JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, February 1, 2023

The House convened at 1:00 p.m., with Speaker D. Johnson presiding.

The prayer was offered by Pastor Ken Trana, United Church of Christ, Bismarck.

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

A quorum was declared by the Speaker.

MOTION

REP. BOSCH MOVED that after action taken on the Sixth order, HB 1107, HB 1137, HB 1268, HB 1279, HB 1298, HB 1344, and HB 1381 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1107, HB 1137, HB 1268, HB 1279, HB 1298, HB 1344, HB 1381, and HB 1397.

HB 1397, as amended, was rereferred to the **Appropriations Committee**.

HB 1107, HB 1137, HB 1268, HB 1279, HB 1298, HB 1344, and HB 1381, as amended, were placed on the Eleventh order of business on the calendar.

MOTION

REP. BOSCH MOVED that House Rule 601(3e) be temporarily suspended to allow Engrossed HB 1279 to be immediately placed on the Eleventh order for second reading and final passage, and that following action on the Eleventh order, Engrossed HB 1279 be messaged to the Senate immediately, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1296 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1296 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1372 be returned to the House floor from the **Education Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1372 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1374, which is on the Eleventh order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, HB 1374 was rereferred.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to create and enact section 65-01-15.2 of the North Dakota Century Code, relating to compensability for cardiac events for firefighters and law enforcement officers; to amend and reenact sections 65-01-15 and 65-01-15.1 of the North Dakota Century Code, relating to documentation required for firefighters and law enforcement officers and the presumption of compensability for firefighters and law enforcement officers; to provide for retroactive application; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

Engrossed HB 1279 passed and the emergency clause was declared carried.

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MOTION

REP. DAVIS MOVED that the House reconsider its action whereby Engrossed HB 1202 failed to pass for lack of a two-thirds majority.

REQUEST

REP. DAVIS REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed HB 1202 failed to pass, the roll was called and there were 58 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bahl; Beltz; Boschee; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Frelich; Grueneich; Hager; Hagert; Hanson; Headland; Heilman; Henderson; Holle; Ista; Jonas; Kasper; Klemin; Koppelman; Lefor; Louser; Marschall; Meier; Mitskog; Mock; Motschenbacher; Nelson; O'Brien; Olson, J.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, D.; Bellew; Bosch; Brandenburg; Fisher; Hauck; Heinert; Hoverson; Johnson, J.; Karls; Kempenich; Kiefert; Kreidt; Longmuir; Martinson; McLeod; Monson; Murphy; Nathe; Novak; Olson, S.; Porter; Rohr; Sanford; Satrom; Schatz; Schauer; Schobinger; Timmons; Tveit; VanWinkle; Vigesaa; Wagner

ABSENT AND NOT VOTING: Hatlestad; Ruby, M.

The motion prevailed on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1202: A BILL for an Act to create and enact section 19-24.1-24.1 and a new subsection to section 19-24.1-36 of the North Dakota Century Code, relating to regulating edible medical marijuana products; to amend and reenact section 19-24.1-01 of the North Dakota Century Code, relating to definitions relating to medical marijuana products; to provide a contingent effective date; 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 60 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bahl; Beltz; Boschee; Christensen; Christy; Conmy; Cory; Dakane;

Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heilman; Henderson; Holle; Ista; Jonas; Kasper; Klemin; Koppelman; Lefor; Louser; Marschall; Meier; Mitskog; Mock; Motschenbacher; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, D.; Bellew; Bosch; Brandenburg; Fisher; Hauck; Heinert; Hoverson; Johnson, J.; Karls; Kempenich; Kiefert; Kreidt; Longmuir; Martinson; McLeod; Monson; Murphy; Nathe; Olson, S.; Porter; Rohr; Sanford; Satrom; Schatz; Schauer; Schobinger; Timmons; Tveit; VanWinkle; Vigesaa; Wagner

ABSENT AND NOT VOTING: Ruby, M.

