

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, April 15, 2021

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

The prayer was offered by Rep. Christensen, District 24.

The roll was called and all members were present except Representative Cory.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to Engrossed SB 2021.

Engrossed SB 2021, as amended, was placed on the Fourteenth order of business on the calendar.

## SECOND READING OF SENATE BILL

**SB 2021:** A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; to amend and reenact section 54-59-07 of the North Dakota Century Code, relating to the state information technology advisory committee; to provide a transfer; to provide for a report; to provide an exemption; to provide for a statement of legislative intent; to provide for a legislative management study; and to declare an emergency.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Fegley; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Longmuir; Louser; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Bellew; Boe; Christensen; Delzer; Dockter; Ertelt; Fisher; Hauck; Headland; Heinert; Hoverson; Kading; Karls; Keiser; Koppelman, B.; Lefor; Magrum; Marschall; Martinson; Meier; Nehring; Paulson; Paur; Porter; Rohr; Ruby, D.; Satrom; Schatz; Skroch; Steiner; Toman; Vetter; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Cory

Engrossed SB 2021, as amended, passed but the emergency clause failed.

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## MOTION

**REP. LOUSER MOVED** to temporarily suspend House Rule 361 for the remainder of the session, which motion prevailed on a voice vote.

## CONSIDERATION OF MESSAGES FROM THE SENATE

**REP. LOUSER MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1012 as printed on HJ pages 1650-1665 and in the Senate amendments to Engrossed HB 1016 as printed on HJ pages 1665-1668 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEES**

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed HB 1012:** Reps. J. Nelson, Kreidt, Mitskog.

**Engrossed HB 1016:** Reps. Brandenburg, Kempenich, Mock.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. LOUSER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2004, Engrossed SB 2006, Engrossed SB 2015, Engrossed SB 2019, Engrossed SB 2271, Engrossed SB 2272, Engrossed SB 2290, and Reengrossed SB 2319, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed SB 2004:** Reps. Kreidt, Strinden, Mitskog

**Engrossed SB 2006:** Reps. Kempenich, Meier, Mock

**Engrossed SB 2015:** Reps. Schobinger, B. Anderson, Mitskog

**Engrossed SB 2019:** Reps. Sanford, Schmidt, Boe

**Engrossed SB 2271:** Reps. Kasper, Rohr, B. Koppelman

**Engrossed SB 2272:** Reps. Owens, Monson, Zubke

**Engrossed SB 2290:** Reps. Kasper, B. Koppelman, Steiner

**Reengrossed SB 2319:** Reps. Headland, Bosch, Dockter

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PORTER MOVED** that the House do concur in the Senate amendments to Engrossed HCR 3006 as printed on HJ page 1464, which motion prevailed on a voice vote.

Engrossed HCR 3006, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3006:** A concurrent resolution urging Congress and the President of the United States to protect the Second Amendment of the United States Constitution.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 92 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hatlestad; Hauck; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Hanson

**ABSENT AND NOT VOTING:** Cory

Reengrossed HCR 3006 was declared adopted on a recorded roll call vote.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1025 as printed on HJ pages 1360-1361, which motion prevailed on a voice vote.

Engrossed HB 1025, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1025:** A BILL for an Act to provide an appropriation for defraying the expenses of various

state departments and institutions; to provide for payment of court-ordered judgments; to provide for a transfer; to provide a statement of legislative intent; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Christensen; Ertelt; Hoverson

**ABSENT AND NOT VOTING:** Cory

Reengrossed HB 1025 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DELZER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1141 as printed on HJ page 1482, which motion prevailed on a voice vote.

Engrossed HB 1141, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1141:** A BILL for an Act to provide a transfer to the innovation loan fund to support technology advancement.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 79 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; 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; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Thomas; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Delzer; Ertelt; Hauck; Hoverson; Magrum; Rohr; Ruby, D.; Schatz; Schmidt; Stemen; Toman

**ABSENT AND NOT VOTING:** Cory

Reengrossed HB 1141 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DOCKTER MOVED** that the House do concur in the Senate amendments to

Engrossed HB 1397 as printed on HJ page 1467, which motion prevailed on a voice vote.

