

## Third Day of Legislative Organizational Session

## JOURNAL OF THE SENATE

## Fifty-seventh Legislative Assembly

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Bismarck, December 7, 2000

The Senate convened at 9:00 a.m., with President Myrdal presiding.

The prayer was offered by Pastor John Luhmann, Bismarck Evangelical Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 9:45 a.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Myrdal presiding.

**REPORT OF PROCEDURAL COMMITTEE**

**MADAM PRESIDENT:** Your procedural **Rules Committee (Sen. Holmberg, Chairman)** recommends that the Senate and the Joint Rules of the Fifty-sixth Legislative Assembly, as adopted on Thursday, December 10, 1998, and amended on Thursday, February 11, 1999, and published in the 1999 Senate and House Rules and Committees book, with the following new rules and amendments, be adopted as the permanent rules of the Senate for the Fifty-seventh Legislative Assembly, and that the reading of this report be dispensed with:

**SECTION 1. AMENDMENT.** Senate Rule 205 is amended as follows:

**205. DUTIES OF SERGEANT-AT-ARMS.**

1. The Sergeant-at-Arms of the Senate, under the direction of the presiding officer, is the executive officer of the body for the enforcement of all rules adopted by the Senate for the regulation of the Senate.
2. The Senate floor is under the immediate supervision of the Sergeant-at-Arms. The Sergeant-at-Arms shall see that the Deputy Sergeant-at-Arms and the Assistant Sergeants-at-Arms perform the duties to which they are especially assigned. The Sergeant-at-Arms shall perform all other services and duties pertaining to the office and as directed by the President.
3. The Sergeant-at-Arms shall clear the floor of the Senate chamber in front of the railing of all persons, except legislators, legislative employees, legislative guests, and properly identified representatives of the media, during the time period commencing sixty minutes before the Senate convenes on any legislative day and ending when the Senate recesses for that calendar day. ~~During this period, a legislator may have only one guest on the floor during a morning session and one guest on the floor during an afternoon session.~~
4. The Sergeant-at-Arms also shall act as the supply clerk for the Senate, and is responsible for ordering and distributing supplies and stationery needed by Senate members and Senate employees. The Sergeant-at-Arms may maintain a supply room, if space is available, and has sole control over the supply room, provided that the supply room may be operated jointly in cooperation with the House Sergeant-at-Arms.

**SECTION 2. AMENDMENT.** Senate Rule 206 is amended as follows:

**206. OFFICERS AND EMPLOYEE POSITIONS OF THE SENATE.** The following officers and employee positions are established, with the number, title, and manner of selection for each position as stated:

| Title of Position                      | Number of Positions |
|--|---------------------|
| <b>Group A</b>                         |                     |
| Secretary of the Senate .....          | 1                   |
| <del>Desk Journal</del> Reporter ..... | 1                   |
| Sergeant-at-Arms .....                 | 1                   |

Persons holding Group A positions must be elected by a majority of the members-elect and the vote must be recorded in the journal.

|   |    |
|---|----|
| <b>Group B</b>  |    |
| Assistant Secretary of the Senate .....                         | 1  |
| Chief Committee Clerk .....                                     | 1  |
| Appropriations Committee Clerk .....                            | 1  |
| Bill Clerk .....  | 1  |
| Calendar Clerk .....  | 1  |
| Assistant Appropriations Committee Clerk .....                  | 1  |
| Committee Clerks .....  | 10 |
| Chief Page and Bill Book Clerk .....                            | 1  |
| Assistant Committee Clerk .....                                 | 1  |
| <del>Legislative Assistant/</del> Deputy Sergeant-at-Arms ..... | 1  |
| Legislative Assistant/ - Information Kiosk Attendant .....      | 1  |
| Legislative Assistant/ - Desk Page .....                        | 1  |

Persons holding Group B positions must be appointed by the party having a majority of the members-elect, acting by and through the Employment Committee. Unless otherwise determined by the Employment Committee, the Information Kiosk Attendant position alternates between the houses every other legislative session.

|  |   |
|--|---|
| <b>Group C</b>   |   |
| <del>Secretary</del> Administrative Assistant to Majority Leader ..... | 1 |
| Staff Assistants to Majority Leader .....                              | 2 |
| <del>Secretary</del> Administrative Assistant to Minority Leader ..... | 1 |
| Staff Assistants to Minority Leader .....                              | 2 |

The Majority and Minority Leaders shall appoint their respective ~~secretaries~~ administrative and staff assistants, acting by and through the Employment Committee.

