

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, March 9, 2007

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor Tim Jenks, Bethel Lutheran, Bismarck.

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

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

HB 1125, as reengrossed: SEN. TAYLOR (Education Committee) MOVED that the amendments on SJ pages 745-746 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1129, as engrossed: SEN. ERBELE (Human Services Committee) MOVED that the amendments on SJ page 746 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1296, as reengrossed: SEN. WARNER (Human Services Committee) MOVED that the amendments on SJ pages 746-747 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1320, as reengrossed: SEN. BAKKE (Education Committee) MOVED that the amendments on SJ page 747 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1482, as engrossed: SEN. DEVER (Human Services Committee) MOVED that the amendments on SJ pages 747-748 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1505, as engrossed: SEN. WARNER (Human Services Committee) MOVED that the amendments on SJ page 748 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts.

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

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

ABSENT AND NOT VOTING: Hacker

Engrossed HB 1010, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1157: A BILL for an Act to amend and reenact sections 11-15-29 and 11-15-31 of the North Dakota Century Code, relating to uniforms for sheriffs and sheriffs' deputies.

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 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; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Potter

ABSENT AND NOT VOTING: Hacker

Engrossed HB 1157, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to amend and reenact sections 35-17-08, 35-30-06, 35-31-06, and 41-09-96 of the North Dakota Century Code, relating to certain lien and secured transaction filing 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 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; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Hacker

HB 1304, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1312: A BILL for an Act to create and enact section 57-15-63.1 of the North Dakota Century Code, relating to relevy by a school district of property taxes omitted by mistake; to provide an effective date; and to provide an expiration date.

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

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

NAYS: Dever

ABSENT AND NOT VOTING: Hacker

Engrossed HB 1312, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3032: A concurrent resolution acknowledging the actions of the 44th Legislative Assembly of North Dakota and the sponsors of Senate Concurrent Resolution No. 4007 affirming the equal application of the United States Constitution to all citizens through the passage of the Equal Rights Amendment; declaring Friday, March 9, 2007, North Dakota Equal Rights Amendment Recognition Day; and encouraging a recommitment to the ratification of the Equal Rights Amendment in all states and final passage in Congress.

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

HCR 3032 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: The Senate has passed unchanged: HB 1061, HB 1094, HB 1140, HB 1156, HB 1517.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1199.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1134, HB 1421, HB 1513.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1060, HB 1503.

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

MR. SPEAKER: The Senate has failed to pass: HB 1245, HB 1451.

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

MR. PRESIDENT: The House has passed unchanged: SB 2038, SB 2044, SB 2048, SB 2052.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2045, SB 2293, SB 2389, SB 2411.

HOUSE AMENDMENTS TO SENATE BILL NO. 2045

Page 1, line 3, remove "subsection 7 of section 54-52.1-01,"

Page 1, line 4, remove the first comma

Page 1, line 5, remove "minimum life insurance benefits coverage,"

Page 1, remove lines 9 through 14

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2293

Page 1, line 1, after "new" insert "section to chapter 20.1-03 and a new"

Page 1, line 2, after "to" insert "hunter education requirements and to"

Page 1, after line 10, insert:

"SECTION 2. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

One-time hunter education exemption. An individual eighteen years of age or older may receive a one-time exemption from the hunter education requirements of section 20.1-03-01.2 for up to one license year if that individual applies for the hunting license directly from the department. A license issued to an individual under this section is valid only when the individual is accompanied afield, and under the direct supervision of, a licensed adult who is in compliance with section 20.1-03-01.2."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2389

Page 1, line 23, remove the overstrike over "~~The~~" and remove "Except as otherwise provided under this subsection, before July first of each"

Page 1, line 24, remove "year, the", remove "and adjust", remove "dollar", remove the overstrike over "~~the~~", and remove "each"

Page 2, line 1, remove "in subsections 10 and 11 and implement the adjusted amounts on July first"

Page 2, remove line 2

Page 2, line 3, remove "organization shall calculate the adjusted amount of each award" and remove the overstrike over "multiplying"

Page 2, line 4, remove the overstrike over "~~thirty three and one third percent of~~" and remove "increasing the current award amount by the"

Page 2, line 5, remove "same percentage as the increase in" and remove "current"

Page 2, line 6, remove the overstrike over "~~on the date of the impairment evaluation~~" and remove "from the preceding year"

Page 2, line 7, remove the overstrike over "~~, by the~~", after "weeks" insert "permanent impairment multiplier", remove the overstrike over "~~specified in subsection 10~~", and remove "If the"

Page 2, remove lines 8 through 14

Page 4, line 6, replace "\$0" with "permanent impairment multiplier of 0"