Engrossed HB 1397, as amended, was placed on the Eleventh order of business.

### SECOND READING OF HOUSE BILL

**HB 1397:** A BILL for an Act to establish a legislative management redistricting committee, to provide for the implementation of a legislative redistricting plan, to exempt drafts of redistricting plans from open records requirements, to provide for public access to plans that are distributed or reported, and to provide for a special legislative session; to provide an expiration date; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Hoverson; Magrum; Paur

**ABSENT AND NOT VOTING:** Cory

Reengrossed HB 1397 passed and the emergency clause was declared carried.

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### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DOCKTER MOVED** that the House do concur in the Senate amendments to HB 1337 as printed on HJ pages 1425-1428, which motion prevailed on a voice vote.

HB 1337, as amended, was placed on the Eleventh order of business.

### SECOND READING OF HOUSE BILL

**HB 1337:** A BILL for an Act to amend and reenact sections 15.1-12-07, 15.1-12-26, and 15.1-12-27 of the North Dakota Century Code, relating to the transfer of property of dissolved school districts.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Christensen; Ertelt; Koppelman, B.; Magrum; Marschall; Paur

**ABSENT AND NOT VOTING:** Cory

Engrossed HB 1337 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. HEADLAND MOVED** that the House do concur in the Senate amendments to HB 1116 as printed on HJ pages 1460-1461, which motion prevailed on a voice vote.

HB 1116, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1116:** A BILL for an Act to amend and reenact subsection 6 of section 21-03-07 and sections 57-15-06.6 and 57-47-02 of the North Dakota Century Code, relating to the issuance of general obligation bonds and the authorized uses of the county capital projects levy; to provide an effective date; and to provide a contingent effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Boe; Delzer; Ertelt; Magrum; Paur; Ruby, M.; Toman; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Cory

Engrossed HB 1116 passed.

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#### ANNOUNCEMENT

**SPEAKER K. KOPPELMAN ANNOUNCED** that the House stand in recess until 12:30 p.m.

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

#### CORRECTION AND REVISION OF THE JOURNAL

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

Page 1670, line 28, after "Page 1," insert:

" line 17,"

Page 1675, remove line 21

**REP. BELLEW MOVED** that the report be adopted, which motion prevailed on a voice vote.

#### MOTION

**REP. LOUSER MOVED** a committee of two be appointed to escort Miss North Dakota, Haley Wolfe, to the podium, which motion prevailed on a voice vote.

**SPEAKER K. KOPPELMAN APPOINTED** Reps. Pollert and Richter to the escort

committee.

