

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, March 20, 2007

The Senate convened at 1:00 p.m., with President Dalrymple presiding.

The prayer was offered by Reverend Garvon E. Golden, Capitol Heights Baptist Church.

The roll was called and all members were present except Senator Olafson.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

SB 2418: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2418 was placed on the Sixth order on the calendar.

Page 1, line 2, after "facility" insert "; and to provide for the issuance of revenue bonds"

Page 1, after line 13, insert:

"SECTION 2. APPROPRIATION - VETERANS' HOME CONSTRUCTION PROJECT - ADDITIONAL BED CAPACITY - BOND ISSUANCE AUTHORIZATION.

The industrial commission, acting as the North Dakota building authority, shall arrange through the issuance of evidences of indebtedness under chapter 54-17.2 for the biennium beginning July 1, 2007, and ending June 30, 2009, for costs associated with expanding the veterans' home construction project from the 121-bed capacity facility, as provided for in section 1 of this Act, to a 150-bed facility. The proceeds of the evidences of indebtedness and other available funds in the amount of \$2,575,152 are appropriated to the veterans' home for this project. Non-general fund sources must be used for the retirement of the evidences of indebtedness for the costs associated with this project."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment authorizes the issuance of revenue bonds in order for the Veterans' Home to expand the Veterans' Home building project to a 150-bed facility.

MOTION

SEN. CHRISTMANN MOVED that Senate Rule 601(3)(a) be suspended, and that immediate action be taken on the amendments to SB 2418, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2418: SEN. J. LEE (Human Services Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1227, as engrossed: SEN. FIEBIGER (Transportation Committee) MOVED that the amendments on SJ page 885 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1394, as engrossed: SEN. HORNE (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 886 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. HEITKAMP REQUESTED a verification vote on the proposed amendments to Engrossed HB 1394, which request was granted.

The question being the adoption of the proposed amendments to Engrossed HB 1394, the proposed amendments failed on a verification vote.

Engrossed HB 1394 was placed on the Fourteenth order.

CONSIDERATION OF AMENDMENTS

HB 1420, as engrossed: SEN. WANZEK (Agriculture Committee) MOVED that the amendments on SJ pages 886-887 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1445, as engrossed: SEN. POTTER (Transportation Committee) MOVED that the amendments on SJ page 887 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1499, as engrossed: SEN. DEVER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 887-888 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HCR 3010: SEN. TAYLOR (Agriculture Committee) MOVED that the amendments on SJ page 888 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1263: A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to raffles.

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 27 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Cook; Erbele; Fischer; Flakoll; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Klein; Krauter; Krebsbach; Lee, J.; Marcellais; Nelson; O'Connell; Oehlke; Potter; Robinson; Seymour; Tallackson; Taylor; Triplett; Urlacher; Wanzek; Warner

NAYS: Anderson; Andrist; Behm; Bowman; Christmann; Dever; Fiebiger; Freborg; Horne; Kilzer; Lee, G.; Lindaas; Lyson; Mathern; Nething; Pomeroy; Stenehjem; Tollefson; Wardner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1263, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to amend and reenact section 39-06.2-06 of the North Dakota Century Code, relating to commercial driver's license exemptions.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

HB 1400 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1455: A BILL for an Act to create and enact chapter 43-15.3 of the North Dakota Century Code, relating to the pedigree for wholesale drugs; and to amend and reenact section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1455 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1471: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to state department of health programs to educate about the human papilloma virus; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1471 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1511: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 38-08-04 of the North Dakota Century Code, relating to bonding requirements for idle oil and gas wells.

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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Lyson

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1511 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1119: A BILL for an Act to amend and reenact sections 43-23-03, 43-23-05.1, and 43-23-10, subdivision o of subsection 1 of section 43-23-11.1, section 43-23-16, and subsection 5 of section 43-23.2-02 of the North Dakota Century Code, relating to the state real estate commission.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

HB 1119 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1124: A BILL for an Act to amend and reenact sections 4-09-01, 4-10-01, 4-10-05, and 4-42-11 of the North Dakota Century Code, relating to labeling requirements and potato seed and crop warranties or representations; and to repeal section 4-10-11 of the North Dakota Century Code, relating to inspector certificates.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1124 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1146: A BILL for an Act to create and enact a new section to chapter 47-05 of the North Dakota Century Code, relating to severance of hunting rights from the surface estate.