Page 4, line 7, replace "\$1,890" with "permanent impairment multiplier of 10"

Page 4, line 8, replace "\$1,890" with "permanent impairment multiplier of 10"

Page 4, line 9, replace "\$2,835" with "permanent impairment multiplier of 15"

Page 4, line 10, replace "\$2,835" with "permanent impairment multiplier of 15"

Page 4, line 11, replace "\$3,780" with "permanent impairment multiplier of 20"

Page 4, line 12, replace "\$3,780" with "permanent impairment multiplier of 20"

Page 4, line 13, replace "\$4,725" with "permanent impairment multiplier of 25"

Page 4, line 14, replace "\$4,725" with "permanent impairment multiplier of 25"

Page 4, line 15, replace "\$5,670" with "permanent impairment multiplier of 30"

Page 4, line 16, replace "\$5,670" with "permanent impairment multiplier of 30"

Page 4, line 17, replace "\$6,615" with "permanent impairment multiplier of 35"

Page 4, line 18, replace "\$6,615" with "permanent impairment multiplier of 35"

Page 4, line 19, replace "\$7,560" with "permanent impairment multiplier of 40"

Page 4, line 20, replace "\$8,505" with "permanent impairment multiplier of 45"

Page 4, line 21, replace "\$9,450" with "permanent impairment multiplier of 50"

Page 4, line 22, replace "\$11,340" with "permanent impairment multiplier of 60"

Page 4, line 23, replace "\$13,230" with "permanent impairment multiplier of 70"

Page 4, line 24, replace "\$15,120" with "permanent impairment multiplier of 80"

Page 4, line 25, replace "\$17,010" with "permanent impairment multiplier of 90"

Page 4, line 26, replace "\$18,900" with "permanent impairment multiplier of 100"

Page 4, line 27, replace "\$20,790" with "permanent impairment multiplier of 110"

Page 4, line 28, replace "\$22,680" with "permanent impairment multiplier of 120"

Page 4, line 29, replace "\$24,570" with "permanent impairment multiplier of 130"

Page 4, line 30, replace "\$26,460" with "permanent impairment multiplier of 140"

Page 4, line 31, replace "\$28,350" with "permanent impairment multiplier of 150"

Page 5, line 1, replace "\$30,240" with "permanent impairment multiplier of 160"

Page 5, line 2, replace "\$32,130" with "permanent impairment multiplier of 170"

Page 5, line 3, replace "\$34,020" with "permanent impairment multiplier of 180"

Page 5, line 4, replace "\$35,910" with "permanent impairment multiplier of 190"

Page 5, line 5, replace "\$37,800" with "permanent impairment multiplier of 200"

Page 5, line 6, replace "\$39,690" with "permanent impairment multiplier of 210"

Page 5, line 7, replace "\$41,580" with "permanent impairment multiplier of 220"

Page 5, line 8, replace "\$43,470" with "permanent impairment multiplier of 230"

Page 5, line 9, replace "\$45,360" with "permanent impairment multiplier of 240"

Page 5, line 10, replace "\$49,140" with "permanent impairment multiplier of 260"

Page 5, line 11, replace "\$52,920" with "permanent impairment multiplier of 280"

Page 5, line 12, replace "\$56,700" with "permanent impairment multiplier of 300"

Page 5, line 13, replace "\$60,480" with "permanent impairment multiplier of 320"

Page 5, line 14, replace "\$64,260" with "permanent impairment multiplier of 340"

Page 5, line 15, replace "\$68,040" with "permanent impairment multiplier of 360"

Page 5, line 16, replace "\$71,820" with "permanent impairment multiplier of 380"

Page 5, line 17, replace "\$75,600" with "permanent impairment multiplier of 400"

Page 5, line 18, replace "\$79,380" with "permanent impairment multiplier of 420"

Page 5, line 19, replace "\$83,160" with "permanent impairment multiplier of 440"

Page 5, line 20, replace "\$87,885" with "permanent impairment multiplier of 465"

Page 5, line 21, replace "\$92,610" with "permanent impairment multiplier of 490"

Page 5, line 22, replace "\$97,335" with "permanent impairment multiplier of 515"

Page 5, line 23, replace "\$102,060" with "permanent impairment multiplier of 540"

Page 5, line 24, replace "\$106,785" with "permanent impairment multiplier of 565"

Page 5, line 25, replace "\$111,510" with "permanent impairment multiplier of 590"

Page 5, line 26, replace "\$116,235" with "permanent impairment multiplier of 615"

Page 5, line 27, replace "\$120,960" with "permanent impairment multiplier of 640"

Page 5, line 28, replace "\$125,685" with "permanent impairment multiplier of 665"

