is repealed.

**SECTION 3. DEPARTMENT OF HUMAN SERVICES - REPORT TO LEGISLATIVE COUNCIL.** On January 2, 2023, the executive director of the department of human services shall certify to the legislative council whether any care coordination agreements have been facilitated under section 50-24.1-40 by December 31, 2022. If no care coordination agreements have been facilitated, the executive director also shall certify this status to the secretary of state.

**SECTION 4. CONTINGENT EFFECTIVE DATE.** Section 2 of this Act becomes effective on January 3, 2023, if the executive director of the department of human services certifies to the secretary of state and to the legislative council that by December 31, 2022, no care coordination agreements have been facilitated under section 50-24.1-40."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1413: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1413 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding public school nutritional resources.

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

##### **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PUBLIC SCHOOL NUTRITIONAL RESOURCES.**

1. During the 2021-22 interim, the legislative management shall consider studying public school nutritional resources, including the potential options of providing breakfast or lunch, free of charge, for all public school students. The study must include:
  - a. An evaluation of the usage, participation, and effectiveness of the federal free and reduced lunch program for students attending public schools in the state;
  - b. A review of the cost of living, income and poverty guidelines across districts and regions of the state, and other factors the legislative management deems appropriate;
  - c. A comparison of North Dakota laws and other state laws regarding school nutritional services and funding;
  - d. A review of the potential to use local and state products in school lunch programs and public-private partnerships; and

- e. A review of the stigma associated with participating in the free and reduced lunch program and investigate opportunities to address hunger and food insecurity of students attending public school in the state.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1416: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1416 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**HB 1425: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1425 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "section 6-09-49.1 and"

Page 1, line 2, remove "the legacy infrastructure revolving loan fund and"

Page 1, line 3, after "sections" insert "6-09-49,"

Page 1, line 3, after "21-10-02" insert a comma

Page 1, line 4, after "to" insert "the legacy infrastructure revolving loan fund,"

Page 1, line 4, after "board" insert a comma

Page 1, remove lines 7 through 24

Page 2, replace lines 1 through 20 with:

**"SECTION 1. AMENDMENT.** Section 6-09-49 of the North Dakota Century Code is amended and reenacted as follows:

**6-09-49. Infrastructure revolving loan fund - Legacy infrastructure revolving loan fund - Continuing appropriation.**

1. The infrastructure revolving loan fund is a special fund in the state treasury from which the Bank of North Dakota shall provide loans to political subdivisions, the Garrison Diversion Conservancy District, and the Lake Agassiz water authority for essential infrastructure projects. The Bank shall administer the infrastructure revolving loan fund. The maximum term of a loan made under this section is thirty years. A loan made from the fund under this section must have an interest rate that does not exceed two percent per year.
2. For purposes of this section, "essential infrastructure projects" means capital construction projects for the following:
  - a. The Red River valley water supply project;
  - b. New or replacement of existing water treatment plants;
  - c. New or replacement of existing wastewater treatment plants;
  - d. New or replacement of existing sewer lines and water lines; and

- e. New or replacement of existing storm water and transportation infrastructure, including curb and gutter construction.
3. In processing political subdivision loan applications under this section, the Bank shall calculate the maximum loan amount for which a qualified applicant may qualify, not to exceed fifteen million dollars per loan. The Bank shall consider the applicant's ability to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
4. The Bank shall deposit in the infrastructure revolving loan fund all payments of interest and principal paid under loans made from the infrastructure revolving loan fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs which may not exceed one-half of one percent of the amount of the interest payment. All moneys transferred to the fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this section.
5. The Bank may adopt policies and establish guidelines to administer this loan program in accordance with the provisions of this section and to supplement and leverage the funds in the infrastructure revolving loan fund. Additionally, the Bank may adopt policies allowing participation by local financial institutions.
6.
  - a. The legacy infrastructure revolving loan fund is a special fund in the infrastructure revolving loan fund from which the Bank of North Dakota shall provide loans to political subdivisions, the Garrison Diversion Conservancy District, and the Lake Agassiz water authority for eligible infrastructure projects as defined in subdivision g. The Bank shall use moneys in the legacy infrastructure revolving loan fund to provide loans to political subdivisions for eligible infrastructure projects pursuant to subdivisions g, h, and i.
  - b. The Bank may adopt policies and establish guidelines to administer the legacy infrastructure revolving loan program in accordance with this subsection, including policies to supplement and leverage the moneys in the fund and policies to allow participation by local financial institutions.
  - c. A loan made from the legacy infrastructure revolving loan fund must have an interest rate that does not exceed two percent per year. The maximum term of a loan for an infrastructure project under subdivision g is thirty years or the useful life of the project, and the maximum term for a loan for an infrastructure project under subdivision h or i is forty years or the useful life of the project.
  - d. All principal and interest payments received on loans made from the legacy infrastructure revolving loan fund must be deposited into the legacy infrastructure revolving loan fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay administrative costs, which may not exceed one half of one percent of the amount of the outstanding loans. All moneys transferred to the legacy infrastructure revolving loan fund, interest upon moneys in the fund, and payments to the fund of principal and interest are appropriated to the Bank on a continuing basis for administrative costs and for loan disbursement according to this subsection.
  - e. An applicant shall issue an evidence of indebtedness as authorized by law.

