

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, March 12, 2007

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

The prayer was offered by Pastor Verle Reinicke, Lord of Life Lutheran, Bismarck.

The roll was called and all members were present except Senators Christmann, Cook, and Flakoll.

A quorum was declared by the President.

MOTION

SEN. KLEIN MOVED that HB 1086, which is on the Sixth order, be laid over one legislative day, and HB 1181, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1487, as reengrossed: SEN. TAYLOR (Education Committee) MOVED that the amendments on SJ page 763 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**.

REQUEST

SEN. HACKER REQUESTED a verification vote on the adoption of the proposed amendments to Reengrossed HB 1487, which request was granted.

The question being the adoption of the proposed amendments Reengrossed HB 1487, the proposed amendments were adopted on a verification vote.

Reengrossed HB 1487, as amended, was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1089, as engrossed: SEN. ANDRIST (Transportation Committee) MOVED that the amendments on SJ page 761 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1166, as engrossed: SEN. G. LEE (Transportation Committee) MOVED that the amendments on SJ page 761 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1278, as engrossed: SEN. HACKER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 762 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1334, as engrossed: SEN. FIEBIGER (Transportation Committee) MOVED that the amendments on SJ page 762 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1315, as engrossed: SEN. HACKER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 762 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HCR 3028: SEN. HECKAMAN (Agriculture Committee) MOVED that the amendments on SJ page 763 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1013: A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; and to provide for distribution amounts from permanent funds.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann; Cook

HB 1013 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1024: A BILL for an Act to provide an appropriation for defraying the expenses of the racing 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 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; 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; Olafson; Pomeroy; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Potter

ABSENT AND NOT VOTING: Christmann; Cook

HB 1024 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1067: A BILL for an Act to amend and reenact section 18-02-07 of the North Dakota Century Code, relating to cooperation of the state forester and other agencies on fire and forest protection.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann; Cook

Engrossed HB 1067 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1078: A BILL for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to participation by employees of the state board for

career and technical education in the public employees retirement system; to amend and reenact section 15-39.1-09, subsection 4 of section 54-52-01, and subsection 1 of section 54-52.1-03.2 of the North Dakota Century Code, relating to participation by employees of the state board for career and technical education in the public employees retirement system; 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 36 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Behm; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner

NAYS: Bakke; Bowman; Krebsbach; Marcellais; Mathern; Nelson; Nothing; Stenehjem; Warner

ABSENT AND NOT VOTING: Christmann; Cook

HB 1078 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1090: A BILL for an Act to amend and reenact sections 24-02-03.5, 39-02-05, 39-05-30, 39-18-02.1, 39-22.1-02.1, 39-24-05, and 39-29-05 of the North Dakota Century Code, relating to deposit of fleet services and highway tax distribution funds.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; 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; Nothing; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann; Cook

HB 1090 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1121: A BILL for an Act to create and enact section 19-10-03.3 of the North Dakota Century Code, relating to the retail sale of alternative fuels; and to amend and reenact sections 19-10-01 and 19-10-10 of the North Dakota Century Code, relating to petroleum product definitions and specifications.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; 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; Nothing; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann; Cook

Engrossed HB 1121 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1154: A BILL for an Act to create and enact chapter 23-39 of the North Dakota Century Code, relating to regulation of tanning facilities; and to provide a penalty.

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 38 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Dever; Erbele; Fiebigier; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething; Oehlke; Olafson; Pomeroy; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Triplett; Urlacher; Wardner; Warner

NAYS: Hacker; Heitkamp; Marcellais; O'Connell; Potter; Tollefson; Wanzek

ABSENT AND NOT VOTING: Christmann; Cook

Engrossed HB 1154, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1161: A BILL for an Act to amend and reenact sections 23-27-01, 23-27-02, 23-27-03, and 23-27-04, subsections 2 and 3 of section 23-27-04.1, and sections 23-27-04.2 and 23-27-04.4 of the North Dakota Century Code, relating to regulation of emergency medical services operations and emergency medical services personnel.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Dever; Erbele; Fiebigier; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann; Cook

Engrossed HB 1161 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1162: A BILL for an Act to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to a state health council study of emergency medical services, county reporting of emergency medical services coverage, and use of property tax levies for emergency medical services; to amend and reenact section 14-10-17.1 of the North Dakota Century Code, relating to consent for a minor to receive emergency medical care; and to provide for a report to the legislative council.

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; Cook; Dever; Erbele; Fiebigier; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

Engrossed HB 1162 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1183: A BILL for an Act to amend and reenact subsection 5 of section 39-27-06 of the North Dakota Century Code, relating to motorcycle handlebars.

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; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

HB 1183 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1225: A BILL for an Act to amend and reenacted subsection 1 of section 40-63-03 of the North Dakota Century Code, relating to a renaissance zone size and boundary.

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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Heitkamp; Lindaas; O'Connell

ABSENT AND NOT VOTING: Christmann

HB 1225 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1259: A BILL for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to the criminal penalty for driving while under the influence.

