

**2023 HOUSE HUMAN SERVICES**

**HB 1361**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1361  
1/30/2023

Relating to personhood status; to provide for application; and to declare an emergency.

Chairman Weisz called the meeting to order at 2:52 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. Rep. Porter not present.

### **Discussion Topics:**

- Definition of a legal person
- Artificial Intelligence
- North Dakota Century Code Language
- Purpose of objects and non-human entities

Rep. Christensen introduced HB 1361 with offered testimony in support of bill, #17926.

Mark Jorritsma Executive Director for the North Dakota Family Alliance read supportive testimony written by Jacob Thomson, Policy Analyst for North Dakota Family Alliance Legislative Action (#17715).

### **Additional written testimony:**

Lisa Pulkrabek, North Dakota citizen, (#17705).

Shawna Grubb, North Dakota citizen, (#17618).

Richard Jensen, North Dakota citizen, (#17794).

Thea Holter, North Dakota citizen, (#17874).

Rozell Unruh, North Dakota citizen, (#17884).

Chairman Weisz adjourned the meeting at 3:02 PM.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1361  
1/31/2023

Relating to personhood status; to provide for application; and to declare an emergency.

Chairman Weisz called the meeting to order at 3:41 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. Rep. Porter not present.

### Discussion Topics:

- Committee discussion

Representative Ruby moved a do pass on HB 1361.

Representative Holle seconded.

Roll call vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	AB
Representative Gretchen Dobervich	N
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 12 -1- 1.

Representative Prichard will carry the bill.

Chairman Weisz adjourned the meeting at 3:44 PM.

*Phillip Jacobs, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1361: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1361 was placed on the Eleventh order on the calendar.

**2023 SENATE JUDICIARY**

**HB 1361**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Peace Garden Room, State Capitol

HB 1361  
3/6/2023

A bill relating to personhood status; to provide for application; and to declare an emergency.
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11:30 AM Chairman Larson opened the meeting.

Chairman Larson and Senators Luick, Myrdal, Estenson, Sickler, Paulson and Braunberger are present.

## **Discussion Topics:**

- Definition of person
- Contracts
- Legal obligations

11:31 AM Chairman Larson ordered the committee into recess after waiting several minutes for the bill sponsor who was going to introduce the bill.

11:40 AM Committee meeting resumed.

11:40 AM Representative Christianson introduced the bill.

11:46 AM Jacob Thomsen, Policy Analyst, North Dakota Family Alliance Legislative Action, testified in favor of the bill and provided written testimony #22112.

11:51 AM Patricia Leno spoke in favor of the bill.

11:43 AM Christopher Dodson, Executive Director, North Dakota Catholic Conference, spoke opposed to the bill.

12:03 PM Andrea Pfennig, Director of Government Affairs, Greater North Dakota Chamber, gave oral testimony neutral on the bill.

## **Additional written testimony:**

Sherri Johnson #22166

12:04 PM Chairman Larson closed the public hearing.

12:04 PM Chairman Larson closed the meeting.

*Rick Schuchard, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Peace Garden Room, State Capitol

HB 1361  
3/8/2023

A bill relating to personhood status; to provide for application; and to declare an emergency.
--

9:37 AM Chairman Larson opened the meeting.

Chairman Larson and Senators Myrdal, Luick, Estenson, Sickler, Braunberger and Paulson are present.

**Discussion Topics:**

- Amendments

9:37 AM The committee has discussion on the bill and amendment #22954.

9:47 AM Senator Myrdal moved to adopt amendment LC 23.0346.02001. Motion seconded by Senator Luick.

9:50 AM Senator Myrdal withdraws her motion to amend and Senator Luick withdraws his second.

9:51 AM Chairman Larson closed the meeting.

*Rick Schuchard, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Peace Garden Room, State Capitol

SB 1361  
3/8/2023

A bill relating to personhood status; to provide for application; and to declare an emergency.
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2:16 PM Chairman Larson opened the meeting.

Chairman Larson and Senators Myrdal, Luick, Estenson, Paulson and Braunberger are present. Senator Sickler is absent.

### Discussion Topics:

- Committee Action

2:17 PM Proposed amendments were handed out by Senator Myrdal #22954 and Chairman Larson #23076.

2:18 PM Senator Estenson moved to adopt amendment LC 23.0346.02003. Motion seconded by Senator Myrdal.

2:18 PM Roll call vote was taken.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Jonathan Sickler	AB
Senator Ryan Braunberger	Y
Senator Judy Estenson	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion passes 6-0-1.

2:18 PM Senator Estenson moves to Do Pass the bill as amended. Motion is seconded by Senator Myrdal.