Engrossed HB 1202 failed for lack of a two-thirds majority.

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SECOND READING OF HOUSE BILL

HB 1373: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to property insurance policies for debris removal.

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 8 YEAS, 85 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Brandenburg; Dobervich; Grueneich; Headland; Henderson; Mitskog; Monson; Satrom

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Hager; Hagert; Hanson; Hatlestad; Hauck; Heilman; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mock; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

Engrossed HB 1373 failed.

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SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to create and enact a new section to chapter 11-10 and a new section to chapter 40-01 of the North Dakota Century Code, relating to prohibiting a county or city from prohibiting the connection or reconnection of utilities services.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr;

Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

Engrossed HB 1234 passed.

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SECOND READING OF HOUSE BILL

HB 1124: A BILL for an Act to create and enact a new section to chapter 11-10 and a new section to chapter 40-01 of the North Dakota Century Code, relating to the use of natural gas in new construction.

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 14 YEAS, 79 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christensen; Hauck; Heilman; Henderson; Holle; Kasper; Koppelman; Mock; Prichard; Rios; Toman; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

HB 1124 failed.

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SECOND READING OF HOUSE BILL

HB 1355: 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 the bridge on state highway 6 as the PFC. Ronald C. Goodiron Vietnam bridge; and to provide a continuing appropriation.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

Engrossed HB 1355 passed.

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SECOND READING OF HOUSE BILL

HB 1106: A BILL for an Act to amend and reenact section 43-23.5-12 of the North Dakota Century Code, relating to appraisal management companies.

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

YEAS: Hanson; Henderson; Hoverson; Ista; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

HB 1106 failed.

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SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact sections 26.1-19-03 and 26.1-43-03 of the North Dakota Century Code, relating to legal expense insurance plans.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

HB 1189 passed.

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SECOND READING OF HOUSE BILL

HB 1347: A BILL for an Act to create and enact five new sections to chapter 6-01 of the North Dakota Century Code, relating to the state treasurer and financial institutions engaged in boycotts of energy companies; and to amend and reenact section 6-01-02 of the North Dakota Century Code, relating to definitions.

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 3 YEAS, 90 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Henderson; Satrom; Tveit

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

HB 1347 failed.

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SECOND READING OF HOUSE BILL

HB 1444: A BILL for an Act to amend and reenact subsection 8 of section 54-12-01 of the North Dakota Century Code, relating to the duties of the attorney general.

ROLL CALL

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

HB 1444 passed.

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SECOND READING OF HOUSE BILL

HB 1264: A BILL for an Act to amend and reenact section 12-44.1-01 and subsection 3 of section 12-44.1-07.1 of the North Dakota Century Code, relating to jail and regional correctional center definitions and alternatives to physical custody of individuals; 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 84 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk;

Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Heilman; Henderson; Prichard; Schatz; Timmons; Tveit; VanWinkle

ABSENT AND NOT VOTING: Ruby, M.

HB 1264 passed.

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SECOND READING OF HOUSE BILL

HB 1263: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 27-20.2-05 of the North Dakota Century Code, relating to the powers of the director of juvenile court; and to amend and reenact sections 27-20.2-01 of the North Dakota Century Code, relating to the Juvenile Court Act definitions.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Dyk; Heilman; Henderson; Koppelman; Marschall; Prichard; Timmons; Tveit; VanWinkle

ABSENT AND NOT VOTING: Ruby, M.

HB 1263 passed.

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SECOND READING OF HOUSE BILL

HB 1195: A BILL for an Act to provide for a legislative management study regarding a juvenile delinquency offense code.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy;

Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Heilman; Henderson; Hoverson; Timmons; VanWinkle

ABSENT AND NOT VOTING: Ruby, M.

HB 1195 passed.

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SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to amend and reenact subsection 2 of section 15-01-02 and subsection 3 of section 21-10-06 of the North Dakota Century Code, relating to investment of the common schools trust fund.

