

## JOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, March 17, 2021

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

The prayer was offered by Pastor Andy Lam, North Dakota Adult Teen Challenge, Bismarck.

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-fifth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1008, line 18, after "passed" insert " but the emergency clause failed"

Page 1024, line 23, replace "REQUEST" with "MOTION"

Page 1024, line 24, replace "REQUESTED" with "MOVED"

Page 1024, line 25, replace "request was granted" with "motion prevailed"

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

## COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 16, 2021, I have signed the following: HB 1110, HB 1126, HB 1158, HB 1197, HB 1211, HB 1216, HB 1290, HB 1338, and HB 1398.

## REQUEST

**REP. ERTELT REQUESTED** that amendments to SB 2253 be heard separately, which request was granted.

## SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to Engrossed SB 2130, Engrossed SB 2132, Engrossed SB 2137, Engrossed SB 2166, and Engrossed SB 2321.

Engrossed SB 2130, Engrossed SB 2132, Engrossed SB 2137, Engrossed SB 2166, and Engrossed SB 2321, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## SIXTH ORDER OF BUSINESS

**SB 2253, as reengrossed: REP. STEMEN (Industry, Business and Labor Committee) MOVED** that the amendments on HJ page 1172 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

## MOTION

**REP. LOUSER MOVED** that SB 2238 be moved to the top of the calendar, which motion prevailed on a voice vote.

## MOTION

**REP. LOUSER MOVED** that SB 2073 and SB 2054 be moved to the bottom of the calendar, which motion prevailed on a voice vote.

## SECOND READING OF SENATE BILL

**SB 2238:** A BILL for an Act to create and enact section 23.1-06-16 of the North Dakota Century Code, relating to the state regional haze plan; 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 88 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2238 passed and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2087:** A BILL for an Act to amend and reenact subsection 3 of section 50-24.6-04 of the North Dakota Century Code, relating to the medical assistance prior authorization program.

#### 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, 2 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; 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:** Hoverson; Magrum

SB 2087 passed.

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#### SECOND READING OF SENATE BILL

**SB 2149:** A BILL for an Act to amend and reenact section 39-34-06 of the North Dakota Century Code, relating to a commercial service airport's authority to enter an agreement with a transportation network company.

#### 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 54 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Dobervich; Dockter; Guggisberg; Hager; Hagert; Hanson; Hatlestad;

Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Karls; Keiser; Kempenich; Klemin; Lefor; Longmuir; Marschall; Mitskog; Mock; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Pollert; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Stemen; Strinden; Thomas; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Anderson, B.; Becker; Bellew; Christensen; Damschen; Delzer; Devlin; Ertelt; Fegley; Fisher; Hauck; Hoverson; Jones; Kading; Kasper; Kiefert; Koppelman, B.; Kreidt; Louser; Magrum; Martinson; Meier; Monson; Owens; Paulson; Paur; Porter; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schobinger; Skroch; Steiner; Toman; Trottier; Tveit; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Schreiber-Beck

SB 2149 passed.

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### SECOND READING OF SENATE BILL

**SB 2277:** A BILL for an Act to create and enact a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to a motor vehicle excise tax exemption for motor vehicles transferred under a divorce decree; 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; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Koppelman, B.; Schreiber-Beck

SB 2277 passed.

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### SECOND READING OF SENATE BILL

**SB 2112:** A BILL for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to department of transportation branch office duties.

### 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; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz;

Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Koppelman, B.; Schreiber-Beck

Engrossed SB 2112 passed.

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### SECOND READING OF SENATE BILL

**SB 2098:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 23.1-15-05, subsection 1 of section 23.1-15-07, and sections 23.1-15-08 and 23.1-15-09 of the North Dakota Century Code, relating to abandoned vehicles.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; 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.

**NAYS:** Delzer; Ertelt; Johnson, M.

**ABSENT AND NOT VOTING:** Koppelman, B.

SB 2098 passed.