2:19 PM Roll call vote was taken.

<b>Senators</b>	<b>Vote</b>
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Jonathan Sickler	AB
Senator Ryan Braunberger	Y
Senator Judy Estenson	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion passes 6-0-1

Senator Estenson will carry the bill.

This bill does not affect workforce development.

2:19 PM Chairman Larson closed the meeting.

*Rick Schuchard, Committee Clerk*

DR  
131  
3-8-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1361

Page 1, line 1, replace "create and enact a new section to chapter 1-08" with "amend and reenact subsection 8 of section 1-01-49"

Page 1, line 2, replace "personhood status" with "the definition of person"

Page 1, line 2, remove "to provide for application;"

Page 1, replace lines 4 through 14 with:

**"SECTION 1. AMENDMENT.** Subsection 8 of section 1-01-49 of the North Dakota Century Code is amended and reenacted as follows:

8. "Person" means an individual, organization, government, political subdivision, or government agency or instrumentality. The term does not include environmental elements, artificial intelligence, an animal, or an inanimate object.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1361: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1361 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, replace "create and enact a new section to chapter 1-08" with "amend and reenact subsection 8 of section 1-01-49"

Page 1, line 2, replace "personhood status" with "the definition of person"

Page 1, line 2, remove "to provide for application;"

Page 1, replace lines 4 through 14 with:

**"SECTION 1. AMENDMENT.** Subsection 8 of section 1-01-49 of the North Dakota Century Code is amended and reenacted as follows:

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Renumber accordingly

**TESTIMONY**

**HB 1361**

## HB 1361 – Individual Rights

My name is Shawna Grubb and I reside in District 35. I am asking that you please render a DO PASS on House Bill 1361.

Granting human rights to computers, animals, and nature would degrade human dignity and our unalienable rights given to us by God. It is imperative that the state upholds a clear understanding of human identity, worth, moral agency, and natural rights.

Thank you for your consideration of this important matter and for your service to the people of North Dakota.

Shawna Grubb

*“My name is Lisa Pulkrabek and I reside in District 31. I am asking that you please render a DO PASS on House Bill 1361.”*

*Personhood is a title and legal status that should only be given to human beings. With the rise of Artificial Intelligence and the race to have machines and robots replace people in professions such as driving OTR trucks and warehouse workers and knowing that the designers continue to make the computers more intelligent everyday it isn't that far-fetched that AI is here to stay and may become a huge problem in the future. Once the machines and computers know that they are smarter than humans and figure out how to upload information from the web and learn more on their own, there is nothing to say they won't want to have rights that humans have. We need to prevent this from happening with a preemptive law.*

*Even Elon Musk, who has a great knowledge of AI, warns that it can be very dangerous. We need to halt legal rights and slow down this process and regulate what can be done.*

*Please render a DO PASS on HB 1361.*

*Thank you for your consideration of this important matter.*

*Lisa Pulkrabek*



### Testimony Supporting House Bill 1361

Jacob Thomsen, Policy Analyst  
 North Dakota Family Alliance Legislative Action  
 January 30, 2023

Good afternoon Chairman Weisz and honorable members of the House Human Services Committee. My name is Jacob Thomsen. I work for North Dakota Family Alliance Legislative Action and am testifying on behalf of our organization in support of House Bill 1361. We respectfully request that you render a "DO PASS" on this bill.

In the Great State of North Dakota, personhood grants access to 12 rights listed in our Declaration of Rights<sup>1</sup>. These rights are meaningless to try and grant to environmental elements, artificial intelligence, animals, or inanimate objects. These rights belong to a living biological person, and it should be kept that way.

In 2019, a Native American tribe in California granted the Klamath River personhood. It was overturned by a federal judge in 2020. As strange as it may seem, this is an issue that exists. With artificial intelligence on the rise in popularity, it has been brought into question for these programs and for robots. Take another example where a man who a few years ago married his computer. Legal personhood ought to be reserved for those who are granted God-given inalienable rights, not others. Aside from simply being odd, these types of actions will undoubtedly tie up our courts, when there are more urgent matters they should likely be attended to.

As for corporations and government agencies, we would leave this discussion to the committee and the bill sponsor, as in many cases these organizations are already granted legal personhood by the state.

Legal personhood comes with a list of rights that we believe are given to us by God, and enacted by the legislature. These rights certainly do not belong to environmental elements, artificial intelligence, animals, or inanimate objects. For this reason, North Dakota Family Alliance Legislative Action requests that you render a "DO PASS" on House Bill 1361.

Thank you for the opportunity to testify and I will stand for any questions.