ROLL CALL

The question being on the final passage of the further amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 32 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Cook; Dever; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Lindaas; Lyson; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wardner; Warner

NAYS: Andrist; Behm; Bowman; Christmann; Erbele; Fischer; Hacker; Klein; Lee, G.; Lee, J.; Nething; Oehlke; Potter; Wanzek

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1146, as further amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to valuation of residential and commercial property by the state board of equalization.

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 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Fischer; Flakoll; Grindberg; Holmberg; Klein; Lee, G.; Mathern; Nething; Stenehjem; Tollefson

NAYS: Anderson; Bakke; Behm; Erbele; Fiebiger; Freborg; Hacker; Heckaman; Heitkamp; Horne; Kilzer; Krauter; Krebsbach; Lee, J.; Lindaas; Lyson; Marcellais; Nelson; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1267 lost.

SECOND READING OF HOUSE BILL

HB 1274: A BILL for an Act to amend and reenact subsection 3 of section 26.1-17-33.1 of the North Dakota Century Code, relating to the payment of dividends by a nonprofit mutual insurance company.

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 24 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Seymour; Stenehjem; Tollefson; Urlacher; Wanzek; Wardner

NAYS: Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Holmberg; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Tallackson; Taylor; Triplett; Warner

ABSENT AND NOT VOTING: Olafson

HB 1274 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1297: A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign contributions to legislative candidates by certain persons.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christmann; Cook; Klein; Tollefson

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1297 lost.

SECOND READING OF HOUSE BILL

HB 1423: A BILL for an Act to amend and reenact sections 39-29-10 and 39-29-12 of the North Dakota Century Code, relating to youth operation of off-highway vehicles; 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 NOT PASS, the roll was called and there were 9 YEAS, 37 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Behm; Christmann; Cook; Dever; Hacker; Heitkamp; Klein; Stenehjem; Tallackson

NAYS: Anderson; Andrist; Bakke; Bowman; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1423 lost.

SECOND READING OF HOUSE BILL

HB 1450: A BILL for an Act to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to refunds by retailers of home rule sales and use taxes; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Olafson

Engrossed HB 1450 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3061: A concurrent resolution directing the Legislative Council to study the financial and environmental impact of confined animal feeding operations on individual property owners and local communities and develop clear, concise, and consistent laws governing the siting and regulation of confined animal feeding operations.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3061 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3037: A concurrent resolution urging Congress to decouple federal mineral royalty revenue payments from states to counties when calculating PILT payments.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3037 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3057: A concurrent resolution directing the Legislative Council to study the corporate and individual income tax laws to determine the feasibility and desirability of providing income tax benefits for employers to encourage expansion of employment opportunities in the state.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3057 was declared adopted, and the title was agreed to on a voice vote.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SB 2117, SB 2155, SB 2237, SB 2239, SB 2278, SB 2321.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1038, HB 1164.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HB 1008, HB 1013, HB 1024, HB 1055, HB 1059, HB 1063, HB 1067, HB 1078, HB 1082, HB 1090, HB 1121, HB 1161, HB 1162, HB 1181, HB 1183, HB 1225, HB 1231, HB 1355, HB 1369, HB 1381, HB 1386, HB 1393, HB 1398, HB 1414, HB 1425, HB 1506.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HB 1072, HB 1081, HB 1099, HB 1101, HB 1118, HB 1135, HB 1158, HB 1169, HB 1179, HB 1299, HB 1324, HB 1328, HB 1331, HB 1346, HB 1350, HB 1357, HB 1358, HB 1378, HB 1396, HB 1411, HB 1452, HB 1476, HB 1479.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HCR 3007, HCR 3032, HCR 3035, HCR 3042.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HCR 3002, HCR 3008, HCR 3012, HCR 3013, HCR 3024, HCR 3025, HCR 3026, HCR 3031, HCR 3039, HCR 3048, HCR 3056, HCR 3063.

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

MR. PRESIDENT: The Speaker has signed: HCR 3007, HCR 3025, HCR 3026, HCR 3031, HCR 3032, HCR 3035, HCR 3042, HCR 3048, HCR 3056, HCR 3063.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1119, HB 1124, HB 1274, HB 1400, HB 1450, HB 1455, HB 1471, HB 1511, HCR 3037, HCR 3057, HCR 3061.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1146, HB 1263.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has failed to pass: HB 1267, HB 1297, HB 1423.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4004, SCR 4011, SCR 4013, SCR 4015, SCR 4020, SCR 4021, SCR 4031.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2309.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2309

Page 1, line 1, remove "create and enact a new section to chapter 15.1-21 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to high school coursework requirements; and to"

Page 1, remove lines 15 through 24

Page 2, remove lines 1 through 14

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2363.