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 6 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cook; Lindaas; Mathern; Nelson; Tallackson; Tollefson

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

ABSENT AND NOT VOTING: Christmann

HB 1259 lost.

SECOND READING OF HOUSE BILL

HB 1381: A BILL for an Act to amend and reenact sections 11-10-05, 11-13-01, and 11-14-02 of the North Dakota Century Code, relating to term commencement for county officers.

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; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

Engrossed HB 1381 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1390: A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to liability coverage for damage caused by foster children.

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 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Lyson; Oehlke

ABSENT AND NOT VOTING: Christmann

Engrossed HB 1390, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to amend and reenact subdivision j of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicles of disabled veterans which are exempt from registration fees.

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; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

Engrossed HB 1398 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1425: A BILL for an Act to amend and reenact section 37-15-14 of the North Dakota Century Code, relating to the veterans' home operating fund expenditures.

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; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjelm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

HB 1425 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1482: A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to health care for chronically or terminally ill offenders.

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; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjelm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

Engrossed HB 1482, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1505: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the regulation of tattooing, body piercing, branding, subdermal implants, and scarification.

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; 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; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjelm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Christmann

Engrossed HB 1505, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3007: A concurrent resolution urging Congress to require a nationwide referendum of beef producers before allowing an increase in the beef checkoff rate.

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

Engrossed HCR 3007 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3035: A concurrent resolution proclaiming February 12, 2008, through February 12, 2010, the official observance of the bicentennial of Abraham Lincoln's birth.

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

HCR 3035 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3042: A concurrent resolution urging Congress to direct the United States Drug Enforcement Administration to differentiate between industrial hemp and marijuana.

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

HCR 3042 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3051: A concurrent resolution directing the Legislative Council to study the procedures through which members of the Legislative Assembly are elected.

REQUEST

SEN. FLAKOLL REQUESTED a verification vote on the final adoption of HCR 3051, which request was granted.

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

HCR 3051 was declared lost on a verification vote.

REQUEST

SEN. COOK REQUESTED that his remarks be printed in the Journal, which request was granted.

REMARKS OF SENATOR COOK

Mr. President, this is my sixth session in the legislature and it's truly been an honor serving the legislature. But, Mr. President, this is the fourth time out of these six sessions that I've had the honor to stand up the day after the weekend in which the state girls basketball tournament was played and the reason for that is I'm from Mandan. Mr. President, I don't think it's news to anybody here that Mandan has got a pretty good girls basketball program. I think in the last twelve years, Mandan Braves have found themselves in the state championship game eleven times. I believe in the ten years that I have served as a State Senator they have won the state tournament six times.

Mr. President, they have raised the bar higher than any sports team has ever done in North Dakota; they have moved into totally uncharted waters this last tournament by winning their fifth straight girls basketball North Dakota Class A Championship. I think that it's only right that we stand and congratulate the team and the coach, Greg Amundson, who has definitely put together a fantastic girls basketball program. It's an honor for me to be able to stand here and represent Mandan and say congratulations to those girls and the coach for a job well done.

REQUEST

SEN. WARNER REQUESTED that his remarks be printed in the Journal, which request was granted.

REMARKS OF SENATOR WARDNER

Congratulations to Dean Winczewski, the coaching staff, and the Dickinson High School Boys Basketball Team on winning the 2007 Boys State Class A Basketball Tournament in Fargo this past weekend.

Dickinson High School displayed an aggressive style of play both on offense and defense, and was able to score at critical times during the tournament to keep their vision alive. Coupled with the attacking offense was a tenacious defense that kept the opposition off balance. The

State Championship game was a hard fought game with both teams playing hard-nosed defense and offense, diving for loose balls and battling for rebounds. The key to the game was staying focused, and Dickinson High stayed focused as they held off a run by Bismarck High toward the end of the game.

The community of Dickinson is proud of the young people in our community and the contributions that they make to Dickinson and Southwest North Dakota. We are especially proud of the Dickinson High School Boys Basketball Team and their accomplishments this past weekend.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 9, 2007, I have signed the following: SB 2031, SB 2216, SB 2359, SB 2380, and SB 2381.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3032.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1010, HB 1157, HB 1304, HB 1312.

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

MR. PRESIDENT: The House has passed unchanged: SB 2055.

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

MR. PRESIDENT: The House has failed to pass: SB 2191, SB 2215, SB 2245, SB 2292, SB 2324, SB 2384, SB 2417.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2038, SB 2044, SB 2048, SB 2052.

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

MR. PRESIDENT: The Speaker has signed: SB 2038, SB 2044, SB 2048, SB 2052.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1061, HB 1094, HB 1140, HB 1156, HB 1199, HB 1517.

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

MR. PRESIDENT: The Speaker has signed: HB 1034, HB 1102, HB 1412.

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

MR. SPEAKER: The President has signed: 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 2294.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 12, 2007: SB 2294.