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### SECOND READING OF SENATE BILL

**SB 2191:** A BILL for an Act to amend and reenact section 32-19-41 of the North Dakota Century Code, relating to the disposal of abandoned personal property.

### 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; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; 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; Kreidt; Lefor; Longmuir; Louser; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Buffalo; Ertelt; Hoverson; Magrum; Nelson, M.; Skroch

**ABSENT AND NOT VOTING:** Koppelman, B.; Schreiber-Beck

Engrossed SB 2191 passed.

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**SECOND READING OF SENATE BILL**

**SB 2172:** A BILL for an Act to amend and reenact section 20.1-08-04.2 of the North Dakota Century Code, relating to a preference for moose hunting licenses for individuals seventy-five years of age and older.

**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 34 YEAS, 58 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Becker; Boe; Brandenburg; Buffalo; Christensen; Damschen; Delzer; Dockter; Hager; Hanson; Hatlestad; Hauck; Hoverson; Johnson, D.; Johnson, M.; Mitskog; Nelson, J.; O'Brien; Ostlie; Owens; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Strinden; Trottier; Weisz; Westlind; Speaker Koppelman, K.

**NAYS:** Anderson, B.; Anderson, D.; Bellew; Beltz; Bosch; Boschee; Cory; Devlin; Dobervich; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Headland; Heinert; Howe; Ista; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, M.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Schobinger; Skroch; Steiner; Stemen; Thomas; Toman; Tveit; Vetter; Vigesaa; Zubke

**ABSENT AND NOT VOTING:** Koppelman, B.; Schreiber-Beck

SB 2172 failed.

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**SECOND READING OF SENATE BILL**

**SB 2297:** A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to designating state highway 57 as the Akicita (veteran) memorial highway; and to provide a continuing appropriation.

**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 89 YEAS, 3 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; 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; 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; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Bellew; Magrum; Schatz

**ABSENT AND NOT VOTING:** Koppelman, B.; Schreiber-Beck

SB 2297 passed.

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**SECOND READING OF SENATE BILL**

**SB 2302:** A BILL for an Act to create and enact section 39-04-14.5 of the North Dakota Century Code, relating to providing proof of motor vehicle insurance when renewing

vehicle registration.

#### 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 4 YEAS, 87 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Cory; Hoverson; Porter; Toman

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

**ABSENT AND NOT VOTING:** Koppelman, B.; Monson; Schreiber-Beck

SB 2302 failed.

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#### SECOND READING OF SENATE BILL

**SB 2207:** A BILL for an Act to amend and reenact section 54-16-03 of the North Dakota Century Code, relating to submissions to the emergency commission; and to repeal section 54-16-03.1 of the North Dakota Century Code, relating to emergency requests.

#### 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 88 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; 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; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Christensen; Delzer; Ertelt; Nelson, M.

**ABSENT AND NOT VOTING:** Koppelman, B.; Monson

SB 2207 passed.

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#### SECOND READING OF SENATE BILL

**SB 2044:** A BILL for an Act to amend and reenact section 39-03.1-10, subsection 2 of section 39-03.1-11.2, subsection 8 of section 54-52-17, subsection 10 of section 54-52-26, subsection 2 of section 54-52-28, subsection 2 of section 54-52.1-03.2, subsection 1 of section 54-52.1-03.3, and subsection 2 of section 54-52.6-21 of the North Dakota Century Code, relating to public employees retirement system unpaid benefit payments, missing member confidentiality requirements, compliance with Internal Revenue Code distribution requirements, insurance programs for which retiree health insurance credit moneys may be used, and clarification of eligibility for

retiree health insurance credit payments.

#### 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, 0 NAYS, 0 EXCUSED, 3 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; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; 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; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Koppelman, B.; Monson; Trottier

SB 2044 passed.

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#### SECOND READING OF SENATE BILL

**SB 2062:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and section 55-01-12 of the North Dakota Century Code, relating to criminal history record checks by the state historical society for volunteers and final applicants for employment.