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2363

Page 2, line 23, after "qualified" insert "nonprofit organization or qualified"

Page 4, line 2, after "501(c)" insert "to which contributions qualify for federal charitable income tax deductions"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SCR 4001, SCR 4016, SCR 4030, SCR 4032.

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4001

Page 1, line 1, replace "nation's outer" with "entire nation"

Page 1, line 2, remove "continental shelf" and remove "in an environmentally responsible manner"

Page 1, after line 2, insert:

"**WHEREAS**, the oil and gas industry has demonstrated that onshore and offshore oil and natural gas resources can be developed in an environmentally responsible manner; and"

Page 2, after line 30, insert:

"**WHEREAS**, the Arctic National Wildlife Refuge has shown great potential for oil and natural gas production; and"

Page 3, line 2, after "coasts" insert "and in the Arctic National Wildlife Refuge"

Page 3, line 8, replace "nation's outer continental shelf" with "entire nation" and remove "in"

Page 3, line 9, remove "an environmentally responsible manner"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4016

Page 1, after line 15, insert:

"**WHEREAS**, the accumulation of sediment in the reservoirs has contributed to the occurrence and spread of noxious weeds; and"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE CONCURRENT

Page 1, line 19, after "outcome" insert ", including the role of county superintendents and county committees"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4032

Page 1, line 18, replace the first "and" with a comma and after "counselors" insert ", and all other school staff"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass: SB 2404.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Thirteenth orders of business today and on the Fifty-third day and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, March 22, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1073: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1073 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1219, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1219, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1228: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1228 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "shall" with "may"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1340, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1340 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1348, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1348, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1351, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1351 was placed on the Sixth order on the calendar.

Page 1, line 7, after "was" insert "a resident of a nursing facility, intermediate care facility for the mentally retarded, or other medical institution and with respect to whom the department of human services determined that resident reasonably was not expected to be discharged from the medical institution and to return home, or who was"

Page 1, line 10, after "following" insert "the determination that the recipient cannot reasonably be expected to be discharged from the medical institution, or" and after "birthday" insert ", as the case may be,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1365: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1365 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1384, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1384 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1417, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1417 was placed on the Sixth order on the calendar.

Page 2, line 23, replace "twenty-four" with "forty-eight" and replace "notice under section 51-33-02" with ":

- a. A notice under section 51-33-02; and
 - b. A copy of a valid police report, investigative report, or complaint to law enforcement evidencing the identity theft victim has alleged being a victim of identity theft. The copy may be transmitted to the consumer reporting agency by mail, facsimile, or secure electronic mail connection, if the connection is made available by the consumer reporting agency.
2. Effective August 1, 2009, if a victim of identity theft requests a security freeze, a consumer reporting agency shall place a security freeze on the consumer's credit report no later than twenty-four hours after receiving:
- a. A notice under section 51-33-02; and
 - b. A copy of a valid police report, investigative report, or complaint to law enforcement evidencing the identity theft victim has alleged being a victim of identity theft. The copy may be transmitted to the consumer reporting agency by mail, facsimile, or secure electronic mail connection, if the connection is made available by the consumer reporting agency"

Page 2, line 24, replace "2." with "3."

Page 2, line 29, replace "3." with "4."

Page 3, line 28, replace "subdivision" with "section"

Page 3, line 29, after "writing" insert "at least"

Page 8, line 13, replace "violates the security freeze by releasing credit" with "erroneously releases a consumer's credit file or any information derived from the file, the consumer reporting agency shall send written notification to the affected consumer within five business days following discovery or notification of the erroneous release."

Page 8, remove lines 14 and 15

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1477: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1477 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1491, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1491 was placed on the Sixth order on the calendar.

Page 1, after line 23, insert:

- "3. The approval process provided for in this section does not apply to a course provided electronically between approved schools in this state."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HCR 3004: Human Services Committee (Sen. J. Lee, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3004 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3038, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3038 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3062: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3062 was placed on the Fourteenth order on the calendar.

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

William R. Horton, Secretary