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 13 YEAS, 80 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Bosch; Christensen; Hauck; Heilman; Henderson; Kasper; Kempenich; Kreidt; Meier; Prichard; Toman; VanWinkle

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Koppelman; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Ruby, M.

HB 1400 failed.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1062, HB 1086, HB 1120, HB 1172, HB 1192, HB 1212, HB 1250, HB 1326, HB 1346, HB 1353, HB 1360, HB 1498.

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

MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1279, HB 1280, HB 1313, HB 1316.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2048, SB 2232, SB 2269, SB 2279, SB 2285.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4005.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2150.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1199.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1199.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1199.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1199.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bill was delivered to the Governor for approval on February 1, 2023: HB 1199.

MOTION
REP. BOSCH MOVED that the absent member be excused, which motion prevailed.

MOTION
REP. BOSCH MOVED that the House be on the Fourth, Fifth, Ninth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, February 2, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE
HB 1103, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1103 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1125: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1125 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "or the state treasurer"

Page 1, line 14, remove "or the state treasurer"

Page 1, line 18, remove "or the state treasurer"

Page 1, line 21, remove "or the state treasurer"

Page 2, line 1, after "2." insert "If the public finance authority or a paying agent notifies the state treasurer, in writing, that a school district has failed to pay when due the principal or interest on any evidence of indebtedness issued after July 31, 2023, or that the public finance authority, school district, or the paying agent has reason to believe a school district will not be able to make a full payment of the principal and interest when the payment is due, the state treasurer shall withhold any funds that are due or payable or appropriated to the school district under chapter 57-51 until the payment of the principal or interest has been made to the public finance authority or the paying agent, or until the public finance authority, school district, or the paying agent notifies the state treasurer that arrangements satisfactory to the public finance authority or the paying agent have been made for the payment of the principal and interest then due and owing. The notification must include information required by the state treasurer. State funds available to a school district under chapter 57-51 are not subject to withholding under this section unless the withholding is authorized by resolution of the district's school board.

3. If the public finance authority or a paying agent notifies the county auditor, in writing, that a school district has failed to pay when due the principal or interest on any evidence of indebtedness issued after July 31, 2023, or that the public finance authority, school district, or the paying

agent has reason to believe a school district will not be able to make a full payment of the principal and interest when the payment is due, the county auditor shall withhold any funds that are due or payable or appropriated to the school district under chapters 57-33.2, 57-34, and 57-55 and section 21-06-10 until the payment of the principal or interest has been made to the public finance authority or the paying agent, or until the public finance authority, school district, or the paying agent notifies the county auditor that arrangements satisfactory to the public finance authority or the paying agent have been made for the payment of the principal and interest then due and owing. The notification must include information required by the county auditor. State funds available to a school district under chapters 57-33.2, 57-34, and 57-55 and section 21-06-10 are not subject to withholding under this section unless the withholding is authorized by resolution of the district's school board.

4."

Page 2, line 3, after "1" insert ", 2, or 3"

Page 2, line 10, replace "or" with an underscored comma

Page 2, line 10, after "treasurer" insert ", and the appropriate county auditor"

Page 2, line 11, replace "or the" with an underscored comma

Page 2, line 12, after "treasurer" insert ", or the county auditor"

Page 2, line 13, replace "or the" with an underscored comma

Page 2, line 13, after "treasurer" insert ", or county auditor"

Page 2, line 14, after "15.1-27" insert "or 57-51"

Page 2, line 18, overstrike "3." and insert immediately thereafter "5."

Page 2, line 19, replace "or the" with an underscored comma

Page 2, line 19, after "treasurer" insert ", and county auditor"

Page 2, line 20, after "1" insert ", 2, or 3"

Page 2, line 24, overstrike "4." and insert immediately thereafter "6."

