

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, March 23, 2021

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

The prayer was offered by Rep. Vicky Steiner, District 37.

The roll was called and all members were present.

A quorum was declared by the Speaker.

**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 Thirty-fourth, Thirty-eighth, Forty-fifth, and Forty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 984, line 21, replace "Sessions" with "Session"

Page 984, line 22, replace "54-44.111" with "54-44.1-11"

Page 1058, line 35, after "relating" insert "to"

Page 1171, line 44, after "SB 2174" insert ", as engrossed"

Page 1218, line 39, replace "a for" with "for a"

Page 1219, line 14, replace "amended" with "engrossed"

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

**POINT OF PERSONAL PRIVILEGE**

**REP. MITSKOG** rose on a point of personal privilege.

**REMARKS OF REPRESENTATIVE MITSKOG**

**MR. SPEAKER:** This past weekend in Minot, history was made for the Kindred boys basketball team as it clinched its first Class B basketball championship with a 40-34 victory over Edgeley-Kulm-Montpelier. Paul Olson led the scoring with 23 points, including a two-handed dunk. He was helped out by a towering lineup of teammates ranging in height from 6-feet to 6-feet 9-inches. Three Kindred players, including Olson, Gavin Keller and Jaiden Peraaza were named to the all tournament team. The Vikings are coached by Brad Woehl. Please join me in congratulating the Kindred Vikings on the 2021 North Dakota Class B state basketball championship as well as the Edgeley-Kulm-Montpelier on their second-place finish. I would also like to take this time to congratulate White Shield's Jesse White, the state's number two all-time scorer with 2,738 career points, on being named 2021 Mr. Basketball.

**MOTION**

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

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 22, 2021, I have signed the following: HB 1157, HB 1230, HB 1278, HB 1316, HB 1332, HB 1343, HB 1351, HB 1381, and HB 1402.

**MOTION**

**REP. LOUSER MOVED** that SB 2146, which is on the Sixth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, SB 2146 was rereferred.

**SECOND READING OF SENATE BILL**

**SB 2303:** A BILL for an Act to amend and reenact section 23-35-02.1 of the North Dakota Century Code, relating to tribal health units.

**ROLL CALL**

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

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

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

SB 2303 failed.

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**SECOND READING OF SENATE BILL**

**SB 2249:** A BILL for an Act to amend and reenact section 57-51.1-07.5 of the North Dakota Century Code, relating to deposits of the state's share of oil and gas taxes; 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 65 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Boschee; Brandenburg; Buffalo; Christensen; Damschen; Delzer; Dobervich; Ertelt; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Hoverson; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Longmuir; Louser; Magrum; Marschall; Martinson; Mitskog; Mock; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schauer; Schneider; Schreiber-Beck; Skroch; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Speaker Koppelman, K.

**NAYS:** Anderson, D.; Bellew; Beltz; Boe; Bosch; Cory; Devlin; Dockter; Fegley; Hauck; Headland; Heinert; Howe; Kempenich; Lefor; Meier; Monson; Nathe; Ostlie; Pyle; Satrom; Schatz; Schmidt; Schobinger; Steiner; Stemen; Strinden; Thomas; Zubke

SB 2249 passed.

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**SECOND READING OF SENATE BILL**

**SB 2304:** A BILL for an Act to amend and reenact subsection 3 of section 15.1-21-01, subsection 1 of section 15.1-21-02, and subsection 4 of section 15.1-21-02.2 of the North Dakota Century Code, relating to requiring all elementary and secondary public and nonpublic schools in the state to include curriculum on Native American history.

**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 47 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Dobervich; Fegley; Guggisberg; Hager; Hanson; Heinert; Ista; Johnson, D.; Jones; Keiser; Kiefert; Klemin; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Pyle; Richter; Roers Jones; Sanford; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Trottier; Vigesaa; Westlind; Zubke

**NAYS:** Anderson, B.; Anderson, D.; Becker; Bellew; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Hagert; Hatlestad; Hauck; Headland; Hoverson; Howe; Johnson, M.; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Meier; Nehring; Paulson; Paur; Porter; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Skroch; Steiner; Thomas; Toman; Tveit; Vetter; Weisz; Speaker Koppelman, K.

Engrossed SB 2304, as amended, failed for want of a Constitutional majority.