Other employees must be appointed as determined necessary by the Employment Committee and must be allocated to the majority and minority parties in proportion to each party's percentage of the total number of the members-elect and each party shall appoint the persons to the positions allocated to them, acting by and through the Employment Committee. The majority party has the first right to select positions of a group until its allocation is filled.

The powers, duties, and qualifications for each officer or employee are as provided by law, these rules, and the Legislative Handbook for North Dakota Legislators and Employees.

### **SECTION 3. AMENDMENT.** Senate Rule 312 is amended as follows:

**312. ~~ORDER OF MOTION~~ MOTIONS DURING DEBATE.** When a question is under debate, no motion may be received, except to fix the time to which to adjourn; to adjourn; to lay on the table; to move the previous question; to close, limit, or extend debate (which ~~four~~ five kinds of motions must be decided without debate); to move to postpone to a day certain; to refer; and to amend. These motions have precedence in the order in which they are named. No motion to postpone to a day certain or to refer, having been decided, may be entertained again on the same day.

### **SECTION 4. AMENDMENT.** Senate Rule 314 is amended as follows:

**314. PREVIOUS QUESTION.** If a motion calling for the previous question, or any other motion to end debate, carries by a majority vote of the members present, the question must be put immediately, and no member may speak except on a request for information or on a parliamentary inquiry. A member may not move the previous question if that member is debating the issue before the Senate.

### **SECTION 5. AMENDMENT.** Senate Rule 317 is amended as follows:

#### **317. NONDEBATABLE MOTIONS.** The following motions are not debatable:

1. Adjournment.

2. Clincher.
3. Fix the time of adjournment.
4. Order of the day.
5. Reading of papers.
6. Withdrawal of motion.
7. Suspension of the rules.
8. To lay on the table.
9. Previous question.
10. Close, limit, or extend debate.

**SECTION 6. AMENDMENT.** Senate Rule 318 is amended as follows:

**318. VOTES REQUIRED FOR CERTAIN QUESTIONS.**

1. The following questions require a majority vote of the members of the Senate present and voting:
  - a. Action, other than referrals or rereferrals to the Appropriations Committee on certain measures, as authorized in Senate Rule 329.
  - b. Order to a chairman to report a measure back from committee, as provided in Senate Rule 508.
  - c. Adoption of amendments, as provided in Senate Rule 601.
  - d. Reconsideration of the adoption of an amendment, as provided in Senate Rule 347.
  - e. Adoption of propositions of a divided question if the division would require a majority vote of the members present, as provided in Senate Rule 319.
  - f. Adoption of conference committee reports, as provided in Senate Rule 605.
  - g. Previous question, as provided in Senate Rule 314.
  - h. To close, limit, or extend debate.
  - i. To return a measure requested by the House before action, as provided in Joint Rule 204.
  - ~~h-~~ j. To have the President refuse to sign any bill the House refuses to return, as provided in Senate Rule 349.
  - ~~i-~~ k. To request preparation of a fiscal note, as provided in Joint Rule 501.
  - l. Suspension of the rules, as provided in Senate Rule 324.
  - ~~j-~~ m. Any question for which another vote is not required by the Constitution or another rule.
2. The following questions require a majority vote of the members-elect of the Senate:
  - a. Passage of bills, as provided in Section 13, Article IV, of the Constitution and Senate Rule 339.
  - b. Passage of proposed amendments to the Constitution of North Dakota, as provided in Section 16, Article IV, of the Constitution.
  - c. Ratification of amendments to the Constitution of the United States, as provided in Senate Rule 339.