Page 2, line 29, overstrike "by the superintendent"

Page 2, line 30, overstrike "of public instruction"

Page 3, line 1, overstrike "5."

Page 3, line 16, after "~~6.~~" insert "7."

Page 3, line 16, replace "and the" with an underscored comma

Page 3, line 16, after "treasurer" insert ", and county auditor"

Page 3, line 18, replace "or the" with an underscored comma

Page 3, line 18, after "treasurer" insert ", and the county auditor"

Page 3, line 19, after "for" insert "a"

Page 3, line 20, overstrike "agents" and insert immediately thereafter "agent"

Page 3, line 21, replace "or the" with an underscored comma

Page 3, line 21, after "treasurer" insert ", or county auditors"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1140: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1140 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1178: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1178 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "and no" with ". No"

Page 1, line 11, overstrike the semicolon

Page 1, line 23, replace "A university" with "An institution of higher education, including an institution under the control of the state board of higher education, a North Dakota nonpublic accredited institution of higher education, or a tribally controlled community college"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1221: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1221 was placed on the Sixth order on the calendar.

Page 2, line 5, remove ""C.N.A.","

Page 2, line 7, after the first underscored comma insert "or"

Page 2, line 7, remove ", or certified nurse assistant"

Page 2, line 9, replace "a regionally" with "an"

Page 3, line 4, replace "this chapter" with "the name tag requirement"

Page 3, line 17, remove "Knowingly aiding, assisting, procuring, employing, or advising an unlicensed person to"

Page 3, remove lines 18 through 23

Page 3, line 24, remove "4."

Page 3, line 27, replace "5." with "3."

Page 3, line 28, replace "6." with "4."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1262: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1262 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1269: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1269 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1284: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1284 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1291: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1291 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1310: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 3, line 20, replace "shall" with "may"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1311: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1311 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1342: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1342 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1357: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1357 was placed on the Eleventh order on the calendar.

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.

REPORT OF STANDING COMMITTEE

HB 1382: Education Committee (Rep. Heinert, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1382 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1388: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1388 was placed on the Sixth order on the calendar.

Page 1, line 14, remove ", food, and other essential"

Page 1, line 15, remove "needs"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1392: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1392 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a" with "two"

Page 1, line 1, replace "section" with "sections"

Page 1, after line 13, insert:

"**SECTION 2.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Student organization funds.

Any student organization recognized by an institution under the control of the state board of higher education may deposit money into institution accounts in the Bank of North Dakota to be used for the benefit of students and student organizations or for charitable purposes. An expenditure made under this section is deemed to be made for a public purpose and may not be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1399: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1399 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1410: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1410 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1412: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (7 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). HB 1412 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1415: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1415 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "$980,000," with "$480,000,"

Page 1, line 8, after the first "a" insert "southeastern North Dakota"

Page 1, line 8, after "community" insert "with a population of between fourteen thousand and seventeen thousand residents"

Page 1, line 10, after the period insert "Eligible expenditures under the program include costs related to salaries and overtime, training, and purchases of equipment for existing and newly hired law enforcement staff. The attorney general shall establish guidelines to provide grants under the program."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1420: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1420 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1426: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1426 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1428: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS**

(10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1428 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1453: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1453 was placed on the Sixth order on the calendar.

Page 1, line 8, after "schedule" insert "to apply when an individual has been taken into custody and has not yet appeared before the district court"

Page 1, line 8, replace "violations" with "a violation"

Page 1, line 8, after "of" insert "a"

Page 1, line 9, replace "offenses" with "offense"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1454: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1454 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1460: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1460 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1470: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1470 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "twelve" with "thirty-six"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1490: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1490 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1495: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1495 was placed on the Sixth order on the calendar.

Page 1, line 2, after "incentives" insert "; and to declare an emergency"

Page 1, after line 12, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1507: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1507 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1513: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1513 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1518: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1518 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3011: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HCR 3011 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk