

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, March 19, 2015

The House convened at 1:00 p.m., with Acting Speaker Devlin presiding.

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

The roll was called and all members were present except Representatives Belter, Carlson, Dosch, Fehr, Frantsvog, Hawken, and Kading.

A quorum was declared by the Acting Speaker.

## SIXTH ORDER OF BUSINESS

**ACTING SPEAKER DEVLIN DEEMED** approval of the amendments to Engrossed SB 2113, Engrossed SB 2171, Engrossed SB 2188, Reengrossed SB 2257, Engrossed SB 2278, Engrossed SB 2352, and SCR 4016.

Engrossed SB 2278, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2113, Engrossed SB 2171, Engrossed SB 2188, Reengrossed SB 2257, Engrossed SB 2352, and SCR 4016, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## SECOND READING OF SENATE BILL

**SB 2372:** A BILL for an Act to provide for a legislative management study of environmental protection agency regulations regarding carbon dioxide emissions for new and existing electric generation units.

## 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, 2 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

**NAYS:** Laning; Wallman

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

Engrossed SB 2372 passed.

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## SECOND READING OF SENATE BILL

**SB 2029:** A BILL for an Act to amend and reenact section 19-03.1-45 of the North Dakota Century Code, relating to probation and treatment for drug abuse; 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, 4 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Wallman; Weisz; Zubke

**NAYS:** Bellew; Damschen; Ruby; Vigesaa

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2029 passed.

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**SECOND READING OF SENATE BILL**

**SB 2156:** A BILL for an Act to amend and reenact section 12.1-32-02.1 of the North Dakota Century Code, relating to mandatory sentences for armed offenders.

**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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2156 passed.

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**SECOND READING OF SENATE BILL**

**SB 2192:** A BILL for an Act to amend and reenact sections 12.1-17-02 and 12.1-32-09.1 of the North Dakota Century Code, relating to the sentencing of offenders for aggravated assault.

**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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman;

Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2192 passed.

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#### SECOND READING OF SENATE BILL

**SB 2204:** A BILL for an Act to create and enact a new subsection to section 12.1-08-03 of the North Dakota Century Code, relating to the jurisdiction and venue of the crime of hindering law enforcement.

#### 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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2204 passed.

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#### SECOND READING OF SENATE BILL

**SB 2120:** A BILL for an Act to amend and reenact subsection 1 of section 49-22-22 of the North Dakota Century Code, relating to energy conversion and transmission facility siting application fees.

#### 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 86 YEAS, 2 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Delzer; Olson

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

Engrossed SB 2120, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2061:** A BILL for an Act to amend and reenact subsection 21 of section 4-30-01 and sections 4-30-02, 4-30-36.2, 4-30-36.3, and 4-30-36.4 of the North Dakota Century Code, relating to the definition of Pasteurized Milk Ordinance, to license fees, and to the Pasteurized Milk Ordinance revision.

### 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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2061 passed.

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### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4020:** A concurrent resolution urging Congress to establish food labeling standards, direct the clarification of voluntary food labeling standards, and provide for a review of foods derived through the use of biotechnology.

### ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 78 YEAS, 10 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.; Karls; Kasper; Koppelman, B.; Koppelman, K.; Olson; Ruby; Schatz; Skarphol; Toman

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SCR 4020 was declared adopted on a recorded roll call vote.

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**SECOND READING OF SENATE BILL**

**SB 2217:** A BILL for an Act to create and enact section 57-15-30.2 of the North Dakota Century Code, relating to financial reporting requirements for taxing entities authorized to levy property taxes; to amend and reenact sections 2-06-14, 4-02-27, 4.1-47-14, 4.1-47-25, 11-11.1-04, 11-11.1-06, 11-28-06, 11-28-17, 11-28.3-09, 11-36-14, 11-37-13, 18-10-07, 23-18.2-12, 23-24-09, 23-30-07, 23-35-07, 40-38-02, 40-57.4-04, 50-06.2-05, 57-15-26.3, 57-15-30.2, 61-04.1-26, and 61-16.1-06 of the North Dakota Century Code, relating to the filing of a financial report with the county auditor showing the ending balances of each fund held by an unelected governing body seeking approval of a property tax levy; 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 83 YEAS, 5 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**NAYS:** Guggisberg; Holman; Johnson, M.; Mock; Schreiber Beck

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2217 passed.

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**SECOND READING OF SENATE BILL**

**SB 2073:** A BILL for an Act to amend and reenact section 50-06-30 of the North Dakota Century Code, relating to security training, consultation, and assistance provided by the department of corrections and rehabilitation to the department of human services.

**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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Skarphol; Speaker Belter

Engrossed SB 2073 passed.

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**SECOND READING OF SENATE BILL**

**SB 2237:** A BILL for an Act to amend and reenact section 50-31-06 of the North Dakota Century Code, relating to information received by the department of human services for substance abuse treatment programs; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 1 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke

**NAYS:** Paur

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsovog; Hawken; Kading; Speaker Belter

Engrossed SB 2237 passed and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2187:** A BILL for an Act to amend and reenact sections 26.1-44-06.1 and 26.1-44-08 of the North Dakota Century Code, relating to surplus lines insurance filings; to provide a penalty; to provide an effective date; 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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsovog; Hawken; Kading; Speaker Belter

SB 2187 passed and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2262:** A BILL for an Act to amend and reenact subsection 3 of section 54-10-14 of the North Dakota Century Code, relating to annual reports of certain political subdivisions in lieu of biennial audits.

**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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Damschen; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

SB 2262 passed.

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**SECOND READING OF SENATE BILL**

**SB 2315:** A BILL for an Act to amend and reenact section 32-12.1-03 of the North Dakota Century Code, relating to liability of political subdivisions.

**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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

Engrossed SB 2315 passed.

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**SECOND READING OF SENATE BILL**

**SB 2326:** A BILL for an Act to create and enact three new sections to chapter 15.1-02 and a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the collection and maintenance of student data and reportable data fields; and to amend and reenact section 15.1-02-18 of the North Dakota Century Code, relating to duties of the state longitudinal data system committee.

**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 86 YEAS, 2 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg;

Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**NAYS:** Holman; Nelson, M.

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Speaker Belter

Engrossed SB 2326, as amended, passed.

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### MOTION

**REP. VIGESAA MOVED** that SB 2355, which is on the Fourteenth order, be laid over one legislative day, and that SB 2096, which is on the Fourteenth order, be laid over one legislative day, and that SB 2335, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

### SECOND READING OF SENATE BILL

**SB 2371:** A BILL for an Act to create and enact subsection 30 to section 40-05-02 of the North Dakota Century Code, relating to the authority of a city council or board of city commissioners to establish administrative boards.

### 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 57 YEAS, 30 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Damschen; Delmore; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Kreidt; Kretschmar; Laning; Larson; Lefor; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Ruby; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Strinden; Sukut; Trottier; Wallman; Zubke

**NAYS:** Becker, Rick C.; Bellew; Boehning; Brabandt; Delzer; Devlin; Dockter; Froseth; Headland; Johnson, M.; Karls; Kasper; Klein; Koppelman, B.; Koppelman, K.; Looyen; Louser; Nathe; Olson; Pollert; Porter; Rohr; Schatz; Schmidt; Skarphol; Steiner; Streyle; Thoreson; Vigasaa; Weisz

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Toman; Speaker Belter

Engrossed SB 2371, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2049:** A BILL for an Act to provide for a department of human services study and report to the legislative management regarding statutory references to mental health professionals.

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.;



Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Bellew

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsvog; Hawken; Kading; Toman; Speaker Belter

Engrossed SB 2049 passed.

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### SECOND READING OF SENATE BILL

**SB 2168:** A BILL for an Act to create and enact a new section to chapter 30.1-28 of the North Dakota Century Code, relating to confidentiality of reports and personal information in guardianship proceedings; and to amend and reenact section 30.1-28-03, subsection 5 of section 30.1-28-04, subsection 2 of section 30.1-28-05, subsections 1 and 2 of section 30.1-28-09, section 30.1-28-10.1, subsections 5, 8, and 9 of section 30.1-28-12, and subsection 2 of section 30.1-29-01 of the North Dakota Century Code, relating to petitions, guardians ad litem, reports, contents of court orders, service of orders and notice requirements in guardianship proceedings, emergency guardians, guardian duties and annual reports, and the appointment of a conservator.

### 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 73 YEAS, 13 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Delmore; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Kretschmar; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Bellew; Delzer; Headland; Karls; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Rohr; Ruby; Schatz; Steiner

**ABSENT AND NOT VOTING:** Carlson; Damschen; Dosch; Frantsvog; Hawken; Kading; Toman; Speaker Belter

Engrossed SB 2168 passed.

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### SECOND READING OF SENATE BILL

**SB 2234:** A BILL for an Act to provide for a department of human services study.

### 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, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Bellew; Delzer

**ABSENT AND NOT VOTING:** Carlson; Dosch; Frantsov; Hawken; Kading; Toman; Speaker Belter

Engrossed SB 2234 passed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2179, SB 2191.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1108, HB 1109, HB 1135, HB 1169, HB 1182, HB 1193, HB 1277, HB 1323, HB 1343, HCR 3002.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1134, HB 1281.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1238, HB 1247.

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1238**

Page 2, line 15, overstrike "submit to the commission a written"

Page 2, line 15, overstrike "for"

Page 2, line 16, after "application" insert "from the commission"

Page 2, line 16, after the period insert "The request may be made orally, in writing, or in electronic form."

Page 2, line 19, after the period insert "The application may be returned to the commission in person, by mail, or in electronic form."

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1247**

Page 1, line 7, replace "each" with "an"

Page 1, line 9, after "to" insert "annually"

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1268.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1047, HB 1052, HB 1062, HB 1063, HB 1064, HB 1066, HB 1110, HB 1123, HB 1148, HB 1149, HB 1153, HB 1163,

HB 1189, HB 1199, HB 1375, HB 1418, HB 1436.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2118, SB 2149, SB 2183, SB 2185, SB 2195, SB 2198, SB 2245, SB 2252, SB 2291, SB 2325.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The President has signed: HB 1047, HB 1052, HB 1062, HB 1063, HB 1064, HB 1066, HB 1110, HB 1123, HB 1148, HB 1149, HB 1153, HB 1163, HB 1189, HB 1199, HB 1375, HB 1418, HB 1436.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1029, HB 1048, HB 1065, HB 1076, HB 1093, HB 1097, HB 1099, HB 1100, HB 1118, HB 1119, HB 1128, HB 1132, HB 1142, HB 1146, HB 1183, HB 1364.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2118, SB 2149, SB 2183, SB 2185, SB 2195, SB 2198, SB 2245, SB 2252, SB 2291, SB 2325, SCR 4001, SCR 4004.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 19, 2015: HB 1029, HB 1048, HB 1065, HB 1076, HB 1093, HB 1097, HB 1099, HB 1100, HB 1118, HB 1119, HB 1128, HB 1132, HB 1142, HB 1146, HB 1183, HB 1364.

**MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, March 20, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2123, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2123 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "may" with "shall"

Page 1, line 18, replace "fifty" with "ten"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2130: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2130 was placed on the Sixth order on the calendar.

Page 1, line 2, after "insurers" insert "; and to provide an effective date"

Page 14, after line 15, insert:

"c. Credit for reinsurance ceded to a certified reinsurer is limited to reinsurance contracts entered or renewed on or after the effective date of the commissioner's certification of the assuming insurer."

Page 16, after line 14, insert:

**"SECTION 5. EFFECTIVE DATE.** This Act becomes effective on January 1, 2016."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2172: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2172 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2241, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2241 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2285: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2285 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "may"

Page 1, line 13, replace "be" with "is also"

Page 1, line 13, after "used" insert "by the employee"

Page 1, line 13, after "the" insert "scope of"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2364, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2364 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2367, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2367 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "A representative from each of the following tribes" with "Three enrolled tribal members representing tribes located in the state"

Page 2, line 2, remove the colon

Page 2, remove lines 3 through 8

Page 2, line 9, remove "affairs commission"

Page 2, line 10, replace "m." with "l."

Page 2, line 13, replace "n." with "m."

Page 2, line 14, replace "o." with "n."

Page 2, line 15, remove "and"

Page 2, line 16, replace "p." with "o."

Page 2, line 16, after "director" insert: ", appointed by the executive director of the department of human services;

p. A neonatologist, appointed by the North Dakota academy of pediatrics; and

q. A neonatal intensive care unit nurse, appointed by the state board of nursing"

Page 3, line 10, after "syndrome" insert "and evaluate those programs and services to determine if gaps in programs or ineffective policies exist"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4011, as engrossed: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4011 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "more"

Page 1, line 1, remove "recognize"

Page 1, line 2, replace "states' rights in the role of" with "extricate the federal government from any role it has unconstitutionally usurped with respect to the "

Page 1, line 2, remove "encourage greater flexibility and"

Page 1, line 3, replace "cooperation between" with "eliminate"

Page 1, line 3, remove "and the states"

Page 1, line 13, after "decades" insert "has convinced many that the United States Department of Education is a costly, inefficient, and ineffective federal bureaucracy"

Page 1, line 15, replace "interfere with" with "threaten"

Page 1, line 15, after "our" insert "very future as a nation and to return the"

Page 1, line 15, replace "by" with "to"

Page 1, line 20, remove "more"

Page 1, line 20, replace "recognize states' rights in the role of" with "extricate the federal government from any role it has unconstitutionally usurped with respect to"

Page 1, line 21, replace "encourage greater flexibility and cooperation between" with "eliminate"

Page 1, line 22, remove "and the states"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4018: Education Committee (Rep. Nathe, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SCR 4018 was placed on the Tenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**