- d. To recede before a conference in a case where a majority governs, as provided in Joint Rule 202.
  - e. To constitute a quorum, as provided in Senate Rule 103.
  - f. Election of certain Senate employees, as provided in Senate Rule 206.
  - g. Suspension of further proceedings under a call of the Senate, as provided in Senate Rule 303.
  - h. Adoption of propositions of a divided question if the division would require a majority vote of the members-elect, as provided in Senate Rule 319.
  - i. Reconsideration of questions other than adoption of amendments if before the end of the next legislative day, as provided in Senate Rule 347.
3. The following questions require a two-thirds vote of the members of the Senate present and voting, which two-thirds may, in no event, constitute fewer than a majority of the members-elect of the Senate:
- a. Introduction of measures after deadline, as provided in Senate Rule 402.
  - b. Return of measures to other house after action taken, as provided in Joint Rule 204.
  - e. ~~Previous question.~~
4. The following questions require a two-thirds vote of the members-elect of the Senate:
- a. Initiated and referred measures amended or repealed within seven years after enactment or approval, as provided in Section 8, Article III, of the Constitution and Senate Rule 339.
  - b. Emergency clauses, as provided in Section 13, Article IV, of the Constitution.
  - c. Vetoed measures, reconsideration, as provided in Section 9, Article V, of the Constitution.
  - d. Adoption of propositions of a divided question if the division would require a two-thirds vote of the members-elect, as provided in Senate Rule 319.
  - e. To recede before a conference in a case where two-thirds governs, as provided in Joint Rule 202.
  - f. Second reading same day as report, as provided in Senate Rule 337.
  - g. Reconsideration after the next legislative day or after a previous motion to reconsider, as provided in Senate Rule 347.
  - h. Reconsideration after a clincher motion, as provided in Senate Rule 348.
  - i. Suspension of requirement that copies of amendments be distributed before acted on, as provided in Senate Rule 601.
  - j. ~~Suspension of the rules, as provided in Senate Rule 324.~~
  - k. Amendment, reconsideration, or suspension of a joint rule, as provided in Joint Rule 105.
5. A question to withdraw a measure after it has been referred to committee requires unanimous consent of the members of the Senate, as provided in Senate Rule 331.

**SECTION 7. AMENDMENT.** Senate Rule 320 is amended as follows:

**320. ~~AYES AND NAYS ROLL CALL VOTE.~~** Except as required by the Constitution or these rules, ~~the ayes and nays~~ a roll call vote may not be ordered unless requested by one-sixth of those members present. ~~No person may remain by the Secretary's desk when the~~

~~ayes and nays are being called.~~ When ~~the ayes and nays are~~ a recorded roll call vote is ordered pursuant to this rule, the results must be printed in the journal in their entirety.

**SECTION 8. AMENDMENT.** Senate Rule 324 is amended as follows:

**324. SUSPENSION OF RULES.** No standing rule or order of the Senate may be reconsidered or suspended except by a vote of ~~two-thirds~~ a majority of the ~~members-elect~~ members present.

**SECTION 9. AMENDMENT.** Senate Rule 333 is amended as follows:

**333. AMEND OR REREFER ON SECOND READING.** On the second reading of every bill or resolution, any amendment other than amendment of a measure reported from a conference committee or a measure on the calendar as the result of a motion to concur or not concur in amendments by the House may be received and the bill or resolution may be rereferred at any time before its final passage. Upon request of a member, a floor amendment must be submitted in writing and distributed to each member.