#### **REMARKS OF MISS NORTH DAKOTA 2019 & 2020 HALEY WOLFE**

Exactly six hundred and seventy days ago I was crowned Miss North Dakota 2019. Since that day I have been going full speed ahead making the most of my time as Miss North Dakota. I have traveled to places I have always wanted to go, been on TV more times than I can count, represented North Dakota at the Miss America competition, traveled over 55,000 miles across this great state and spoken to over 20,000 North Dakota students of all ages. However, my biggest accomplishment of all was sharing my story on the Miss America stage. Every year Miss North Dakota picks an organization, social issue, or topic that serves as the focal point of her speaking engagements. This is known as a social impact initiative. When I first began my journey to becoming Miss North Dakota, the choice for my social impact initiative was an obvious one. I would now like to take a minute to pose a question to our representatives in this session. Do you know what is the second leading cause of death for youth in North Dakota? Suicide is currently the second leading cause of death for individuals between the ages of 10 to 24 in our state. Prior to the pandemic, 18.8% of North Dakota high school students reported they seriously considered attempting suicide in 2019. The astonishing part of these statistics is not the age range or the high percentages, it is the fact that suicide is 100% preventable. I first learned what suicide was at the age of ten. Like many who are a part of the mental health community, the reason I advocate for this cause is because I have a personal connection to it. At the young age of 18 my cousin Derick died by suicide. He was going into his senior year of high school, gave it his all on the football field, and was a hard-working farm kid helping his dad with crops and cattle. I want to say I did not ever recall him ever being upset, sad, or complaining about life. Yet before anyone could identify how much he was struggling, he was gone. We missed the warning signs and many individuals in my family did not have the knowledge or resources to help. That is why, instead of advocating for this cause alone, I have partnered with the #BeThe1To movement. #BeThe1To is a social movement created by the National Suicide Prevention Lifeline. The goal of this movement is to create an open environment to discuss and promote suicide prevention on social media. This project's main objective focuses on switching from a reactive approach to suicide, to a preventative approach by laying out action steps we can all take when we see someone who is struggling. I want to emphasize the importance of action steps. The topic of suicide is already one that many feel uncomfortable speaking about and often do not know how to address. This movement lays out five simple steps on how you can begin that conversation and find resources to improve mental and behavioral health. It starts by asking one simple question of "Hey, are you ok?" or "Are you having thoughts and feelings of suicide?" Next, it is important to keep the person safe from themselves and what is causing them so much pain in their life. After initiating that conversation, be ready to be there for them and support them whether they are ready to talk or may need a little more time. You can help them connect to resources available and others who share their same struggles and stories. Finally, follow up with them often so they know that they are always supported. I myself was hesitant to discuss the topic when I first chose it as my social impact initiative. I often felt that people would shy away from listening. In all of my experience these past two years, I have come to find that my hesitation and concerns were proven wrong. Many across the state see a need to discuss prevention and resources with our youth, and I was welcomed into many communities and schools. It is often said that everything happens for a reason and I do believe that this was the year I was meant to be Miss North Dakota. Fast forward to March of 2020 when we all went into isolation, nearly 70% of North Dakotan's reported that the pandemic has impacted their mental health. Having traveled across most of the state by then, mostly into the more rural communities, I was fortunate to have educated many students on the action steps needed to improve suicide prevention efforts. Unknowingly, I was able to give them the resources they needed to identify the warning signs in others and in themselves. And I was also not alone in the effort. From state grant money to sharing resources available such as FirstLink, North Dakota continues to make suicide prevention a priority and for that I say thank you. Closing out my time here today the same way I did at the Miss America competition, I would like to share with you all a phrase someone once told me. Remember that it takes a village to raise a child, but it also takes a village to save a child. Suicide is preventable. Thank you and thank you for your time today.

#### **MOTION**

**REP. LOUSER MOVED** that the remarks of Miss North Dakota, Haley Wolfe, be printed in the Journal, which motion prevailed on a voice vote.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1492:** Your conference committee (Sens. Anderson, Clemens, Hogan and Reps. M. Ruby, Westlind, Dobervich) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1316, adopt amendments as follows, and place HB 1492 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1316 and 1317 of the House Journal and pages 984 and 985 of the Senate Journal and that Engrossed House Bill No. 1492 be amended as follows:

Page 1, line 1, after "to" insert "create and enact section 19-02.1-16.5 of the North Dakota Century Code, relating to limitations on pharmacy benefits managers; to"

Page 1, line 2, after the semicolon insert "to provide a penalty;"

Page 1, after line 4, insert:

**"SECTION 1.** Section 19-02.1-16.5 of the North Dakota Century Code is created and enacted as follows:

**Pharmacy benefits managers - Prohibition on discrimination - Penalty.**

1. As used in this section:
  - a. "Pharmacy" means a pharmacy licensed under the laws of this state.
  - b. "Pharmacy benefits manager" has the same meaning as in section 19-03.6-01.
2. A pharmacy benefits manager may not discriminate against or interfere with a covered entity participating under section 340B of the federal Public Health Service Act [42 U.S.C. 201 et seq.] or a pharmacy under contract with a covered entity under section 340B of the federal Public Health Service Act to provide pharmacy services on behalf of the covered entity. This includes refusing to contract with a pharmacy.
3. A pharmacy benefits manager may not modify, by contract, provider manual, or other means, the definition of pharmacy as defined in this section, reimburse a lower dollar amount for a drug purchased under 340B than if the drug had been purchased outside 340B, or interfere with any section 340B pharmacy service between the covered entity and the contracted pharmacy.
4. A pharmacy benefits manager may not directly or indirectly, on behalf of a pharmacy benefits manager, a carrier, or a health plan, charge or hold a pharmacy responsible for a fee for any step, component, or mechanism related to the claims adjudication processing network.
5. Contract and claim information between the covered entity and contracted pharmacy is confidential.
6. A pharmacy benefits manager that violates this section is guilty of a class B misdemeanor for each violation occurrence."