Page 5, line 29, replace "\$130,410" with "permanent impairment multiplier of 690"

Page 5, line 30, replace "\$135,135" with "permanent impairment multiplier of 715"

Page 5, line 31, replace "\$139,860" with "permanent impairment multiplier of 740"

Page 6, line 1, replace "\$144,585" with "permanent impairment multiplier of 765"

Page 6, line 2, replace "\$149,310" with "permanent impairment multiplier of 790"

Page 6, line 3, replace "\$154,035" with "permanent impairment multiplier of 815"

Page 6, line 4, replace "\$158,760" with "permanent impairment multiplier of 840"

Page 6, line 5, replace "\$163,485" with "permanent impairment multiplier of 865"

Page 6, line 6, replace "\$168,210" with "permanent impairment multiplier of 890"

Page 6, line 7, replace "\$172,935" with "permanent impairment multiplier of 915"

Page 6, line 8, replace "\$177,660" with "permanent impairment multiplier of 940"

Page 6, line 9, replace "\$182,385" with "permanent impairment multiplier of 965"

Page 6, line 10, replace "\$187,110" with "permanent impairment multiplier of 990"

Page 6, line 11, replace "\$191,835" with "permanent impairment multiplier of 1015"

Page 6, line 12, replace "\$196,560" with "permanent impairment multiplier of 1040"

Page 6, line 13, replace "\$201,285" with "permanent impairment multiplier of 1065"

Page 6, line 14, replace "\$206,010" with "permanent impairment multiplier of 1090"

Page 6, line 15, replace "\$210,735" with "permanent impairment multiplier of 1115"

Page 6, line 16, replace "\$215,460" with "permanent impairment multiplier of 1140"

Page 6, line 17, replace "\$220,185" with "permanent impairment multiplier of 1165"

Page 6, line 18, replace "\$224,910" with "permanent impairment multiplier of 1190"

Page 6, line 19, replace "\$229,635" with "permanent impairment multiplier of 1215"

Page 6, line 20, replace "\$234,360" with "permanent impairment multiplier of 1240"

Page 6, line 21, replace "\$239,085" with "permanent impairment multiplier of 1265"

Page 6, line 22, replace "\$243,810" with "permanent impairment multiplier of 1290"

Page 6, line 23, replace "\$249,480" with "permanent impairment multiplier of 1320"

Page 6, line 24, replace "\$255,150" with "permanent impairment multiplier of 1350"

Page 6, line 25, replace "\$260,820" with "permanent impairment multiplier of 1380"

Page 6, line 26, replace "\$266,490" with "permanent impairment multiplier of 1410"

Page 6, line 27, replace "\$272,160" with "permanent impairment multiplier of 1440"

Page 6, line 28, replace "\$277,830" with "permanent impairment multiplier of 1470"

Page 6, line 29, replace "\$283,500" with "permanent impairment multiplier of 1500"

Page 7, line 5, replace "amount" with "permanent impairment multiplier"

Page 7, line 6, replace "amount" with "permanent impairment multiplier"

Page 7, line 7, replace "\$12,285" with "permanent impairment multiplier of 65"

Page 7, line 8, replace "\$5,292" with "permanent impairment multiplier of 28"

Page 7, line 9, replace "\$7,560" with "permanent impairment multiplier of 40"

Page 7, line 10, replace "\$5,292" with "permanent impairment multiplier of 28"

Page 7, line 11, replace "\$4,159" with "permanent impairment multiplier of 22"

Page 7, line 12, replace "\$5,670" with "permanent impairment multiplier of 30"

Page 7, line 13, replace "\$4,159" with "permanent impairment multiplier of 22"

Page 7, line 15, replace "\$2,646" with "permanent impairment multiplier of 14"

Page 7, line 16, replace "\$3,780" with "permanent impairment multiplier of 20"

Page 7, line 17, replace "\$3,024" with "permanent impairment multiplier of 16"

Page 7, line 18, replace "\$3,024" with "permanent impairment multiplier of 16"

Page 7, line 19, replace "\$2,268" with "permanent impairment multiplier of 12"

Page 7, line 21, replace "\$44,226" with "permanent impairment multiplier of 234"

Page 7, line 22, replace "\$36,855" with "permanent impairment multiplier of 195"

Page 7, line 23, replace "\$28,350" with "permanent impairment multiplier of 150"

Page 7, line 24, replace "\$5,670" with "permanent impairment multiplier of 30"

Page 7, line 25, replace "\$3,402" with "permanent impairment multiplier of 18"

Page 7, line 26, replace "\$2,268" with "permanent impairment multiplier of 12"

Page 7, line 27, replace "\$28,350" with "permanent impairment multiplier of 150"

Page 8, line 2, replace "amount" with "permanent impairment multiplier"

Page 8, line 5, replace "amount" with "permanent impairment multiplier"

Page 9, after line 3, insert:

"15. If an injured employee qualifies for an additional award and the prior award was based upon the number of weeks, the impairment multiplier must be used to compare against the prior award of weeks in determining any additional award."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2411

Page 2, line 2, after the underscored period insert "A hobby boiler operating license issued under this section is valid for four years."