**SECTION 10. AMENDMENT.** Senate Rule 346 is amended as follows:

**346. TRANSMITTAL OF MEASURE TO HOUSE - NOTICE OF INTENTION TO RECONSIDER.** After the second reading of a bill or resolution, the Secretary of the Senate shall retain the bill or resolution until the end of the next legislative day, unless the bill or resolution has previously been disposed of. On the ~~thirty-third~~ thirty-fourth legislative day and after the forty-ninth legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House immediately upon adjournment of that day's session unless action on the bill or resolution is pending as the result of the Senate passing a motion to reconsider or unless the Majority or Minority Leader has given notice of intention to move the reconsideration of that bill or resolution. After the fifty-eighth legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House immediately after the second reading of the bill or resolution unless the Majority or Minority Leader has given notice of intention to move the reconsideration of that bill or resolution. When a member in explaining the member's vote states to the Senate that the member's vote is for the purpose of reconsideration, that statement also is notice of such intention.

**SECTION 11. AMENDMENT.** Senate Rule 360 is amended as follows:

**360. GUESTS - INTRODUCTION AND ANNOUNCEMENT OF GUESTS - ~~COURTESY OF THE SENATE LIMITATIONS.~~**

1. Introduction of guests in the Senate is limited to those individuals called on to address the Senate, individuals of statewide, national, or international prominence, and others in the discretion of the President. The presence of other guests in groups may be announced daily on the electronic message boards.
2. No member may have more than one guest on the floor during any period guests are restricted under Senate Rule 205. No member may have more than one guest in the morning on the floor during a session and one guest in the afternoon on the floor during a session ~~as restricted under Senate Rule 205.~~ The guest must be seated with the member at the time the session convenes and may not leave the floor during debate. No guest may be seated with the member after that member's original guest for that session leaves the floor.
3. For the purposes of this rule, the floor of the Senate is all of the first floor of the Senate chamber in front of the railing.

**SECTION 12. AMENDMENT.** Senate Rule 402 is amended as follows:

**402. WHEN INTRODUCED.**

1. ~~No bill may be introduced after the fifteenth legislative day and no member other than the Majority and Minority Leaders may introduce more than three bills as prime sponsor after the tenth legislative day, nor may any.~~ No bill may be introduced after the fifteenth legislative day, and no resolution, except those resolutions described in subsection 3, may be introduced after the eighteenth legislative day, except upon approval of a majority of the Delayed Bills Committee or upon two-thirds vote of the members of the Senate present and voting.

2. No bill introduced at the request of an executive agency or the Supreme Court may be introduced after December tenth before the ensuing regular session, except upon approval of a majority of the Delayed Bills Committee.
3. Resolutions that propose amendments to the Constitution of ~~the United States~~ North Dakota and resolutions directing the Legislative Council to carry out a study may not be introduced after the thirty-first legislative day.

**SECTION 13. AMENDMENT.** Senate Rule 404 is amended as follows:

**404. FORM OF BILLS - COPIES.**

1. Every bill and resolution must be in typewritten form and ~~thirteen~~ at least two copies must be filed with the Secretary.
2. Each bill and resolution must have typed on it the name of each sponsor introducing the bill or resolution.
3. The enacting clause of a bill must be: "BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA".
4. No bill may embrace more than one subject, which must be expressed in its title.
5. If a bill amends a present statute, the portion thereof constituting the amendment or amendments must be underscored. In a bill that contains sections amending existing statutes and sections that will be new law, the portion containing the amendment to the existing statute and all of each section containing new law must be underscored. Any matter contained in the present statute but deleted in the proposed amended statute must be contained in the typewritten bill, but must be set off from the remainder of the text by typing a line through the deleted matter. Where bills sponsored by the Legislative Council do not use the above devices, such bills must be accompanied by appropriate explanatory notations outlining the changes to be effected. All bills and resolutions to be introduced in the Senate must be in the form and style the Legislative Council prescribes.
6. The Secretary, upon receiving the copies of a bill or resolution as provided by this rule, shall proceed as follows: (a) If the ~~original~~ covered copy of the bill or resolution has attached to it a notation that the bill or resolution was ~~drafted, retyped, or~~ approved as to form and style by the Legislative Council staff, the Secretary shall number the bill or resolution as provided in Senate Rule 401 and, after first reading and referral, shall distribute the copies as provided in this rule; or (b) If the ~~original~~ covered copy of the bill does not have a notation of ~~drafting, retyping, or~~ approval as to form and style by the Legislative Council staff attached, the Secretary shall proceed as provided in Senate Rule 405.
7. The Secretary, after compliance with this rule and after first reading, shall distribute the copies of a bill or resolution received as follows: The ~~original~~ covered copy and one additional copy must be delivered to the chairman of the committee to which the measure is referred; one copy must be delivered to the President of the Senate; ~~three~~ six copies must be delivered to the Legislative Council; one copy must remain in the custody of the Secretary until otherwise directed by the Senate; except in the case of bills or resolutions printed on order of the Legislative Council pursuant to Senate Rule 406, two copies must be delivered to the printer having the contract for the printing of bills; three copies must be available for representatives of news media; and one copy must be given to the prime sponsor. ~~Any statewide organization or association may be provided a copy of each introduced bill or resolution for the payment of a subscription fee established by the Legislative Management Committee of the Legislative Council. Orders and payments for such bills or resolutions must be placed with the Legislative Council before December fifteenth preceding the regular session.~~
8. ~~The original of each bill or resolution filed with the Secretary must be prepared in the form prescribed by the Legislative Council.~~