- f. In processing political subdivision loan applications under this subsection, the Bank shall calculate the maximum outstanding loan amount per qualified applicant. The maximum outstanding loan amount for infrastructure projects under subdivision g is forty million dollars. The Bank shall consider the applicant's ability to repay the loan when processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
- g. Eligible infrastructure projects under this subdivision are capital construction projects to construct new infrastructure or to replace infrastructure, and which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. Capital construction projects exclude routine maintenance and repair projects but include the following:
  - (1) Water treatment plants;
  - (2) Wastewater treatment plants;
  - (3) Sewer lines and water lines, including lift stations and pumping systems;
  - (4) Water storage systems, including dams, water tanks, and water towers;
  - (5) Storm water infrastructure, including curb and gutter construction;
  - (6) Road and bridge infrastructure, including paved and unpaved roads and bridges;
  - (7) Airport infrastructure;
  - (8) Electricity transmission infrastructure;
  - (9) Natural gas transmission infrastructure;
  - (10) Communications infrastructure;
  - (11) Emergency services facilities, excluding hospitals;
  - (12) Essential political subdivision buildings and infrastructure; and
  - (13) The Red River valley water supply project.
- h. The department of transportation shall approve county road and bridge projects for purposes of loans under this subsection. The department of transportation may adopt policies for the review and approval of loans under this subsection.
- i. For purposes of loans under this subsection, the state water commission shall review and approve eligible projects to construct new water related infrastructure or to replace existing water-related infrastructure, which provide the fixed installations necessary for the function of a political subdivision and are in the public interest. The state water commission may adopt policies for the review and approval of loans under this subsection. Capital construction projects exclude routine maintenance and repair projects, but include the following:
  - (1) Flood control;
  - (2) Conveyance projects;

- (3) Rural water supply;
- (4) Water supply; and
- (5) General water management."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1429: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the Sixth order on the calendar.

Page 9, line 20, after "president" insert "pro tempore"

Page 9, line 21, replace "their designee" with "the officers' designees"

Page 9, line 22, remove "a"

Page 9, line 22, replace "affidavit" with "affidavits"

Page 9, line 22, replace "officer" with "officers"

Page 9, line 23, replace "its" with "the member state's"

Page 9, line 24, replace "any" with "the"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1430: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1430 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "15.1-21-02.7" with "15.1-21-02.8"

Page 1, line 2, remove "resident student"

Page 1, line 2, replace "to receive both" with "requirements for"

Page 1, line 8, after "a." insert "(1) The state board of higher education shall provide to any student who graduated from a high school or completed a program of home education supervised in accordance with chapter 15.1-23 on or before December 31, 2021, and who is certified as being eligible by the superintendent of public instruction either a North Dakota academic scholarship or a North Dakota career and technical education scholarship in the amount of seven hundred fifty dollars for each semester during which the student is enrolled full time at an accredited institution of higher education in this state, maintains a cumulative grade point average of 2.75, and maintains progress toward degree completion.

- (2) The state board of higher education shall provide to any student who graduated from a high school or completed a program of home education supervised in accordance with chapter 15.1-23 on or before December 31, 2021, and who is certified as being eligible by the superintendent of public instruction either a North Dakota academic scholarship or a North Dakota career and technical education scholarship in the amount of five hundred dollars for each quarter during which the student is enrolled full time at an accredited institution of higher education in this state, maintains a cumulative grade point average of 2.75, and maintains progress toward degree completion.



