Bismarck, January 21, 2021

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

The prayer was offered by Sister Kathleen Atkinson, Ministry on the Margins, Bismarck.

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

A quorum was declared by the Speaker.

MOTION
REP. LOUSER MOVED that HB 1129, which is on the Sixth order, be rereferred to the Finance and Taxation Committee, which motion prevailed. Pursuant to Rep. Louser's motion, HB 1129 was rereferred.

MOTION
REP. LOUSER MOVED that HCR 3011, which is on the Sixth order, be laid over one legislative day, which motion prevailed on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER K. KOPPELMAN DEEMED approval of the amendments to HB 1026, HB 1073, HB 1078, HB 1091, HB 1104, HB 1117, HB 1121, HB 1130, HB 1160, HB 1258, HB 1263, and HB 1299.

HB 1026, HB 1073, HB 1078, HB 1091, HB 1104, HB 1117, HB 1121, HB 1130, HB 1160, HB 1258, HB 1263, and HB 1299, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION
REP. LOUSER MOVED that HB 1361 be returned to the House floor from the Finance and Taxation Committee for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST
REP. LOUSER REQUESTED the unanimous consent of the House to withdraw HB 1361. There being no objection, it was so ordered by the Speaker.

MOTION
REP. LOUSER MOVED that HB 1362 be returned to the House floor from the Judiciary Committee for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST
REP. LOUSER REQUESTED the unanimous consent of the House to withdraw HB 1362. There being no objection, it was so ordered by the Speaker.

MOTION
REP. LOUSER MOVED that HB 1333 be returned to the House floor from the Government and Veterans Affairs Committee for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST
REP. LOUSER REQUESTED the unanimous consent of the House to withdraw HB 1333. There being no objection, it was so ordered by the Speaker.

MOTION
REP. LOUSER MOVED that HB 1476 be returned to the House floor from the Judiciary Committee for the purpose of withdrawal, which motion prevailed on a voice vote.
REQUEST

REP. LOUSER REQUESTED the unanimous consent of the House to withdraw HB 1476. There being no objection, it was so ordered by the Speaker.

MOTION

REP. LOUSER MOVED that HB 1447 be returned to the House floor from the Education Committee and be rereferred to the Government and Veterans Affairs Committee, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, HB 1447 was rereferred.

MOTION

REP. LOUSER MOVED that HB 1487 be returned to the House floor from the Finance and Taxation Committee and be rereferred to the Agriculture Committee, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, HB 1487 was rereferred.

MOTION

REP. LOUSER MOVED that HB 1237, which is on the Eleventh order, be laid over one legislative day, and that HB 1319, which is on the Eleventh order, be laid over one legislative day, and that HB 1187, which is on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1151: A BILL for an Act to create and enact two new sections to chapter 43-28 of the North Dakota Century Code, relating to telehealth and the practice of dentistry; and to amend and reenact section 43-28-01 of the North Dakota Century Code, relating to the definition of telehealth.

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

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; 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; Kiefer; 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.

ABSENT AND NOT VOTING: Boe

HB 1151 passed.

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SECOND READING OF HOUSE BILL

HB 1089: A BILL for an Act to amend and reenact sections 25-01.2-09 and 25-03.1-40 of the North Dakota Century Code, relating to seclusion, restraint, and the prohibition of shock treatment and aversive reinforcement conditioning.

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; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin;
HB 1089 passed.

SECOND READING OF HOUSE BILL

HB 1326: A BILL for an Act to provide for exemption of federal coronavirus stimulus funds for the service payments for elderly and disabled and the basic care programs; and to declare an emergency.

ROLL CALL

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

YEAS:
Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; 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; 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.

ABSENT AND NOT VOTING: Boe; Hoverson

HB 1326 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1127: A BILL for an Act to amend and reenact sections 44-08-05.1 and 54-10-25 of the North Dakota Century Code, relating to the disclosure of a pending investigation.

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 62 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS:
Adams; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; 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; 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; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

NAYS:
Anderson, B.; Anderson, P.; Becker; Buffalo; Christensen; Devlin; Ertelt; Guggisberg; Hanson; Hoverson; Ista; Kading; Karls; Keiser; Klemin; Koppelman, B.; Magrum; Owens; Paulson; Paur; Rohr; Schatz; Schneider; Schobinger; Simons; Skroch; Steiner; Toman; Trottier; Vetter; Speaker Koppelman, K.
ABSENT AND NOT VOTING: Boe

HB 1127 passed.

SECOND READING OF HOUSE BILL

HB 1110: A BILL for an Act to amend and reenact subsection 1 of section 29-06-05.2 of the North Dakota Century Code, relating to the jurisdiction of federal agents.

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 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Becker; Bellwe; Christensen; Cory; Delzer; Ertelt; Hoverson; Kading; Kiefert; Koppelman, B.; Magrum; Marschall; Paulson; Paur; Rohr; Ruby, D.; Schatz; Schobinger; Simons; Skroch; Steiner; Toman; Vetter

ABSENT AND NOT VOTING: Boe; Dobervich

HB 1110 passed.