**SECTION 14. AMENDMENT.** Senate Rule 405 is amended as follows:

**405. APPROVAL OF MEASURES AS TO FORM AND STYLE.**

1. When a bill or resolution, with the requisite number of copies, is filed with the Secretary without a notation attached to the ~~original~~ covered copy stating that the

bill or resolution was ~~drafted, retyped, or~~ approved as to form and style by the Legislative Council staff, the Secretary immediately shall cause that bill or resolution to be delivered to the Legislative Council office with a written request that the bill or resolution be examined and receive a notation approving its form and style.

2. When the Legislative Council staff receives a bill or resolution from the Secretary pursuant to this rule, it shall see that the bill or resolution is in the form and style required by law, legislative rule, and the drafting rules promulgated by the Legislative Council.
3. When the Legislative Council staff has ensured that the bill or resolution meets all requirements regarding form and style, the bill or resolution and all copies must be returned to the Secretary with a notation of approval attached to the ~~original~~ covered copy.
4. If the Legislative Council staff, due to the exercise of its responsibilities under this rule, is not able to deliver an approved bill or resolution to the Secretary before expiration of the last legislative day for normal introduction, the Secretary, whenever such an approved bill or resolution is received, shall proceed to file it as if it had been received on the final legislative day for normal introduction.

**SECTION 15.** Senate Rule 504.1 is created as follows:

**504.1. APPROPRIATIONS COMMITTEE MEETINGS.** In addition to the meetings authorized under Senate Rule 504, the Appropriations Committee may meet for not more than five calendar days during the period after the organizational session has adjourned and the regular session is convened, as called by the Majority Leader. The chairman shall cause notice of the time and place of the meetings to be posted.

**SECTION 16. AMENDMENT.** Senate Rule 506 is amended as follows:

**506. COMMITTEE PROCEDURES.**

1. In all cases, a majority of the committee constitutes a quorum, except that fifty percent of the membership of a committee with an even number of members constitutes a quorum.
2. The committee chairman or the member who is duly appointed to act as chairman shall ensure that minutes of committee hearings and deliberations are kept. The minutes must be arranged by the bills or resolutions discussed, designated by number. The minutes must contain a short phrase explaining what the bill or resolution relates to and the names and addresses of all persons who appear in relation to the bill or resolution and a brief summary of their remarks. The minutes also must include a record of recommended amendments to the bill or resolution, and a recorded roll call vote of the committee members on each bill or resolution that is referred out of the committee and, in the case of divided reports, on each report.
3. Upon adjournment of the legislative session, the minutes must be delivered to the Legislative Council and must be retained by the Council for a period of not less than one year.