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### SECOND READING OF SENATE BILL

**SB 2165:** A BILL for an Act to amend and reenact sections 15.1-07-29 and 15.1-27-35.3, subsection 6 of section 15.1-36-06, and subdivision a of subsection 5 of section 15.1-36-08 of the North Dakota Century Code, relating to the elimination of school district ending fund balance carried forward limitations, deductions from state aid formula payments, and school construction loan amounts; 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 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Heinert; Hoverson; 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, 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:** Becker; Bellew; Christensen; Delzer; Ertelt; Headland; Magrum; Ruby, D.

**ABSENT AND NOT VOTING:** Buffalo

Engrossed SB 2165, as amended, passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2077:** A BILL for an Act to amend and reenact sections 18-04-04 and 26.1-03-11 of the North Dakota Century Code, relating to the imposition of a monetary penalty on insurance companies failing to report certain data to the insurance commissioner; and to provide a penalty.

### 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 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Cory; 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; 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; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Delzer; Ertelt; Toman

**ABSENT AND NOT VOTING:** Buffalo

Engrossed SB 2077, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2085:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the use of an automated clearing house to facilitate payment to medical assistance providers and provider applicants; to amend and reenact sections 50-24.1-26 and 50-24.1-32 of the North Dakota Century Code, relating to Medicaid waivers to provide in-home services and medical assistance and advanced practice registered nurses; to repeal section 50-24.1-06 of the North Dakota Century Code, relating to medical assistance remedial eye care; and to provide for application.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; 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.

**ABSENT AND NOT VOTING:** Buffalo

Engrossed SB 2085, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2248:** A BILL 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.

### 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 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.

Engrossed SB 2248, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2197:** A BILL for an Act to amend and reenact sections 6-01-07.1 and 54-10-22.1 of the North Dakota Century Code, relating to confidentiality of facts and information obtained or created by the commissioner of financial institutions and the department of financial institutions.

### 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, 3 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; 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; 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.

**NAYS:** Bellew; Ertelt; Magrum

SB 2197 passed.

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### SECOND READING OF SENATE BILL

**SB 2138:** A BILL for an Act to amend and reenact subsection 2 of section 10-33-75 of the North Dakota Century Code, relating to remote communication for nonprofit corporations; 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 90 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; 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; 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:** Ertelt; Hoverson; Magrum; Schatz

SB 2138 passed and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2102:** A BILL for an Act to create and enact chapter 6-07.2 of the North Dakota Century Code, relating to dissolution, insolvency, suspension, emergency receivership, and liquidation of institutions under the department of financial institutions' supervision; to amend and reenact subsection 4 of section 6-01-04.2 and sections 6-01-04.4, 6-02-05, 6-03-12, 6-03-57, 6-03-67, 6-05-34, and 6-06-08.4 of the North Dakota Century Code, relating to financial institutions cross references, cease and desist orders, and prompt corrective action; and to repeal chapter 6-07 of the North Dakota Century Code, relating to dissolution, insolvency, suspension, emergency receivership, and liquidation of institutions under the department of financial institutions' supervision.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2102 passed.

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**SECOND READING OF SENATE BILL**

**SB 2264:** A BILL for an Act to create and enact a new subsection to section 19-03.1-23 of the North Dakota Century Code, relating to penalties for the possession of marijuana by an individual under the age of twenty-one; and to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to prohibiting an individual under the age of twenty-one from using alcoholic beverages; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 3 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; 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; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Bellew; Roers Jones; Vetter

SB 2264 passed.

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**SECOND READING OF SENATE BILL**

**SB 2251:** A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-03 and section 53-06.1-11.1 of the North Dakota Century Code, relating to permitting certain political organizations that have a permit to conduct raffles to use the net proceeds for a political purpose.

**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 85 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Boe; Buffalo; Guggisberg; Hager; Keiser; Nelson, M.; Steiner; Trottier; Tveit

Engrossed SB 2251 passed.

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**SECOND READING OF SENATE BILL**

**SB 2091:** A BILL for an Act to amend and reenact section 49-03-01.5 of the North Dakota Century Code, relating to an exclusion from the definition of public utility and rural electric cooperative.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

SB 2091 passed.