Renumber accordingly

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

MR. PRESIDENT: The House has failed to pass: SB 2050, SB 2051, SB 2258, SB 2385.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2294.

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

MR. PRESIDENT: The Speaker has signed: SB 2294.

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

MR. PRESIDENT: The Speaker has signed: SB 2354.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1023, HB 1062, HB 1071, HB 1130, HB 1221, HB 1439.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: SB 2149, SB 2250, SB 2263, SB 2271, SB 2360, SB 2369.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 9, 2007: SB 2149, SB 2250, SB 2263, SB 2271, SB 2360, SB 2369.

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 and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 12, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1013: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1013 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1024: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1024 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1038: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1067, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1067 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1078: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1078 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1086, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1086 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of the potato assessment law."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2007-08 interim, the potato assessment law, including the membership, governance structure, and spending priorities of the potato council, the feasibility and desirability of eliminating refunds from the potato assessment law, the effect that eliminating refunds would have on the potato industry in this state and on efforts to promote potatoes, and the effect that eliminating refunds of potato assessments might have with respect to the checkoff provisions of other commodities. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1089, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1089 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "- **When tax is suspended**"

Page 1, line 8, overstrike "two dollars" and insert immediately thereafter "one dollar and fifty cents"

Page 1, line 13, remove the overstrike over "July" and remove "June"

Page 1, line 15, overstrike "tax must be suspended", remove "on the first day of July in the same year", and overstrike "and the"

Page 1, line 16, overstrike "If the tax has been"

Page 1, overstrike lines 17 through 19

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1090: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1091: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1091 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1121, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1121 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1154, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1154, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1161, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1161 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1162, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1162 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1166, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1166 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "If environmental clearance is obtained, the department shall select" with "It is recommended that the four-lane alternative be selected as the preferred alternate and be constructed if environmental clearance is obtained."

Page 1, remove line 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1181, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1181 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1183: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1225: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1225 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1259: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1278, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1278 was placed on the Sixth order on the calendar.

Page 2, line 20, after "multiply" insert "fifty percent of" and remove the first underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1315, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1315 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "If a utility is found to be in violation"

Page 1, remove lines 9 and 10

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1334, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1334 was placed on the Sixth order on the calendar.

Page 2, line 12, remove the overstrike over "~~This section does not~~" and remove "The requirements of this section"

Page 2, line 13, remove the overstrike over "~~or~~", remove the first underscored comma, after "administrators" insert "who are", remove the overstrike over "~~employed by~~", and remove ", contractors, and other employees of"

Page 2, line 14, after "~~from~~" insert "and who are", remove the overstrike over "~~operating vehicles~~" and insert immediately thereafter "other than schoolbuses", remove the overstrike over "~~for the purpose of transporting~~", and remove "who transport"

Page 2, remove the overstrike over line 15

Page 2, line 16, remove the overstrike over "~~enrolled~~" and remove "or from any school-sponsored event or activity"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1381, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1381 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1390, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT

VOTING). Engrossed HB 1390, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1398, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1398 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1425: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1425 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1487, as reengrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1487 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a low-interest student loan" with "and enact a new section to chapter 15-62.2 of the North Dakota Century Code, relating to a financial assistance grant"

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, replace "a transfer; to provide a continuing" with "an" and remove "; and to declare an emergency"

Page 1, replace lines 17 through 24 with:

"SECTION 2. A new section to chapter 15-62.2 of the North Dakota Century Code is created and enacted as follows:

Financial assistance - Students enrolled in two-year institutions. The state board of higher education shall administer a program for the purpose of providing grants to resident students attending two-year institutions of higher education under the control of the state board of higher education. Grants available under this section may be in any amount up to one thousand dollars per year and are payable to resident students who demonstrate financial need.

SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of providing grants to resident students attending certain two-year institutions of higher education, for the biennium beginning July 1, 2007, and ending June 30, 2009. The state board of higher education may distribute no more than \$1,500,000 in grants under section 2 during each year of the biennium."

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3007, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3007 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3028: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "for slaves"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3035: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3035 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3042: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3042 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3051: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3051 was placed on the Fourteenth order on the calendar.

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

William R. Horton, Secretary