Renumber accordingly

H 1492 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. M. RUBY MOVED** that the conference committee report on HB 1492 be adopted, which motion prevailed on a voice vote.

HB 1492, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1492:** A BILL for an Act to create and enact section 19-02.1-16.5 of the North Dakota Century Code, relating to limitations on pharmacy benefits managers; to amend and reenact section 43-15-25.3 of the North Dakota Century Code, relating to permitting pharmacists to administer SARS-CoV-2 tests; to provide a penalty; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Hauck; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Skroch

Engrossed HB 1492 passed and the emergency clause was declared carried.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1407, as engrossed:** Your conference committee (Sens. Anderson, K. Roers, Hogan and Reps. Westlind, Tveit, Dobervich) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1360, adopt amendments as follows, and place HB 1407 on the Seventh order:

That the Senate recede from its amendments as printed on page 1360 of the House Journal and pages 913 and 914 of the Senate Journal and that Engrossed House Bill No. 1407 be amended as follows:

Page 1, line 22, replace "seventy" with "eighty"

Page 1, line 23, replace "thirty" with "twenty"

Page 2, line 9, after the underscored comma insert "through June 30, 2025, no more than fifty percent and thereafter."

Page 3, line 11, remove the overstrike over ",~~the~~"

Page 3, line 11, remove the underscored colon

Page 3, line 12, remove "a.     The"

Page 3, line 12, remove the overstrike over "~~and summarize the annual reports and audit~~"

Page 3, line 13, remove the overstrike over "~~reports from the participating tribal governments~~"

Page 3, line 14, remove the overstrike over "~~fund~~"

Page 3, line 14, remove "state"

Page 3, line 14, overstrike "government use of"

Page 3, line 15, overstrike "money distributed from the fund"



Page 3, line 16, remove "b."

Renumber accordingly

Engrossed HB 1407 was placed on the Seventh order of business on the calendar.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. WESTLIND MOVED** that the conference committee report on Engrossed HB 1407 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1407, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1407:** A BILL for an Act to amend and reenact section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements; to repeal section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements; to provide for legislative management and legislative council reports; to provide a continuing appropriation; and to provide a contingent effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; 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; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Toman; Trotter; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Delzer; Ertelt; Hauck; Hoverson; Magrum; Schatz; Steiner

**ABSENT AND NOT VOTING:** Skroch

Reengrossed HB 1407 passed.

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#### REPORT OF CONFERENCE COMMITTEE

**HCR 3021:** Your conference committee (Sens. Heitkamp, Dwyer, Bakke and Reps. Schauer, Thomas, P. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1514-1515, adopt amendments as follows, and place HCR 3021 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1514 and 1515 of the House Journal and pages 1258 of the Senate Journal and that House Concurrent Resolution No. 3021 be amended as follows:

Page 1, line 2, after "shortage" insert "and the impact the shortage has had on the quality of life for North Dakota citizens"

Page 1, after line 9, insert:

**"WHEREAS**, the firearm and ammunition shortage directly impacts the personal protection capabilities and safety of North Dakota citizens and the ability of law enforcement and military personnel to perform their essential duties; and"

Page 1, line 11, after "sacred" insert "so the firearm and ammunition shortage negatively impacts hunting and predator control within the state"

Page 1, line 17, after "shortage" insert "and the impact the shortage has had on the quality of life for North Dakota citizens"

Page 1, after line 17, insert:

**"BE IT FURTHER RESOLVED**, that the Legislative Management develop a plan of action to resolve the state's current firearm and ammunition shortage; and"

Renumber accordingly

HCR 3021 was placed on the Seventh order of business on the calendar.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. SCHAUER MOVED** that the conference committee report on HCR 3021 be adopted, which motion prevailed on a voice vote.

