

## Third Day of Legislative Organizational Session

## JOURNAL OF THE SENATE

## Sixtieth Legislative Assembly

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Bismarck, December 6, 2006

The Senate convened at 8:30 a.m., with President Dalrymple presiding.

The prayer was offered by Pastor Allan Shaner, Grace Lutheran Brethern Church, Bismarck.

The roll was called and all members were present except Senators Hacker, O'Connell, and Taylor.

A quorum was declared by the President.

**ANNOUNCEMENT**

**PRESIDENT DALRYMPLE ANNOUNCED** that Sen. O'Connell requested the record show that he was in a conference with the Governor during roll call.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 9:10 a.m., which motion prevailed.

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

**REPORT OF PROCEDURAL COMMITTEE**

**MR. PRESIDENT:** Your procedural **Rules Committee (Sen. Holmberg, Chairman)** recommends that the Senate and Joint Rules of the Fifty-ninth Legislative Assembly, as adopted on Wednesday, December 8, 2004, and published in the 2005 Senate and House Rules and Committees book, with the following amendments, be adopted as the permanent rules of the Senate for the Sixtieth Legislative Assembly, and that the reading of this report be dispensed with:

**SECTION 1. 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-fourth~~ thirty-third 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 2. AMENDMENT.** Subsection 1 of Senate Rule 402 is amended as follows:

1. No member other than the Majority and Minority Leaders may introduce more than three bills as prime sponsor after the ~~tenth~~ ninth legislative day. No bill may be introduced after the ~~fifteenth~~ fourteenth 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.

**SECTION 3. AMENDMENT.** Subsection 1 of Senate Rule 501 is amended as follows:

1. The Committee on Committees consists of ~~nine~~ eight members. The Majority Leader, by virtue of office, is a member of the committee and shall serve as its chairman. The Majority Leader shall appoint ~~five~~ four other members from the majority party and three members from the minority party to the committee. The committee shall appoint standing committees concerned with matters in the fields as indicated and procedural committees.

**SECTION 4. AMENDMENT.** Subsection 1 of Joint Rule 203 is amended as follows:

1. A bill that has passed one house may not be sent to the other house for concurrence after the ~~thirty-fourth~~ thirty-third legislative day, except a bill approved for introduction after the deadline for introduction of bills.

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

**REPORT OF PROCEDURAL COMMITTEE**

**MR. PRESIDENT:** Your procedural **Committee on Committees** (**Sen. Stenehjem, Chairman**) recommends the following as chairmen, vice chairmen, and members of standing committees:

**Appropriations Committee**

Committee Chairman - Holmberg  
 Vice Chairman - Bowman  
 Vice Chairman - Grindberg  
 Christmann  
 Fischer  
 Kilzer  
 Krebsbach  
 Wardner

Krauter  
 Lindaas  
 Mathern  
 Robinson  
 Seymour  
 Tallackson

**Education Committee**

Committee Chairman - Freborg  
 Vice Chairman - Flakoll  
 G. Lee

Bakke  
 Taylor

**Finance and Taxation Committee**

Committee Chairman - Urlacher  
 Vice Chairman - Tollefson  
 Cook  
 Oehlke

Anderson  
 Horne  
 Triplett

**Human Services Committee**

Committee Chairman - J. Lee  
 Vice Chairman - Erbele  
 Dever

Heckaman  
 Pomeroy  
 Warner

**Industry, Business and Labor Committee**

Committee Chairman - Klein  
 Vice Chairman - Hacker  
 Andrist  
 Wanzek

Behm  
 Heitkamp  
 Potter

**Judiciary Committee**

Committee Chairman - Nething  
 Vice Chairman - Lyson  
 Olafson

Fiebiger  
 Marcellais  
 Nelson

**Agriculture Committee**

Committee Chairman - Flakoll  
 Vice Chairman - Wanzek  
 Erbele  
 Klein

Behm  
 Heckamen  
 Taylor

**Government and Veterans Affairs Committee**

Committee Chairman - Dever  
 Vice Chairman - Oehlke  
 J. Lee

Horne  
 Marcellais  
 Nelson

**Natural Resources Committee**

Committee Chairman - Lyson  
 Vice Chairman - Tollefson  
 Freborg  
 Urlacher

Heitkamp  
 Pomeroy  
 Triplett

**Political Subdivisions Committee**

Committee Chairman - Cook  
 Vice Chairman - Olafson

Anderson  
 Warner

Hacker

**Transportation Committee**

Committee Chairman - G. Lee  
Vice Chairman - Andrist  
Nething

Bakke  
Fiebiger  
Potter

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

**REPORT OF PROCEDURAL COMMITTEE**

**MR. 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-ninth Legislative Session. In addition, the room formerly used as the smoking room will now be the legislators' study. The committee rooms 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.

**MOTION**

**SEN. CHRISTMANN MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 9:55 a.m., at which time it will convene in the House for a Joint Session, after which the Senate stand adjourned until 12:00 noon, Wednesday, January 3, 2007, which motion prevailed.

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

**William R. Horton, Secretary**