- b. The state board shall monitor each scholarship recipient to ensure the student meets the academic and other requirements of this section. Upon determining a recipient student has failed to meet the requirements of this section, the board shall provide notification to the student within ten days.
- c. A student is not entitled to receive more than six thousand dollars under this section.
- d. The state board of higher education shall forward the scholarship directly to the institution in which the student is enrolled.
- e.
  - (1) (a) This section does not require a student to be enrolled in consecutive semesters.
  - (b) This section does not require a student to be enrolled in consecutive quarters.
  - (2) A scholarship under this section is valid only for six academic years after the student's graduation from high school and may be applied to a graduate program.
- f. A scholarship under this section is available to any eligible resident student who fulfills the requirements of section 15.1-21-02.4 or 15.1-21-02.5 and who:
  - (1) Graduates from a high school in this state;
  - (2) Graduates from a high school in a bordering state under chapter 15.1-29;
  - (3) Graduates from a nonpublic high school in a bordering state while residing with a custodial parent in this state; or
  - (4) Completes a program of home education supervised in accordance with chapter 15.1-23.
- g.
  - (1) For purposes of North Dakota scholarship eligibility under this section, "full time" has the same meaning as the term is defined by the institution the student is attending.
  - (2) A student who is enrolled less than full-time may retain scholarship eligibility if the student is in the final semester or quarter before graduation. The waiver of the full-time enrollment status requirement for scholarship eligibility may not apply to a student more than once.
  - (3) For the purpose of North Dakota scholarship eligibility under this section, "progress toward degree completion" means earning the following minimum number of credits after each semester or quarter term disbursement to qualify for the subsequent disbursement:
    - (a) Twenty-four credits after disbursement two;
    - (b) Thirty-nine credits after disbursement three;
    - (c) Fifty-four credits after disbursement four;
    - (d) Sixty-nine credits after disbursement five;
    - (e) Eighty-four credits after disbursement six; and
    - (f) Ninety-nine credits after disbursement seven.

## 2. a. (1)"

Page 1, line 8, after "student" insert "who graduated from a high school or completed a program of home education supervised in accordance with chapter 15.1-23 after December 31, 2021, and who is"

Page 1, line 9, remove the overstrike over "either"

Page 1, line 9, remove "for"

Page 1, line 11, remove ", a scholarship"

Page 1, line 11, remove the overstrike over "seven"

Page 1, line 11, remove the underscored colon

Page 1, line 12, remove "(1) Seven"

Page 1, line 12, remove "the North Dakota academic scholarship for"

Page 1, line 13, overstrike "full time"

Page 1, line 13, after "at" insert "least half time at"

Page 1, line 13, after "accredited" insert "public research institution, public four-year institution, or private four-year"

Page 1, line 14, overstrike the comma and insert immediately thereafter "and"

Page 1, line 15, overstrike ", and maintains progress toward degree completion"

Page 1, line 15, remove the underscored semicolon

Page 1, remove lines 16 through 24

Page 2, remove lines 1 and 2

Page 2, line 3, remove "progress toward degree completion"

Page 2, line 4, overstrike "b." and insert immediately thereafter "(2) The state board of higher education shall provide to any student who graduated from a high school or completed a program of home education supervised in accordance with chapter 15.1-23 after December 31, 2021, and who is certified as being eligible by the superintendent of public instruction either a North Dakota academic scholarship or a North Dakota career and technical education scholarship in the amount of one thousand five hundred dollars for each semester during which the student is enrolled at least half time at an accredited public two-year institution or tribal institution of higher education in this state and maintains a cumulative grade point average of 2.75.

## b. (1)"

Page 2, line 4, after "student" insert "who graduated from a high school or completed a program of home education supervised in accordance with chapter 15.1-23 after December 31, 2021, and who is"

Page 2, line 5, remove the overstrike over "either"

Page 2, line 5, remove "for"

Page 2, line 7, remove ", a scholarship"

Page 2, line 7, remove the overstrike over "five"

Page 2, line 7, remove the underscored colon

Page 2, line 8, remove "(1) Five"

Page 2, line 8, remove "the North Dakota academic scholarship for"

Page 2, line 9, overstrike "full time"

Page 2, line 9, after "at" insert "least half time at"

Page 2, line 9, after "accredited" insert "public research institution, public four-year institution, or private four-year"

Page 2, line 10, overstrike the comma and insert immediately thereafter "and"

Page 2, line 11, overstrike ", and maintains progress toward degree completion"

Page 2, line 11, remove the underscored semicolon

Page 2, remove lines 12 through 21

Page 2, line 22, remove "point average of 2.75, and maintains progress toward degree completion"

Page 2, after line 22, insert:

"(2) The state board of higher education shall provide to any student who graduated from a high school or completed a program of home education supervised in accordance with chapter 15.1-23 after December 31, 2021, and who is certified as eligible by the superintendent of public instruction either a North Dakota academic scholarship or a North Dakota career and technical education scholarship in the amount of one thousand dollars for each quarter during which the student is enrolled at least half time at an accredited public two-year institution or tribal institution of higher education in this state and maintains a cumulative grade point average of 2.75."

Page 2, line 23, overstrike "2." and insert immediately thereafter "c."

Page 2, line 23, overstrike "that"

Page 2, line 24, overstrike "and other"

Page 2, line 24, overstrike "that"

Page 2, line 27, overstrike "3." and insert immediately thereafter "d."