HCR 3021, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3021:** A concurrent resolution directing the Legislative Management to consider studying the factors contributing to the nation's firearm and ammunition shortage and the impact the shortage has had on the quality of life for North Dakota citizens.

The question being on the final adoption of the amended resolution, which has been read.

Engrossed HCR 3021 was declared adopted on a voice vote.

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#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. LONGMUIR MOVED** that the conference committee report on SB 2293 as printed on HJ page 1707 be adopted.

#### **REQUEST**

**REP. VETTER REQUESTED** a verification vote, which request was granted.

The question being on the motion to adopt the conference committee report on SB 2293, the conference committee report on SB 2293 was adopted on a verification vote.

SB 2293, as amended, was placed on the Fourteenth order of business.

#### **SECOND READING OF SENATE BILL**

**SB 2293:** A BILL for an Act to provide for a legislative management study of exceptions to deeds transferring title of certain types of property or relating to certain transactions.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Hoverson; Ruby, D.; Satrom; Schauer; Vetter

Engrossed SB 2293 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. D. JOHNSON MOVED** that the conference committee report on Engrossed SB 2208 as printed on HJ pages 1706-1707 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2208, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF SENATE BILL

**SB 2208:** A BILL for an Act to provide for a legislative management study of drainage and other water-related issues.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Hauck; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

Reengrossed SB 2208 passed.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. STEINER MOVED** that the conference committee report on SB 2202 as printed on HJ page 1706 be adopted, which motion prevailed on a voice vote.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. VETTER MOVED** that the conference committee report on Engrossed SB 2168 as printed on HJ page 1706 be adopted, which motion prevailed on a voice vote.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. D. ANDERSON MOVED** that the conference committee report on Engrossed SB 2137 as printed on HJ page 1706 be adopted, which motion prevailed on a voice vote.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. THOMAS MOVED** that the conference committee report on Engrossed SB 2077 as printed on HJ page 1706 be adopted, which motion prevailed on a voice vote.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

**REP. LOUSER MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1020 as printed on HJ pages 1697-1700 and in the Senate amendments to HB 1371 as printed on HJ page 1582 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEES

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed HB 1020:** Reps. Schmidt, Monson, Boe.

**HB 1371:** Reps. Pyle, Cory, M. Nelson.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. LOUSER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2011, Engrossed

SB 2014, and Engrossed SB 2020, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed SB 2011:** Reps. Howe, Mock, Meier

**Engrossed SB 2014:** Reps. Howe, Brandenburg, Mock

**Engrossed SB 2020:** Reps. Monson, Schmidt, Boe

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. LEFOR MOVED** that the House do concur in the Senate amendments to Engrossed HB 1396 as printed on HJ page 1388, which motion prevailed on a voice vote.

Engrossed HB 1396, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1396:** A BILL for an Act to create and enact a new section to chapter 28-01.3 of the North Dakota Century Code, relating to immunity from civil actions for firearm or ammunition manufacturers.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; 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.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauwer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Mitskog; Schneider

Reengrossed HB 1396 passed.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. HOVERSON MOVED** that the House do concur in the Senate amendments to HCR 3035 as printed on HJ page 1464, which motion prevailed on a voice vote.

HCR 3035, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3035:** A concurrent resolution directing the Legislative Management to consider studying statutes governing career and technical education, including statutes in North Dakota Century Code Chapter 15-20.1 providing for the powers and duties of the state board of career and technical education, reciprocity with other states, cooperation with federal agencies, funding, reimbursement to institutions, gifts, reporting requirements, grants for innovation, elementary school entrepreneurship programs, career development certifications, career advisers, accessibility, impacts on students, and programs of study.

The question being on the final adoption of the amended resolution, which has been read.