**SECTION 17. AMENDMENT.** Senate Rule 601 is amended as follows:

**601. REPORT OF COMMITTEES.**

1. The report of a committee must provide for one or more of the following recommendations with respect to the bill or resolution: do pass, do not pass, be amended, be rereferred to another committee, or be placed on the calendar without recommendation.
2. During the fifth order of business, the Secretary shall announce that committee reports have been received, if such is the case, and shall list the bill or resolution number, or other identifier, and state the accompanying committee recommendation. If the committee report is divided pursuant to Senate Rule 602, the Secretary shall announce the majority and minority report, or reports, as well.
3. a. If the committee report is for amendment, the proposed amendment must be placed on the calendar for the next legislative day on the sixth order of

business. After the fifty-fifth legislative day, the proposed amendment must be placed on the calendar on the sixth order of business immediately after the report of the committee is received.

- b. No action may be taken on an amendment until a verbatim copy of the amendment has been distributed to each member; provided, that on a two-thirds vote of the members-elect, this may be suspended, and the amendment acted on immediately after the report of the committee.
  - c. If the amendment is adopted by a majority vote of the members present, the amended measure must then be placed on the calendar for the next legislative day under the applicable order of business for second reading and final passage except as provided in subdivision e or g.
  - d. If the amendment is rejected, the measure without amendment must be placed on the calendar for the next legislative day under the applicable order of business for second reading and final passage except as provided in subdivision e or g.
  - e. If the committee report is for amendment and then rereferral to another committee, the measure must be rereferred to the appropriate committee after adoption or rejection of the amendment. If, after adoption or rejection of the amendment, a measure is subject to rereferral under Senate Rule 329, the measure must be rereferred to the Appropriations Committee, regardless of whether the report provides for rereferral.
  - f. If the committee report does not recommend rereferral to another committee but recommends that the measure pass, do not pass, or makes no recommendation, the measure must be placed on the calendar for the next legislative day under the applicable order of business for second reading and final passage except as provided in subdivision g.
  - g. On motion a measure must be placed on the calendar for second reading and final passage immediately after action is taken on the amendment. If the committee report recommends that the measure be placed on the calendar for second reading and final passage immediately after action is taken on the amendment, the measure must be placed on the calendar for second reading and final passage immediately after the amendment is adopted. After the thirty-second legislative day all Senate bills, and after the fifty-fifth legislative day all measures, must be placed on the calendar for second reading and final passage immediately after action is taken on the amendment. A measure placed on the calendar under this subdivision may be acted on immediately after placement on the calendar.
  - h. A report for amendment must be approved as to form and style by the Legislative Council staff. When a report for amendment is received by the Secretary without a notation that the report was approved as to form and style by the Legislative Council staff, the Secretary immediately shall cause that report to be delivered to the Legislative Council office with a request that the report be examined and receive a notation approving its form and style.
4. If the committee report is divided as provided in Senate Rule 602, the reports must be placed on the calendar for the next legislative day on the seventh order of business. The President shall receive and announce a motion that the report of the minority be substituted for the majority committee report. If the minority report is adopted, that report is substituted for the majority report and must be placed on the calendar on the eleventh or fourteenth order of business. If the minority report is not adopted, the majority report is deemed adopted and must be placed on the calendar on the eleventh or fourteenth order of business. If a "do not pass" report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business. If no report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business unless the measure is subject to rereferral under Senate Rule 329.
  5. The Secretary shall ensure that the daily calendar contains appropriate notation of committee reports.

**SECTION 18. AMENDMENT.** Senate Rule 602 is amended as follows:



**602. DIVIDED COMMITTEE REPORT.**

1. In case all the members of any committee required or entitled to report on any subject referred to them cannot agree upon any report, the majority and minority may each make a report as provided by this rule; and all reports, if decorous in language, and respectful to the Senate, must be entered at length in the journal and must identify who voted for each report, and must be announced by the Secretary as provided in Senate Rule 601.
2. A minority report must be signed by at least two members of the committee, or three members of the Appropriations Committee, who voted against the majority report and who have not voted for or signed any other report. A member may not vote for a report and refuse to sign that report. A recorded roll call vote must be taken on the majority report and each minority report.
3. The majority report is either the report signed by the largest number of committee members or the report signed by the committee chairman if that report is one of two or more reports signed by the largest and an equal number of members. The majority report must be placed on the calendar for consideration before consideration of any minority report. Minority reports must be placed on the calendar in order in accordance with the number of committee members signing the reports, with the report signed by the largest number of members being placed on the calendar first.
4. If more than one amendment is recommended by divided reports relating to a particular measure, the President shall direct that they be placed on the calendar in order in accordance with this rule.
5. The President shall also rule as to the effect of the adoption of the first report on each subsequent report.