#### 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 80 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; 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; Mitskog; Mock; Nathe; Nehring; Nelson, J.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vigesaa; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Delzer; Ertelt; Magrum; Meier; Nelson, M.; Skroch; Toman; Vetter; Weisz

**ABSENT AND NOT VOTING:** Monson; O'Brien

SB 2062 passed.

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#### SECOND READING OF SENATE BILL

**SB 2069:** A BILL for an Act to amend and reenact section 44-04-18.27 of the North Dakota Century Code, relating to applications for public employment.

#### 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 1 YEAS, 92 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Ertelt

**NAYS:** 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; 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; 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:** Monson

Engrossed SB 2069 failed.

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

**SB 2237:** A BILL for an Act to amend and reenact section 23.1-06-07 of the North Dakota Century Code, relating to limitations on regulation of coal-fueled electric generating units; 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 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.

SB 2237 passed and the emergency clause was declared carried.

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

**SB 2291:** A BILL for an Act to create and enact a new section to chapter 21-10 of the North Dakota Century Code, relating to social investments made by the state investment board; to provide for a department of commerce study of the implications of complete divestment of companies that boycott energy or commodities; to provide for reports to legislative management; 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 82 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Hauck; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford;



Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

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

Engrossed SB 2291 passed and the emergency clause was declared carried.

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

**SB 2120:** A BILL for an Act to amend and reenact section 61-16-07 of the North Dakota Century Code, relating to the number of board members for water resource districts.

### **ROLL CALL**

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

**YEAS:** Becker; Hoverson; Monson; Paur; Steiner; Weisz

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; 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; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Koppelman, K.

SB 2120, as amended, 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 2070, SB 2119, SB 2199, SB 2294, SB 2330, SB 2336.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2116.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2088, SB 2113, SB 2187.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2261, SB 2341.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2143.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1041, HB 1056, HB 1218, HB 1242, HB 1357.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1371.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1371**

Page 1, line 4, replace "an" with "a contingent"

Page 1, line 13, replace the third "the" with ":

1. The"

Page 1, line 14, after "round" insert "; and

2. Minnesota, Montana, and South Dakota each have commenced the observance of daylight saving time year round as the standard time"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1120.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1176, HB 1179, HB 1308, HB 1329, HB 1366, HB 1417, HB 1445.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2028, SB 2047, SB 2107, SB 2108, SB 2136, SB 2140, SB 2147, SB 2167, SB 2196, SB 2221.

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

**MR. SPEAKER:** The President has signed: HB 1176, HB 1179, HB 1308, HB 1329, HB 1366, HB 1417, HB 1445.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2027, SB 2050, SB 2053, SB 2056, SB 2061, SB 2066, SB 2075, SB 2076, SB 2081, SB 2094, SB 2105, SB 2106, SB 2109, SB 2111, SB 2114, SB 2115, SB 2134, SB 2135, SB 2152, SB 2157, SB 2224, SB 2243, SB 2250.

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

**MR. SPEAKER:** The President has signed: SB 2027, SB 2050, SB 2056, SB 2061, SB 2066, SB 2075, SB 2076, SB 2081, SB 2094, SB 2105, SB 2106, SB 2109, SB 2111, SB 2114, SB 2115, SB 2134, SB 2135, SB 2152, SB 2157, SB 2224, SB 2243.

**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., Thursday, March 18, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2033, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2033 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2072, as engrossed: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2072 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2077, as engrossed: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2077 was placed on the Sixth order on the calendar.

Page 2, line 23, replace "shall" with "may"

Page 2, line 25, remove "for"

Page 2, line 26, replace "all or any part" with "in an amount up to fifty percent"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2083, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2083 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2085, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2085 was placed on the Sixth order on the calendar.