Engrossed HCR 3035 was declared adopted on a voice vote.

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#### **ANNOUNCEMENT**

**SPEAKER K. KOPPELMAN ANNOUNCED** that the House stand in recess for 5 minutes.

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

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to HB 1213 as printed on HJ pages 1515-1543, which motion failed on a voice vote.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause failed: SB 2021.

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

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

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1247.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1247**

Page 5, line 25, remove "and"

Page 5, line 26, after "appropriation" insert "; to provide for application; and to provide an effective date"

Page 262, line 12, replace "The" with "Effective September 1, 2022, the"

Page 262, line 14, replace "The" with "Effective September 1, 2022, the"

Page 262, line 17, replace "The" with "During the 2021-23 biennium, the"

Page 262, line 21, after "4." insert "The newly formed department of health and human services is not required to reduce the full-time equivalent positions of the former state department of health and department of human services;

5."

Page 262, line 22, replace "biennium" with "period"

Page 262, line 23, replace "July 1, 2021" with "September 1, 2022"

Page 262, line 24, replace "5." with "6."

Page 262, line 26, replace "biennium" with "period"

Page 262, line 27, replace "July 1, 2021" with "September 1, 2022"

Page 262, line 28, replace "6." with "7."

Page 263, line 1, replace "7." with "8."

Page 263, after line 3, insert:

**"SECTION 511. LEGISLATIVE MANAGEMENT REPORT - MERGER OF STATE DEPARTMENT OF HEALTH INTO DEPARTMENT OF HUMAN SERVICES.**

During the 2021-22 interim, the state health officer and the executive director of the department of human services, and then the executive director of the department of health and human services, shall provide periodic reports to the legislative management regarding the status of the merger of the state department of health into the department of human services. The reports must include information regarding any agency structural changes identified, any efficiencies identified with the merger, and whether legislation is required to implement identified structural changes or efficiencies.

**SECTION 512. APPLICATION.** Upon the effective date of this Act, the state department of health and the department of human services, and then the department of health and human services, shall begin the process of identifying efficiencies and unification of services and administration which will result from the merger of the state department of health into the department of human services.

**SECTION 513. EFFECTIVE DATE.** Sections 1 through 509 of this Act become effective on September 1, 2022."

Renumber accordingly

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1025, HB 1116, HB 1141, HB 1337, HB 1396, HB 1397, HCR 3006, and HCR 3035.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1012, HB 1016, HB 1020, and HB 1371, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1012:** Reps. J. Nelson; Kreidt; Mitskog  
**HB 1016:** Reps. Brandenburg; Kempenich; Mock  
**HB 1020:** Reps. Schmidt; Monson; Boe  
**HB 1371:** Reps. Pyle; Cory; M. Nelson

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

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1013:** Sens. Poolman; Holmberg; Heckaman  
**HB 1388:** Sens. Schaible; Elkin; Oban  
**HB 1453:** Sens. Meyer; K. Roers; Marcellais

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2030, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2030:** Sens. Krebsbach; Wanzek; Heckaman

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2004:** Reps. Kreidt; Strinden; Mitskog  
**SB 2006:** Reps. Kempenich; Meier; Mock  
**SB 2011:** Reps. Howe; Mock; Meier  
**SB 2014:** Reps. Howe; Brandenburg; Mock  
**SB 2015:** Reps. Schobinger; B. Anderson; Mitskog  
**SB 2019:** Reps. Sanford; Schmidt; Boe  
**SB 2020:** Reps. Monson; Schmidt; Boe  
**SB 2271:** Reps. Kasper; Rohr; B. Koppelman  
**SB 2272:** Reps. Owens; Monson; Zubke  
**SB 2290:** Reps. Kasper; B. Koppelman; Steiner  
**SB 2319:** Reps. Headland; Bosch; Dockter