SECOND READING OF HOUSE BILL

HB 1079: A BILL for an Act to create and enact chapter 47-37 of the North Dakota Century Code, relating to the Uniform Environmental Covenants Act.

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, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellwe; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kemenich; Klemien; Kreidt; Lefor; Longmuir; Louser; 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; Trollt; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke

NAYS: Becker; Christensen; Ertelt; Koppelman, B.; Magrum; Simons; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Boe

HB 1079 passed.
SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act to create and enact chapter 30.1-37 of the North Dakota Century Code, relating to the Uniform Electronic Wills Act; and to provide for application.

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, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hager; 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; Schauber; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Ertelt

ABSENT AND NOT VOTING: Boe

HB 1077 passed.

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 1057, HB 1145.

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 1031, HB 1039, HB 1045, HB 1126.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2068, SB 2093, SB 2099, SB 2112, SB 2113, SB 2121.

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, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, January 22, 2021, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

HB 1056: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1056 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1139: Industry, Business and Labor Committee (Rep. Lefor, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1139 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1143: Education Committee (Rep. Owens, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 5 NAYS, 0
ABSENT AND NOT VOTING). HB 1143 was placed on the Sixth order on the calendar.

Page 2, line 4, after "organizations" insert "and civic groups"

Page 2, line 6, after "provide" insert "an assurance of completion of the"

Page 2, line 6, remove "evaluation data"

Page 2, line 7, remove "at the time and in the manner requested by the"

Page 2, line 8, replace "superintendent of public instruction" with "through the shared student information system"

Page 2, line 10, after "regarding" insert "compliance under this section and may provide examples of"

Renumber accordingly

REPORT OF STANDING COMMITTEE
HB 1194: Transportation Committee (Rep. D. Ruby, Chairman) recommends DO NOT PASS (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1194 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1204: Industry, Business and Labor Committee (Rep. Lefor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1204 was placed on the Sixth order on the calendar.

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

Page 1, line 15, after the underscored period insert "If an employee opts out of the requirement based on a religious belief, the employer shall provide an accommodation as provided under subsection 2 of section 14-02.4-03. In determining whether the wearing of a face covering is essential due to the nature of an employment setting, the reason must be a reason that would have been applicable before January 1, 2020."

Page 1, after line 17, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2023, and after that date is ineffective.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE
HB 1213: Human Services Committee (Rep. Weisz, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1213 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1220: Education Committee (Rep. Owens, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1220 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1221: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1221 was placed on the Eleventh order on the calendar.
11th DAY   THURSDAY, JANUARY 21, 2021

REPORT OF STANDING COMMITTEE
HB 1242: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1242 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1254: Human Services Committee (Rep. Weisz, Chairman) recommends DO NOT PASS (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1254 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1264: Human Services Committee (Rep. Weisz, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1281: 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 (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1281 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "two thousand" with "five hundred"

Page 1, line 23, remove "each of"

Page 1, line 24, replace "three" with "next"

Page 1, line 24, replace "years" with "year"

Renumber accordingly

REPORT OF STANDING COMMITTEE
HB 1291: Finance and Taxation Committee (Rep. Headland, Chairman) recommends DO NOT PASS (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1291 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1309: Finance and Taxation Committee (Rep. Headland, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1309 was placed on the Sixth order on the calendar.

Page 3, line 2, replace "2020" with "2021"

Renumber accordingly

REPORT OF STANDING COMMITTEE
HB 1310: Finance and Taxation Committee (Rep. Headland, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "fifty" with "five"

Page 1, line 13, replace "fifty" with "five"

Renumber accordingly

REPORT OF STANDING COMMITTEE
HB 1317: Human Services Committee (Rep. Weisz, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1317 was placed on the Eleventh order on the calendar.
REPORT OF STANDING COMMITTEE
HB 1325: Finance and Taxation Committee (Rep. Headland, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1325 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 adequacy of property tax relief for retired individuals.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ADEQUACY OF PROPERTY TAX RELIEF FOR RETIRED INDIVIDUALS. During the 2021-22 interim, the legislative management shall consider studying the impact of property tax policies on retired individuals. The study must include a review of the various approaches to providing property tax relief to retired individuals, including a review of whether the relief provided by the homestead property tax credit under section 57-02-08.1 is adequate and the feasibility of including local contribution requirements for a portion of the credit. 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 1327: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1327 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION
Reps. Schmidt, D. Anderson, Brandenburg, D. Johnson, Kempenich, Schatz, Weisz and Sens. Klein, Luick, Myrdal, Vedaa introduced:
HCR 3016: A concurrent resolution to amend and reenact section 3 of article IX of the Constitution of North Dakota, relating to the membership of the board of university and school lands.

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

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

Buell J. Reich, Chief Clerk