

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

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Bismarck, November 10, 2021

The House convened at 10:00 a.m., with Speaker K. Koppelman presiding.

The prayer was offered by Pastor Rich Wyatt, Living Hope Nazarene Church, Bismarck.

The roll was called and all members were present except Representatives Hoverson, Kasper, B. Koppelman, and Owens.

A quorum was declared by the Speaker.

SECOND READING OF SENATE BILL

SB 2346: A BILL for an Act to authorize the department of public instruction to withhold state school aid for information technology project upgrades to the state automated reporting system and the statewide longitudinal data system; to provide a statement of legislative intent; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Boe; Ertelt; Magrum; Nelson, M.; Schatz

ABSENT AND NOT VOTING: Hoverson; Owens

SB 2346 passed.

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to amend and reenact sections 46-02-05, 46-02-06, 46-02-10, 46-02-20, 46-03-18, and 46-03-19 of the North Dakota Century Code, relating to printing legislative materials; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; 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; 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; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Magrum; Paur

ABSENT AND NOT VOTING: Hoverson; Owens

SB 2347 passed.

SECOND READING OF SENATE BILL

SB 2348: A BILL for an Act to create and enact section 23-27-06 of the North Dakota Century Code, relating to criminal history record checks; to amend and reenact sections 12-60-24 and 50-06-41.3 of the North Dakota Century Code, relating to criminal history records checks and the behavioral health bed management system; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Magrum

ABSENT AND NOT VOTING: Hoverson; Owens

Engrossed SB 2348 passed.

SECOND READING OF SENATE BILL

SB 2349: A BILL for an Act to amend and reenact section 48-08-04 of the North Dakota Century Code, relating to the use of legislative assembly rooms; and to provide an effective date.

ROLL CALL

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

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

Westlind; Zubke; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Hoverson; Owens

SB 2349 passed.

ANNOUNCEMENT

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

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

MOTION

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

The Speaker appointed Representatives Strinden and Pyle to the escort committee.

REMARKS OF REYNA BERGSTROM MISS NORTH DAKOTA 2021

I am humbled and honored to be standing in front of you today. Having grown up and lived a majority of my life in Fargo, I am proud to claim North Dakota as my home. As mentioned in that introduction, I'm a fifth generation North Dakotan, and I take pride in my midwest roots and value system that stems from generations of independent yet community minded individuals. That service oriented perspective is a trait that I believe is essential to being Miss North Dakota. Although it might appear glamorous, this job is not all about the sparkles — it's a year of service which entails traveling around the state to serve alongside, speak, and listen to people. At 26, I am the oldest Miss North Dakota to ever wear the crown and compete for the job of Miss America. Women between the ages of 18 and 26 are eligible to compete in any local competition, whether she be a ND resident or attending a ND school, and if she wins a title can move on to the state competition. I competed in my first local competition in 2015 while a freshman at Concordia. I learned about the opportunity from a friend, fellow Fargo-native Jacky Arness, who was Miss North Dakota at the time. She informed me that the Miss America Organization is the nation's largest provider of scholarship assistance to young women and that cash scholarships are awarded at both the local and state competitions. Upon learning this, I figured I had nothing to lose, and signed up three days before the last local competition of the season. The day of the competition came and I was thrilled to win my first local title, which meant that I'd compete for the job of Miss North Dakota a few months later. Although I didn't become Miss North Dakota that first year (of which I was glad), I got to sample something that I would grow to love even more in the years that followed. I was inspired by the service minded women I found myself competing with, while also gaining a community within both the Miss North Dakota and Miss America Organizations. The Miss America Organization's mission statement is, "Prepare great women for the world; prepare the world for great women." The organization embodies a network of positive role models who are influencing their spheres—both geographically and digitally—in every single state. Regardless of whether they're wearing a sparkly hat on their head, the women involved are working to make positive changes in their communities by using their voices to educate others on social impact initiatives of their own choosing. They are public servants, doers, and change-makers, and they use the resources of the organization to help them expand and reach their goals.

I've always wanted to be a role model, especially for young people. And consequently, I continued to compete and be involved with the organization. I earned second runner up in my first and second year competing at Miss ND, and won first runner up in my third year in 2019. During those years, I felt the rush of coming so close to winning and this helped push and motivate me to work harder —and to remain patient and persistent. While I was set to compete in 2020, the pandemic postponed the event to 2021 which is what ultimately "grandfathered" me in, and allowed me to become one of the oldest candidates to ever compete in the history of the organization. Throughout the months leading up to the state competition, I didn't give up on my dream, but continued to prepare to the best of my abilities. And, on June 12th, 2021, after my fourth and final try, my longtime dream became a reality and I was crowned Miss North Dakota.