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

**MR. SPEAKER:** The Senate has not adopted the conference committee report on: SB 2013.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: SB 2077, SB 2137, SB 2168, SB 2202.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1407, HB 1492.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HCR 3021.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2208, SB 2293.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2041, SB 2217, SB 2338.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1074, HB 1096, HB 1103, HB 1117, HB 1148, HB 1163, HB 1199, HB 1254, HB 1276, HB 1298, HB 1502.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2130, SB 2248.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1045, HB 1175.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1031, HB 1033, HB 1059, HB 1072, HB 1099, HB 1135, HB 1151, HB 1205, HB 1206, HB 1207, HB 1285, HB 1347, HB 1349, HB 1353, HB 1410, HB 1419, HB 1455, HB 1471, HB 1478, HB 1483.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2012, SB 2065, SB 2146, SB 2230, SB 2269, SB 2282, SB 2289, SB 2313.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2159.

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

**MR. SPEAKER:** The President has signed: HB 1031, HB 1033, HB 1059, HB 1072, HB 1099, HB 1135, HB 1151, HB 1205, HB 1206, HB 1207, HB 1285, HB 1347, HB 1349, HB 1353, HB 1410, HB 1419, HB 1455, HB 1471, HB 1478, HB 1483.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1498.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 15, 2021: HB 1067, HB 1231, HB 1263, HB 1295, HB 1302, HB 1344, HB 1427, HB 1466, HB 1498.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolutions were delivered to the Secretary of State for filing on April 15, 2021: HCR 3015, HCR 3023, HCR 3048.

**MOTION**

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

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Seventh, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, April 16, 2021, which motion prevailed on a voice vote.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1246, as engrossed:** Your conference committee (Sens. Schaible, Wobbema, Oban and Reps. Owens, Sanford, Marschall) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1461, adopt amendments as follows, and place HB 1246 on the Seventh order:

That the Senate recede from its amendments as printed on page 1461 of the House Journal and pages 1173 and 1174 of the Senate Journal and that Engrossed House Bill No. 1246 be amended as follows:

Page 2, line 10, after "students" insert "from a school district on an air force base"

Page 2, line 12, after "students" insert "from a school district on an air force base"

Page 2, line 15, after "students" insert "from a school district on an air force base"

Page 5, line 23, after "students" insert "from a school district on an air force base"

Page 7, line 20, after "students" insert "from a school district on an air force base"

Page 7, line 23, after "students" insert "from a school district on an air force base"

Page 10, line 29, after "students" insert "from a school district on an air force base"

ReNUMBER accordingly

Engrossed HB 1246 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1279, as engrossed:** Your conference committee (Sens. D. Larsen, Fors, Dwyer and Reps. Weisz, Kading, Owens) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1315-1316, adopt further amendments as follows, and place HB 1279 on the Seventh order:

That the House accede to the Senate amendments as printed on pages 1315 and 1316 of the House Journal and pages 953 and 954 of the Senate Journal and that Engrossed House Bill No. 1279 be further amended as follows:

Page 3, line 2, overstrike "10" and insert immediately thereafter "20"

Page 3, line 3, overstrike "11" and insert immediately thereafter "21"

Page 3, line 3, overstrike "\$20" and insert immediately thereafter "\$40"

Page 3, line 3, overstrike "10" and insert immediately thereafter "20"

ReNUMBER accordingly

Engrossed HB 1279 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2041, as engrossed:** Your conference committee (Sens. Weber, Meyer, Kannianen and Reps. B. Koppelman, D. Anderson, M. Nelson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1283-1285 and place SB 2041 on the Seventh order.

Engrossed SB 2041 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2130, as engrossed:** Your conference committee (Sens. Lee, K. Roers, Anderson and



Reps. Keiser, Kasper, Adams) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 947-948, adopt further amendments as follows, and place SB 2130 on the Seventh order:

That the Senate accede to the House amendments as printed on page 947 of the Senate Journal and page 1170 of the House Journal and that Engrossed Senate Bill No. 2130 be further amended as follows:

Page 1, line 2, after "measures" insert "; to provide an effective date; and to declare an emergency"

Page 3, after line 20, insert:

**"SECTION 3. EFFECTIVE DATE.** This Act is effective May 1, 2021.

**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed SB 2130 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2217, as engrossed:** Your conference committee (Sens. Patten, Kannianen, Bell and Reps. Zubke, D. Anderson, Bosch) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1217 and place SB 2217 on the Seventh order.