Page 2, line 27, remove "for a North Dakota"

Page 2, line 28, remove "academic or career and technical education scholarship"

Page 2, line 28, remove ", unless the"

Page 2, remove lines 29 and 30

Page 2, line 31, remove "to receive more than twelve thousand dollars under this section"

Page 3, line 1, overstrike "4." and insert immediately thereafter "e."

Page 3, line 2, after "the" insert "degree-seeking or certificate-seeking"

Page 3, line 3, overstrike "5. a." and insert immediately thereafter "f."

Page 3, line 3, after "(1)" insert "(a)"

Page 3, line 5, overstrike "(2)" and insert immediately thereafter "(b)"

Page 3, line 7, overstrike "b." and insert immediately thereafter "(2)"

Page 3, line 9, overstrike "6." and insert immediately thereafter "g."

Page 3, line 11, overstrike "a." and insert immediately thereafter "(1)"

Page 3, line 12, overstrike "b." and insert immediately thereafter "(2)"

Page 3, line 13, overstrike "c." and insert immediately thereafter "(3)"

Page 3, line 15, overstrike "d." and insert immediately thereafter "(4)"

Page 3, line 17, overstrike "7. a." and insert immediately thereafter "h. (1)"

Page 3, line 17, overstrike "full-time" and insert immediately thereafter "half time"

Page 3, line 20, overstrike "b." and insert immediately thereafter "(2)"

Page 3, line 20, overstrike "full-time" and insert immediately thereafter "half time"

Page 3, line 22, overstrike "full-time" and insert immediately thereafter "half time"

Page 3, overstrike lines 24 through 31

Page 4, overstrike lines 1 and 2

Page 4, replace lines 3 through 20 with:

**"SECTION 2. AMENDMENT.** Section 15.1-21-02.8 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-21-02.8. North Dakota scholarship - Eligibility - One-time exception.**

1. a. Notwithstanding section 15.1-21-02.6, if a student's cumulative grade point average as determined by the state board of higher education at the conclusion of a semester is below 2.75, the board shall grant an exception and provide the North Dakota scholarship to which the student would otherwise be entitled for the next semester in which the student is enrolled ~~full-time~~ at least half time. The exception provided by this section is applicable to a student only one time.
- b. If a student's cumulative grade point average as determined by the state board of higher education at the conclusion of a semester is below 2.75 for a second time, the student is no longer eligible to receive any additional North Dakota academic or career and technical education scholarships.
2. a. Notwithstanding section 15.1-21-02.6, if a student's cumulative grade point average as determined by the state board of higher education at the conclusion of a quarter is below 2.75, the board shall grant an exception and provide the North Dakota scholarship to which the student would otherwise be entitled for the next quarter in which the student is enrolled ~~full-time~~ at least half time. The exception provided by this section is applicable to a student only one time.
- b. If a student's cumulative grade point average as determined by the state board of higher education at the conclusion of a quarter is below 2.75 for a second time, the student is no longer eligible to receive any additional North Dakota academic or career and technical education scholarships."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1441: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1441 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding a paid family medical leave program.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:****SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PAID FAMILY MEDICAL LEAVE PROGRAMS.**

1. During the 2021-22 interim, the legislative management shall consider studying the financial impact of implementing a state-facilitated paid family medical leave program that builds on the federal Family Medical Leave Act, which provides job-protected but unpaid time off to eligible individuals. The study must include:
  - a. A review of the feasibility and desirability of creating a state-facilitated paid family medical leave program that has optional employer and employee participation and provides replacement salary for eligible employees during an eligible event; and
  - b. A review of the financial impact a paid family medical leave program would have on North Dakota workers and businesses and the financial viability of a program.
2. The legislative management may contract with a private third party to conduct an actuarial analysis and provide a report to the legislative management. The analysis and report must consider the feasibility of multiple contribution and benefit levels, and provide a review of state-facilitated paid leave programs that have been enacted in other states.
3. The legislative management shall report its findings and recommendations, together with any legislation to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1443: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1443 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1446: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1446 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1456: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1456 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1466: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1466 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1478: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS**

**AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1478 was placed on the Sixth order on the calendar.

Page 1, line 12, after the first underscored comma insert "pre-apprenticeships."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1479: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1479 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the simplification or elimination of income tax.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SIMPLIFICATION OR ELIMINATION OF INCOME TAX.** During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of simplifying or eliminating income tax. The study must include a review of simplifying income tax by applying a flat-rate income tax to all taxpayers, including an analysis of the estimated fiscal impact on general fund revenues and individual taxpayers. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1488: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1488 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3026: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3026 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3028: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3028 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**