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**SECOND READING OF SENATE BILL**

**SB 2156:** A BILL for an Act to amend and reenact sections 12.1-31-03, 12.1-31-03.1, 12.1-31-03.3, and 51-32-01 of the North Dakota Century Code, relating to the prohibition of an individual under twenty-one years of age from purchasing, possessing, or using tobacco products or electronic smoking devices; to provide a penalty; 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 64 YEAS, 30 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Buffalo; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Jones; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Schauer; Schneider; Schreiber-Beck; Steiner; Strinden; Thomas; Trottier; Vigesaa; Weisz; Westlind; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Brandenburg; Christensen; Cory; Delzer; Ertelt; Hauck; Hoverson; Johnson, M.; Kading; Karls; Koppelman, B.; Magrum; Marschall; Martinson; Owens; Paulson; Richter; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Skroch; Stemen; Toman; Tveit; Vetter; Zubke

Engrossed SB 2156 passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2121:** A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to safety belt usage; to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt requirements; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 45 YEAS, 49 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Buffalo; Cory; Dobervich; Dockter; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Keiser; Kempenich; Kiefert; Klemin; Lefor; Martinson; Mitskog; Mock; Nathe; Nelson, J.; O'Brien; Ostlie; Owens; Pyle; Richter; Roers Jones; Sanford; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Trottier; Zubke

**NAYS:** Anderson, D.; Becker; Bellew; Brandenburg; Christensen; Damschen; Delzer; Devlin; Ertelt; Fegley; Fisher; Hauck; Headland; Heinert; Jones; Kading; Karls; Kasper; Koppelman, B.; Kreidt; Longmuir; Louser; Magrum; Marschall; Meier; Monson; Nehring; Nelson, M.; Paulson; Paur; Pollert; Porter; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Skroch; Steiner; Thomas; Toman; Tveit; Vetter; Vigesaa; Weisz; Westlind; Speaker Koppelman, K.

Engrossed SB 2121 failed.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2072, SB 2073, SB 2083, SB 2086, SB 2141, SB 2148, SB 2154, SB 2204, SB 2226, SB 2240.

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

**MR. PRESIDENT:** The House has passed, unchanged: SCR 4001.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2033.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2130, SB 2132, SB 2137, SB 2253, SB 2321.



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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1081, HB 1186, HB 1219, HB 1221, HB 1264, HB 1319, HB 1378, HB 1429.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1063.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1033, HB 1370, HB 1478.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1033**

Page 2, line 9, remove "electronic records"

Page 2, replace lines 10 through 16 with "interoperable electronic medical record accessible by the prescribing practitioner, or other prevailing means accessible by"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1370**

Page 1, line 11, replace "thirty" with "twenty"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1478**

Page 2, line 10, replace "superintendent of public instruction" with "kindergarten through grade twelve education coordination council"

Page 2, line 11, after "and" insert "to the superintendent of public instruction for"

Page 2, line 12, remove "convene a review committee to"

Page 2, line 13, remove "to the superintendent. The review committee consists"

Page 2, remove lines 14 through 17

Page 2, line 18, remove "of each chamber, and the director of career and technical education"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1281.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1165, HB 1198, HB 1259, HB 1303, HB 1390.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HCR 3032.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1028, HB 1075, HB 1083, HB 1154, HB 1188, HCR 3002.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2092, SB 2095, SB 2096, SB 2126, SB 2174, SB 2181, SB 2182.

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

**MR. SPEAKER:** The President has signed: HB 1028, HB 1075, HB 1083, HB 1154, HB

1188.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HCR 3002.

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 24, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2036: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2036 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2089, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2089 was placed on the Sixth order on the calendar.

Page 1, line 5, after the second semicolon insert "to provide an appropriation;"

Page 2, remove lines 1 and 2

Page 2, line 9, after "needs" insert ", including contracting with a private, nonprofit entity that does not provide autism spectrum disorder services to facilitate and provide support services to the autism spectrum disorder task force"

Page 2, after line 11, insert:

**"SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the department of human services for the purpose of funding the autism spectrum disorder voucher program, for the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2122, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2122 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2133, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2133 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2144: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2144 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike the colon

Page 1, line 13, overstrike "a. Enters" and insert immediately thereafter "enters"

Page 1, line 14, overstrike "; or"

Page 1, line 15, overstrike "b. Enters or remains in any place so enclosed"

Page 1, line 15, remove "by a fence or otherwise enclosed"

Page 1, line 15, overstrike "as"

Page 1, line 16, overstrike "manifestly to exclude intruders"

Page 1, line 16, remove ", unless the individual is a licensed hunter or"

Page 1, remove lines 17 and 18

Page 1, line 19, remove "and capable of containing livestock"

Page 1, line 20, overstrike ", knowing"

Page 1, line 20, after the second "that" insert ":

(1) Knowing"

Page 1, line 23, overstrike "individual in charge of the premises or other authorized individual" and insert immediately thereafter "owner or an individual authorized by the owner"