Engrossed SB 2217 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2248, as engrossed:** Your conference committee (Sens. K. Roers, Hogan, Clemens and Reps. Rohr, Skroch, Schneider) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 974-975, adopt amendments as follows, and place SB 2248 on the Seventh order:

That the House recede from its amendments as printed on pages 974 and 975 of the Senate Journal and pages 1186 and 1187 of the House Journal and that Engrossed Senate Bill No. 2248 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 23-01-05.2 of the North Dakota Century Code, relating to epinephrine prescription, distribution, possession, or use and immunity from liability; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Section 23-01-05.2 of the North Dakota Century Code is amended and reenacted as follows:

##### **23-01-05.2. Administration of epinephrine -- Liability** **Epinephrine prescription, distribution, possession, or use - Immunity from liability.**

1. ~~The state health officer shall adopt rules to authorize a layperson to administer epinephrine to an individual who has a severe allergic reaction.~~
2. ~~An individual authorized to administer epinephrine by the state health officer may obtain premeasured doses of epinephrine and the necessary paraphernalia for epinephrine administration from any licensed physician or pharmacist.~~
3. ~~An individual authorized to administer epinephrine by the state health officer, and the employer of such an individual, is not civilly or criminally liable for any act or omission of that individual when acting in good faith.~~

~~while rendering emergency treatment to an individual who has a severe adverse reaction, except when the conduct amounts to gross negligence. As used in this section:~~

- ~~a. "Epinephrine" means a single-use disposable device that automatically injects a premeasured dose of epinephrine.~~
- ~~b. "Health care professional" means a licensed or certified health care professional who is working within the scope of practice for that profession. The term may include a physician, physician assistant, advanced practice registered nurse, and pharmacist acting in the professional's scope of practice.~~
2. A health care professional acting in good faith may directly or by standing order prescribe, distribute, or dispense epinephrine, if the health care professional provides training to:
  - a. An individual at risk of experiencing a severe allergic reaction; or
  - b. A family member, friend, or other person in a position to assist an individual at risk of experiencing a severe allergic reaction.
3. A person acting in good faith may receive or possess epinephrine if that person is:
  - a. An individual at risk of experiencing a severe allergic reaction; or
  - b. A family member, friend, or other person in a position to assist an individual at risk of experiencing a severe allergic reaction.
4. An individual acting in good faith may self-administer epinephrine or administer epinephrine to another individual who the administering individual suspects is at risk of experiencing a severe allergic reaction.
5. A person may receive, possess, or administer epinephrine under subsection 3 or 4, regardless of whether the person is the individual for or the person to which the epinephrine is prescribed, distributed, or dispensed. A person in possession of epinephrine which is acting in good faith may provide training on how to use epinephrine.
6. A health care professional who prescribes, distributes, trains on the use of, or dispenses epinephrine as authorized under this section is not subject to professional discipline for such action. This section does not expand the scope of practice of a health care professional.
7. A person that prescribes, distributes, dispenses, receives, possesses, trains in the use of, or administers epinephrine as authorized under this section is immune from civil and criminal liability for such action. This subsection provides immunity to the person responsible for the site on which the epinephrine is located. Immunity from liability or discipline under this subsection does not apply if the person's actions constitute recklessness, gross negligence, or intentional misconduct.

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

Renumber accordingly

Engrossed SB 2248 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2338:** Your conference committee (Sens. Vedaa, Kreun, Marcellais and Reps. Hagert, Schauer, Adams) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1083, adopt amendments as follows, and place SB 2338 on the Seventh order:

That the House recede from its amendments as printed on page 1083 of the Senate Journal and page 1289 of the House Journal and that Senate Bill No. 2338 be amended as follows:

Page 1, line 23, remove the overstrike over "~~twenty-five~~"

Page 1, line 23, remove "fifty"

Renumber accordingly

SB 2338 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**