As Miss North Dakota, I am thrilled to be sharing the message of my social impact initiative which is called, "The Influencer Era: Impact Beyond The Screen." My goal is to emphasize the importance of communication skills and face-to-face connection, especially with students. In this digital era that we currently live in with online influencers dominating the social foreground, 'Impacting Beyond the Screen' is a message about intentionally showing up for others in person by being a real life, in person influencer. Face-to-face interactions are crucial because bonds are strengthened when reinforced by the physical. Things like looking another person in the eyes, giving a hug, or simply nodding and smiling while you listen emphasizes the fact that you are there for them. As Miss North Dakota, I believe that it's important to remind people that every one of us has what it takes to make a positive difference where we are right now, in digital spaces but even more importantly in our face to face interactions. The place where each of us finds ourselves is no accident, and the people in front of us hold purpose, meaning, and worth. And it's that impact and influence which ultimately makes a difference in this world. I believe that by encouraging adolescents and adults alike to listen and share their story, they can find influence in their own unique way. I believe this will help foster more communicative people in our state, a legacy I would be proud to leave as Miss North Dakota. I am humbled and honored to serve North Dakota this coming year, to share this message, and to represent my home at the 100th Anniversary Competition of Miss America next month — on December 16th — in Mystic, Connecticut.

I want to leave you with a few words, from one of my favorite role models - a designer, storyteller, and mother of five - Joanna Gaines. She is a hardworking woman who embodies what it means to be an influencer not just online, but also with those that she meets in her daily life. She wrote these words in the most recent publication of her magazine, the Magnolia Journal: "I'm sick of feeling stuck in the muck and mire of a social culture that is robbing us all of deep and true connection — of joy, peace, honest understanding, and empathy. Maybe you are too. And maybe now is the time to declare that we're not willing to give that up. Not yet. Not when they are the very things that make life worth living and loving. We have somehow fooled ourselves into thinking that real connection is too hard to come by these days. But I've witnessed too many moments that prove otherwise. A shared moment of beauty, a glimpse of humor, of lightness, of heroic pursuits, of people living for one another — and I'm convinced all over again that there is more light than dark, more life than death, more hope than anger, more joy than sorrow, more gratitude among us than we sometimes remember. So let's fight for a world that won't so easily forget. A world that is slow to anger and rich in compassion. A world that would rather be loving than be right. A world that keeps moving forward. And I can think of no better time than now." I am deeply grateful and humbled to be in this role and to serve my home, North Dakota, a place that has forever impacted and molded me. God has guided me to where I am today, and while it hasn't been the most direct path, or the one that I may have chosen for myself, it's one I believe was meant to be. It's been His plan all along and I am but a part in His grand plan. I find myself saying this phrase over and over again in my life, and I will say it again, "Thy will be done." I am SO EXCITED for this year! I am not here because of me. There is a larger plan in place, and I am just a small part of that plan and I am excited to see where that takes me. I am especially thankful to my community of North Dakota. It takes a village, and I am grateful that role has been filled by the caring, loyal, and hardworking people of North Dakota. Thank you.

MOTION

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

REPORT OF STANDING COMMITTEE

HB 1507: Joint Technical Corrections Committee (Rep. Weisz, Co-Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1507 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 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of public instruction to report to the legislative management regarding contemplated curriculum in computer science and cybersecurity; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30, 2023)

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.
11. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.
12. Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.

Superintendent of public instruction - Duties. (Effective after June 30, 2023)

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.
7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.

SECTION 2. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state."

Renumber accordingly

SIXTH ORDER OF BUSINESS

SPEAKER K. KOPPELMAN DEEMED approval of the amendments to HB 1507.

HB 1507, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1507: A BILL for an Act to amend and reenact section 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of public instruction to report to the legislative management regarding contemplated curriculum in computer science and cybersecurity; 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 86 YEAS, 6 NAYS, 0 EXCUSED, 2 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; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Bellew; Ertelt; Hauck; Magrum; Nelson, M.; Schatz

ABSENT AND NOT VOTING: Hoverson; Owens

Engrossed HB 1507 passed.

MOTION

REP. LOUSER MOVED that HB 1516 be returned to the House floor from the **Joint Technical Corrections Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST

REP. BELLEW REQUESTED the unanimous consent of the House to withdraw HB 1516. There being no objection, it was so ordered by the Speaker.

REMARKS

REP. ERTELT REMARKED that he intended to vote NAY on HB 1504- Division A.

MOTION

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

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 1507.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2346, SB 2347, SB 2348, SB 2349.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2345.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1504, HB 1513.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2346, SB 2347, SB 2348, SB 2349.

MOTION

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

MOTION

REP. LOUSER MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, November 11, 2021, which motion prevailed on a voice vote.

FIRST READING OF SENATE BILL

SB 2345: A BILL for an Act to create and enact a new section to chapter 27-20.4 of the North

Dakota Century Code, relating to records and cooperative agreements to provide services to juveniles adjudicated in tribal court; to amend and reenact section 27-20.2-21 of the North Dakota Century Code, relating to the inspection of juvenile court files; to provide appropriations to various state agencies; to provide for a transfer; to provide for a legislative management study; to provide for a report; to provide a limitation; to provide an exemption; to provide an effective date; and to provide an expiration date.

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

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

Buell J. Reich, Chief Clerk