Page 1, line 5, remove the third "and"

Page 1, line 7, after "care" insert "; and to provide for application"

Page 2, after line 14, insert:

**"SECTION 5. APPLICATION.** The department of human services shall stagger implementation of section 3 of this Act so the section applies:

1. On January 1, 2022, to agreements entered between the department of human services and the individual on or after January 1, 2022; and
2. On January 1, 2023, to agreements entered between the department of human services and the individual on or before December 31, 2021."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2086, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2086 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2141, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2141 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2148, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2148 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2154: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2154 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2165, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2165 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "carryforward" with "carried forward"

Page 2, line 6, after "e" insert "b"

Page 2, line 6, remove the overstrike over "; beginning July 1,"

Page 2, line 6, after "2017" insert "2023"

Page 2, line 6, remove "b"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2226, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2226 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2240: Education Committee (Rep. Owens, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2240 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2248, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2248 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 23-01-05.2 of the North Dakota Century Code, relating to epinephrine prescription, distribution, possession, or use and immunity from liability.

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

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

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

1. ~~The state health officer shall adopt rules to authorize a layperson to administer epinephrine to an individual who has a severe allergic reaction.~~
2. ~~An individual authorized to administer epinephrine by the state health officer may obtain premeasured doses of epinephrine and the necessary paraphernalia for epinephrine administration from any licensed physician or pharmacist.~~
3. ~~An individual authorized to administer epinephrine by the state health officer, and the employer of such an individual, is not civilly or criminally liable for any act or omission of that individual when acting in good faith while rendering emergency treatment to an individual who has a severe adverse reaction, except when the conduct amounts to gross negligence. As used in this section:~~
  - a. "Epinephrine" means a single-use disposable device that automatically injects a premeasured dose of epinephrine.
  - b. "Health care professional" means a licensed or certified health care professional who is working within the scope of practice for that profession. The term may include a physician, physician assistant, advanced practice registered nurse, and pharmacist acting in the professional's scope of practice.
2. A health care professional acting in good faith may directly or by standing order prescribe, distribute, or dispense epinephrine, if the health care professional provides training to:
  - a. An individual at risk of experiencing a severe allergic reaction; or
  - b. A family member, friend, or other person in a position to assist an individual at risk of experiencing a severe allergic reaction.

3. A person acting in good faith may receive or possess epinephrine if that person is:
  - a. An individual at risk of experiencing a severe allergic reaction; or
  - b. A family member, friend, or other person in a position to assist an individual at risk of experiencing a severe allergic reaction.
4. An individual acting in good faith may self-administer epinephrine or administer epinephrine to another individual who the administering individual suspects is at risk of experiencing a severe allergic reaction.
5. A person may receive, possess, or administer epinephrine under subsection 3 or 4, regardless of whether the person is the individual for or the person to which the epinephrine is prescribed, distributed, or dispensed. A person in possession of epinephrine which is acting in good faith may provide training on how to use epinephrine.
6. A health care professional who prescribes, distributes, trains on the use of, or dispenses epinephrine as authorized under this section is not subject to professional discipline for such action. This section does not expand the scope of practice of a health care professional.
7. A person that prescribes, distributes, dispenses, receives, possesses, trains in the use of, or administers epinephrine as authorized under this section is immune from civil and criminal liability for such action. This subsection provides immunity to the person responsible for the site on which the epinephrine is located. Immunity from liability or discipline under this subsection does not apply if the person's actions constitute recklessness, gross negligence, or intentional misconduct."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2249: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2249 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2258, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2258 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2303: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2303 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2304, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2304 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "the"

Page 1, line 13, remove "federally recognized Indian tribes"

Page 1, line 14, remove "in the state, and the"

Page 1, line 14, after the second comma insert "the federally recognized Indian tribes in the state."

Page 1, line 19, replace "and" with "or"

Page 2, line 6, remove "impacts to"

Page 2, line 26, remove "impacts to"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SCR 4001: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS**  
(17 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4001 was placed on the  
Fourteenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**