**SECTION 19. AMENDMENT.** Joint Rule 208 is amended as follows:**208. INTRODUCTION OF EXECUTIVE AGENCY AND SUPREME COURT BILLS.**

Each executive agency and the Supreme Court shall file with the Legislative Council those bills they wish to have introduced no later than ~~December tenth before the ensuing regular~~ the close of business on the day after the adjournment of the organizational session. Each bill is deemed introduced by the standing committee of the House or Senate with general jurisdiction over the subject matter of the bill; but if the filing entity receives the approval of a legislator to sponsor the bill, that bill is to be introduced by the legislator rather than by the standing committee. A bill sponsored by a legislator may not have more sponsors than the number allowed under Senate and House Rules 401. The director of the budget shall file with the Legislative Council those bills making appropriations to implement the budget recommended by the Governor no later than ~~December tenth before the ensuing regular~~ the close of business on the day after the adjournment of the organizational session and those bills are deemed introduced by the Appropriations Committee of the Senate or House at the request of the Governor. The bill implementing the budget request of the judicial branch is deemed introduced by the Appropriations Committee of the Senate or House at the request of the Supreme Court, and the bill implementing the budget request of the legislative branch is deemed introduced by the Appropriations Committee of the Senate or House at the request of the Legislative Council. The Legislative Council shall number and deliver bills filed under this rule to the ~~President of the Senate or the Speaker of the House~~ appropriate house for recording. Each bill introduced under this rule must be identified by noting the name of the agency or the court under the name of the sponsoring committee or legislator. The identification of a bill introduced by a standing committee may include the names of not more than five entities authorized to file bills under this rule.

**SECTION 20. AMENDMENT.** Joint Rule 209 is amended as follows:**209. RETURN OF VETOED BILLS WITH OBJECTIONS.**

When the Governor vetoes a bill that must be returned within three legislative days, ~~Sundays excepted~~, after ~~presentation~~ delivery to the Governor, the bill must be returned to the Secretary of the Senate if a Senate bill or to the Chief Clerk of the House if a House bill, together with the objections to the bill. The Secretary of the Senate and Chief Clerk of the House may each designate an employee of the respective chamber for receipt of vetoed bills and objections. If the Secretary of the Senate or Chief Clerk of the House or the designated legislative employee, as appropriate, is not available to receive the vetoed bill and objections, the director of the Legislative Council or a Legislative Council employee designated by the director may receive the vetoed bill and the objections as the representative of the appropriate house. ~~As used in this rule, "within three~~

~~days" means within three calendar days, Sundays excepted, after the day of presentation to the Governor.~~

**SECTION 21. AMENDMENT.** Subdivisions a and b of subsection 3 of Joint Rule 501 are amended as follows:

3. a. A fiscal note must be prepared by the state agency or department responsible for collecting or expending the revenues affected or whose appropriation is affected or jointly by affected departments or agencies, at the request of the Legislative Council ~~or the chairman of the committee considering the bill or resolution.~~
- b. A request for a fiscal note must be in ~~writing, the proper request form and~~ addressed to the designated agency or department, ~~and upon a proper request form,~~ and must be accompanied by a copy of the bill or resolution having the fiscal effect.