Page 2, line 2, after "characters" insert "; or

(2) The individual enters or remains in any place enclosed by a fence or otherwise enclosed as manifestly to exclude intruders, unless the individual is a licensed hunter or angler who is lawfully hunting or fishing. For purposes of this subdivision, "fence" means a permanent structure on nonurban, private property which is maintained and capable of containing livestock"

Page 2, line 3, overstrike ", tenant,"

Page 2, line 4, after the first "of" insert "paragraph 1 of"

Page 2, line 5, after "violating" insert "paragraph 1 of"

Page 2, line 5, overstrike ", tenant,"

Page 2, line 6, after "with" insert "paragraph 1 of"

Page 2, line 8, after "violates" insert "paragraph 1 of"

Page 3, line 24, overstrike "or tenant"

Page 4, line 9, overstrike "or tenant"

Page 4, line 10, overstrike ", tenant,"

Page 4, line 12, overstrike ", tenant,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2150: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2150 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2164, as engrossed: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2164 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "for a period of time not to exceed sixty consecutive days in a calendar year and"

Page 1, line 13, overstrike "are provided"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2168, as engrossed: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2168 was placed on the Sixth order on the calendar.

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

Page 1, line 11, remove the underscored colon

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

Page 1, line 12, remove the underscored semicolon

Page 1, line 13, remove "(2) All"

Page 1, line 19, remove the overstrike over "all"

Page 1, line 19, remove the underscored colon

Page 1, line 20, remove "(1) All"

Page 1, line 20, remove the overstrike over "and"

Page 1, line 20, remove the underscored semicolon

Page 1, line 21, remove "(2) All"

Page 2, line 9, remove the overstrike over "subdivision"

Page 2, line 9, remove "paragraph"

Page 2, line 10, remove "; and"

Page 2, remove line 11

Page 2, line 12, remove "jurisdictions in paragraphs 1 and 2"

Page 2, line 14, remove the overstrike over "all"

Page 2, line 14, remove the underscored colon

Page 2, line 15, remove "(1) All"

Page 2, line 15, remove the underscored semicolon

Page 2, line 16, remove "(2) All"

Page 2, line 20, remove "A law enforcement officer employed by Bismarck state college has jurisdiction on:"

Page 2, remove lines 21 through 28

Page 2, line 29, remove "e."

Page 3, line 6, remove the overstrike over "e:"

Page 3, line 6, remove "f."

Page 3, line 10, remove the overstrike over "f:"

Page 3, line 10, remove "g."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2178: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2178 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2205: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). SB 2205 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2210: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2210 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2269, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2269 was placed on the Sixth order on the calendar.

Page 1, line 7, after "provide" insert "integrated formula"

Page 1, line 9, after "state" insert "at the rate provided under section 15.1-27-04.1"

Page 1, line 11, replace "twenty-one" with "twenty-two"

Page 1, line 11, after "graduated" insert "from a public"

Page 1, line 11, after "school" insert "in the state"

Page 1, line 12, after the underscored period insert "By June thirtieth of each year, postsecondary transitional programs shall submit to the superintendent of public instruction for the reimbursement of eligible students enrolled in the program."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2272, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2272 was placed on the Sixth order on the calendar.

Page 4, line 5, after the underscored comma insert "state-approved educator training programs."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2273: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2273 was placed on the Sixth order on the calendar.

Page 1, line 15, after "by" insert ", and compliance with recommendations from."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2278, as engrossed: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2278 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2281, as engrossed: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2281 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2283, as engrossed: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2283 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2289: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2289 was placed on the Sixth order on the calendar.

Page 2, line 9, after "scale" insert ". or an equivalent course proficiency score if the student was enrolled in a school district participating in an approved innovative education program under section 15.1-06-08.2 and the school district obtained a waiver under section 15.1-06-08.1."

Page 2, line 29, after "course" insert ". or an equivalent course proficiency score"

Page 2, line 30, after "course" insert ". or an equivalent course proficiency score"

Page 2, line 31, after "II" insert ". or an equivalent course proficiency score"

Page 3, line 5, after "scale" insert ". or an equivalent course proficiency score if the student was enrolled in a school district participating in an approved innovative education program under section 15.1-06-08.2 and the school district obtained a waiver under section 15.1-06-08.1."

Page 3, line 20, after "course" insert ". or an equivalent course proficiency score"

Page 4, line 9, after "course" insert ". or an equivalent course proficiency score"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2292: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2292 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4011, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SCR 4011 was placed on the Fourteenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**