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<sup>1</sup> Sec. 1, 3, 7, 8, 9, 10, 11, 12, 13, 15, 17, 25

HB 1361

Testimony In Favor of bill ND House Bill HB-1362.

Dear Members of the House Health Services Committee

I am providing testimony in favor of the bill for reduction of rights for corporations, AI, government, etc.

I am an engineer, an electrical engineer. I have the ability to create digital lifeforms, and have created simple colonies of them for testing purposes inside of a lab.

Even though I am in favor of your intent, your bill is poorly worded in the last sentence and should say:

... may not be granted personhood in the state or **be assigned** any right personhood entails.

For section 1: I wholeheartedly agree with granting rights to people over organizations, animals, Artificial Intelligence (AI), etc. If you don't make the laws now, an AI granted personhood in SD will have rights in ND. AI can be used to inflict harm on others and it has the ability to be replicated easily as simple as you clicking a file on a PC, and selecting copy/paste. If there is no person and bank account to sue, then the AI can be used with no liability or ability to delete it for violation of laws, and the person who built it won't have any consequences to their imagination and creative work being realized.

For section 2: Grandfathering entities creates constitutional double speak and a 14<sup>th</sup> amendment issue of equal protection and equal treatment under the law, and I disagree with section 2 as a whole. Companies are not people, nor are municipalities, or organizations, so shouldn't have rights. An Artificial Intelligence program predating your measure will get into the state. Governments and corporations can work against an individual's liberties due to status of personhood. People don't use eminent domain against people to seize their property, but companies manipulate governments frequently to take a person's property for a corporation and government to make money through use of that property. This is textbook misuse of government by companies. Companies can use monies (profit) from their sales to lobby the government prior to paying stock-holders, and violate fiduciary ethics laws in lobbying to take away the rights of people or challenge established laws which protect human rights while granting immunity to companies. If google takes ad revenue while obliterating your right to privacy while selling your metadata, then goes to government to demand citizen right to bear arms be infringed, and it shadow bans conservative speech and news outlets, to help out its government overlords, this is what your grandfathering allows.

To maintain big company government access and rights equal to a person, results in devastating consequences. Corporations should not retain personhood as they already enjoy that at a federal level, and they use their profit to buy favor in government, while leveraging near monopolies on local and regional industries to enhance profits and control. Already Twitter, Google, and Facebook have violated the US constitution by working with government officials to spy on and censor US citizens with AI assistance. There has been no fine or jail for any persons or corporations who have aided the government in violating the US constitution. This is an issue that personhood and lobbying have created.

I give you a taste of what overactive companies can do to a state. In Washington and many states, you are not allowed to post pictures of a livestock feed lot or livestock processing (butchering) facility. The companies sue the author of the picture for damages and the media host for damages. This use of lawfare to censor critics is common. By doing that, they get to cover for any number of sins, including



unsafe work conditions, animal cruelty, and environmental damage: air pollution, soil damage, and water pollution. In Yakima county, when passing Granger and Sunnyside, there is a smell of manure in the air that exists along a 5-7 mile strip of the road. It is there year-round. To mention the cause in print or on media can bring financial ruin. The local feed lots are the obvious cause of the air pollution, as they are readily visible from the interstate. In Washington, the livestock industry helped write a law that exempts them from the EPA rules others have to follow and they are shielded from all financial consequences of poor land and waste management.

Thank you

Richard W. Jensen

Bismarck, ND

Members of the House Human Services Committee,

My name is Thea Holter and I reside in District 1. I am asking that you please render a DO PASS on House Bill 1361.

Granting human rights to computers, animals, and nature would degrade human dignity and our unalienable rights given to us by God. It is imperative that the state upholds a clear understanding of human identity, worth, moral agency, and natural rights.

Thank you for your consideration of this important matter.

Mr. or Madam Chairman, and members of the House Human Services,  
My name is Rozell Unruh from Dickinson. Please render a DO PASS on  
HB 1361.

We need this preemptive law in order to not allow personhood rights to AI,  
animals, inanimate objects, environmental elements, corporations or  
governmental entities. Personhood is a legal status that needs only to be  
given to human beings.

Thank you,  
Rozell Unruh



# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Cole Christensen

District 24  
P.O. Box 176  
Rogers, ND 58479-0176  
C: 701-659-1776  
[colechristensen@nd.gov](mailto:colechristensen@nd.gov)

## COMMITTEES:

Judiciary  
Transportation

1/30/2023

Chairman and members of the committee,

My name is Cole Christensen, Representative from District 24.  
I am here to testify in support of HB 1361.

The question that prompted this bill: What is a person?