**SEN. HOLMBERG MOVED** that the report be adopted, which motion prevailed.

#### REPORT OF PROCEDURAL COMMITTEE

**MADAM PRESIDENT:** Your procedural **Committee on Arrangements for Senate Committee Rooms (Sen. Christmann, Chairman)** recommends that the Senate use the same committee rooms as were used during the Fifty-sixth Legislative Session. These are as follows:

| <u>COMMITTEE</u>                | <u>MEETING DAYS</u> | <u>ROOM</u>     |
|---------------------------------|---------------------|-----------------|
| Appropriations                  | MTWThF              | Harvest         |
| Education                       | MTW                 | Missouri River  |
| Government and Veterans Affairs | ThF                 | Missouri River  |
| Finance and Taxation            | MTW                 | Lewis and Clark |
| Transportation                  | ThF                 | Lewis and Clark |
| Human Services                  | MTW                 | Red River       |
| Political Subdivisions          | ThF                 | Red River       |
| Industry, Business and Labor    | MTW                 | Roosevelt       |
| Agriculture                     | ThF                 | Roosevelt       |
| Judiciary                       | MTW                 | Fort Lincoln    |
| Natural Resources               | ThF                 | Fort Lincoln    |

**SEN. CHRISTMANN MOVED** that the report be adopted, which motion prevailed.

#### REPORT OF PROCEDURAL COMMITTEE

**MADAM PRESIDENT:** Your procedural **Committee on Committees (Sen. G. Nelson, Chairman)** recommends the following as the proposed chairmen, vice chairmen, and members of Standing Committees:

#### APPOINTMENT OF STANDING COMMITTEES - SENATE

##### Appropriations Committee

|                         |            |
|-------------------------|------------|
| Nothing - Chairman      | Heitkamp   |
| Solberg - Vice Chairman | Lindaas    |
| Andrist                 | Robinson   |
| Bowman                  | Tallackson |
| Grindberg               | Tomac      |
| Holmberg                |            |
| Kringstad               |            |
| Schobinger              |            |
| Thane                   |            |

##### Education Committee

|                         |             |
|-------------------------|-------------|
| Freborg - Chairman      | Christenson |
| Flakoll - Vice Chairman | Kelsh       |
| Cook                    | O'Connell   |
| Wanzek                  |             |

##### Finance and Taxation Committee

|                         |          |
|-------------------------|----------|
| Urlacher - Chairman     | Kroeplin |
| Wardner - Vice Chairman | Nichols  |
| Christmann              |          |
| Stenehjem               |          |

##### Human Services Committee

Lee - Chairman  
Kilzer - Vice Chairman  
Erbele  
Fischer

Polovitz  
T. Mathern

**Industry, Business and Labor Committee**

Mutch - Chairman  
Klein - Vice Chairman  
Espesgard  
Krebsbach  
Tollefson

Every  
D. Mathern

**Judiciary Committee**

Traynor - Chairman  
Watne - Vice Chairman  
Dever  
Lyson  
Trenbeath

Bercier  
C. Nelson

**Agriculture Committee**

Wanzek - Chairman  
Erbele - Vice Chairman  
Klein  
Urlacher

Kroeplin  
Nichols

**Government and Veterans Affairs Committee**

Krebsbach - Chairman  
Dever - Vice Chairman  
Kilzer  
Wardner

C. Nelson  
T. Mathern

**Natural Resources Committee**

Fischer - Chairman  
Tollefson - Vice Chairman  
Christmann  
Freborg  
Traynor

Every  
Kelsh

**Political Subdivisions Committee**

Cook - Chairman  
Lyson - Vice Chairman  
Flakoll  
Lee  
Watne

Christenson  
D. Mathern  
Polovitz

**Transportation Committee**

Stenehjem - Chairman  
Trenbeath - Vice Chairman  
Espesgard  
Mutch

Bercier  
O'Connell

**SEN. G. NELSON MOVED** that the report be adopted, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Seventeenth order of business and at the conclusion of that order, the Senate stand in recess until 10:30 a.m., at which time it will reconvene in the House for a Joint Session, after which the Senate will stand adjourned, which motion prevailed.

The Senate stood adjourned pursuant to Senator Christmann's motion.

**WILLIAM R. HORTON, Secretary**