I was reading an article from the World Economic Forum with the headline of "What if nature became a legal person?" One of the sections in this article states: **The ascent – from legal object to legal person** "The Law defines a **legal person** as a human or **non-human** entity that has the legal rights and is subject to obligations. Moreover, a **legal person** may sue and be sued under its own name. Nowadays, all human beings are considered as **legal persons**." The ending quote of this article, is from de Toledo: 'Making natural entities **legal actors**....would eventually retransfer rights, powers, and even financial levels to those from which the **rights of humans** derive, namely the **Earth itself** and all its **non-human components**.' I looked into this further and found multiple examples of rivers that have been granted "personhood" status. I included the link in your email.

I also found an article on Artificial intelligence. Looking into this, page 10 says: 'AI's work "is indeed inventive, then both treating computational inventions as patentable and recognizing [AI] as an inventor would be consistent with the constitutional rationale for patent protection" But to do so would require the recognition of AI as a **legal entity** or a **legal person**, which is not available under current US law. Nevertheless, the general definition of a "**legal person**," which is "a subject of **legal rights and obligations**" is likely broad enough to encompass AI as long as AI's role as an inventor is subject to **legal rights and obligations**. **Legal personhood** and inventorship status are thus theoretically possible for AI **if the legislature is willing to grant them**.'

That brings me to a bill we have this session. SB 2041 subsection 8 that states:

**Person; "Means an individual, estate, business or nonprofit entity, public corporation, government or government subdivision, agency, or instrumentality, or other legal entity."** I believe this will be used to re-define what a person not just in this section, but in all of century code.

1361 is aimed to define personhood, and to retain its exclusive rights to **human beings**. I understand there are certain rights granted to government agencies and corporations that are also granted to human beings. If the committee wishes to review this and amend those out, I'm okay with that. However, I do believe this assembly needs to make that important distinction in the future, and give different definitions for non human beings.

I don't believe the rights of a human beings are equal or inferior to spiders, rocks, or artificial intelligence. This will become a big topic in the coming years, and I believe it is our duty for next generation to reserve personhood to human beings only. I mentioned a couple examples and emailed several links to articles that raise the concerns that this bill would address. I will stand for any questions and encourage a do-pass recommendation.



### Testimony Supporting House Bill 1361

Jacob Thomsen, Policy Analyst  
North Dakota Family Alliance Legislative Action  
March 6, 2023

Good morning Madam Chair Larson and honorable members of the Senate Judiciary Committee. My name is Jacob Thomsen. I work for North Dakota Family Alliance Legislative Action and am testifying on behalf of our organization in support of House Bill 1361. We respectfully request that you render a “DO PASS” on this bill.

In the Great State of North Dakota, personhood grants access to 12 rights listed in our Declaration of Rights<sup>1</sup>. These rights are meaningless to try and grant to environmental elements, artificial intelligence, animals, or inanimate objects. These rights belong to a living biological person, and it should be kept that way.

In 2019, a Native American tribe in California granted the Klamath River personhood. It was overturned by a federal judge in 2020. As strange as it may seem, this is an issue that exists. With artificial intelligence on the rise in popularity, it has been brought into question for these programs and for robots. Take another example where a man who a few years ago married his computer. Legal personhood ought to be reserved for those who are granted God-given inalienable rights, not others. Aside from simply being odd, these types of actions will undoubtedly tie up our courts, when there are more urgent matters they should likely be attended to.

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Thank you for the opportunity to testify and I will stand for any questions.

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<sup>1</sup> Sec. 1, 3, 7, 8, 9, 10, 11, 12, 13, 15, 17, 25

My name is Sherry Johnson and I live in District 42 in Grand Forks. I am asking that you please render a DO PASS on HB 1361 for the following reason. Thank you.

Granting human rights to computers, animals, and nature would degrade human dignity and our unalienable rights given to us by God. It is imperative that the state upholds a clear understanding of human identity, worth, moral agency, and natural rights.

23.0346.02001  
Title.

Prepared by the Legislative Council staff for  
Representative Christensen  
March 6, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1361

Page 1, line 8, after the third underscored comma insert "or"

Page 1, line 8, remove ", corporations, or"

Page 1, line 9, remove "governmental entities"

Page 1, line 9, after the third underscored comma insert "or"

Page 1, line 10, remove ", corporations, or governmental entities"

Renumber accordingly

23.0346.02003  
Title.

Prepared by the Legislative Council staff for  
Senate Judiciary Committee  
March 8, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1361

Page 1, line 1, replace "create and enact a new section to chapter 1-08" with "amend and reenact subsection 8 of section 1-01-49"

Page 1, line 2, replace "personhood status" with "the definition of person"

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Renumber accordingly