MOTION

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

MOTION

SEN. KLEIN 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., Tuesday, March 13, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1055, as engrossed: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1055 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1059: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1063: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1063 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1082, as engrossed: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1082 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1110, as reengrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1110 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1128, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1128 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1138: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1138 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "57-43.2" insert ", and a new section to chapter 57-43.3" and replace "and" with a comma

Page 1, line 3, after "tax" insert ", and aviation fuel tax"

Page 1, after line 19, insert:

"SECTION 3. A new section to chapter 57-43.3 of the North Dakota Century Code is created and enacted as follows:

Refund to emergency medical services operation. Upon application to the commissioner, the operator of an emergency medical services operation licensed under chapter 23-27 is entitled to a refund of taxes paid under this chapter for aviation fuel purchased and used by the emergency medical services operation."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1200, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1200 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1229, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1229 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "At least twenty days"

Page 1, remove line 10

Page 1, line 11, remove "the record owner, as set forth in the office of the county treasurer." and remove "also"

Page 1, line 12, replace "notify" with "provide the same notice to"

Page 1, line 13, remove "If the occupied dwelling lies within city limits,"

Page 1, line 14, remove "notification may be given by contacting the local governing board."

Page 1, line 15, replace "occupant" with "owner or if the commission determines that the well location is reasonably necessary to prevent waste or to protect correlative rights"

Page 1, line 16, after the underscored period insert "If the commission issues a drilling permit for a location within five hundred feet [152.4 meters] of an occupied dwelling, the commission may impose such conditions on the permit as the commission determines reasonably necessary to minimize impact to the owner of the dwelling."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1231: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1231 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1270, 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 1270 was placed on the Sixth order on the calendar.

Page 1, line 16, remove "full six-hour"

Page 2, after line 3, insert:

"c. For purposes of this section, a "day for professional development activities" means:

(1) Eight hours of professional development activities, exclusive of meals and other breaks, conducted within a single day; or

(2) Two four-hour periods of professional development activities, exclusive of meals and other breaks, conducted over two days.

3. If a school district offers a four-hour period of professional development activities, as permitted in subdivision c of subsection 2, the school district may schedule instruction during other available hours on that same day and be credited with providing one-half day of instruction to students. The provisions of this subsection do not apply unless the one-half day of instruction equals at least one-half of the time required for a full day of instruction, as defined in this section."

Page 2, line 4, overstrike "3." and insert immediately thereafter "4."

Page 2, line 9, overstrike "4." and insert immediately thereafter "5."

Page 2, line 15, overstrike "5." and insert immediately thereafter "6."

Page 2, line 22, overstrike "6." and insert immediately thereafter "7." and overstrike "3" and insert immediately thereafter "6"

Page 2, line 25, overstrike "7." and insert immediately thereafter "8."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1279: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1279 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1282, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1282 was placed on the Sixth order on the calendar.

Page 1, line 14, overstrike "one dollar and fifty cents" and insert immediately thereafter "two dollars"

Page 1, line 15, overstrike "one dollar and fifty cents" and insert immediately thereafter "two dollars"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1303, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1303 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact subsections 9 and 10 to section 57-02-27.2 of the North Dakota Century Code, relating to use of modifiers and soil surveys in agricultural property assessment;"; replace "subsection" with "subsections", and after "7" insert "and 8"

Page 1, line 2, after "to" insert "use of soil surveys, modifiers, and" and remove "as a basis for determination of the"

Page 1, line 3, remove "status of property as cropland or noncropland"

Page 1, line 6, replace "Subsection" with "Subsections" and after "7" insert "and 8"

Page 1, line 7, replace "is" with "are"

Page 1, line 15, overstrike ", whenever possible,"

Page 1, line 16, remove "However, actual use of the property must"

Page 1, remove lines 17 through 19

Page 1, line 20, remove "actual use of the property occurs for purposes of this subsection.", overstrike "When", and remove "soil"

Page 1, line 21, remove "type and classification" and overstrike "data cannot be used, the county director of tax equalization"

Page 1, overstrike line 22

Page 1, after line 22, insert:

"8. Each local assessor shall determine the relative value of each assessment parcel within the assessor's jurisdiction and shall determine the agricultural value of each assessment parcel by adjusting the agricultural value estimate for the assessment district by the relative value of the parcel. Each parcel must then be assessed according to section 57-02-27. If either a local assessor or a township board of equalization develops an agricultural value for the lands in its assessment district differing substantially from the estimate provided by the county director of tax equalization, written evidence to support the change must be provided to the county director of tax equalization. In determining the relative value of each assessment parcel, the local assessor shall apply the following considerations, which are listed in descending order of significance to the assessment determination:

- a. Soil type and soil classification data from detailed and general soil surveys.
- b. The schedule of modifiers that must be used to adjust agricultural property assessments within the county as approved by the state supervisor of assessments under subsection 9.
- c. Actual use of the property for cropland or noncropland purposes by the owner of the parcel.

SECTION 2. Subsections 9 and 10 to section 57-02-27.2 of the North Dakota Century Code are created and enacted as follows:

9. Before February first of each year, the county director of tax equalization in each county shall provide to all assessors of agricultural property within the

county a schedule of modifiers that must be used to adjust agricultural property assessments within the county and directions regarding how those modifiers must be applied by assessors. Before the schedule of modifiers is provided to assessors within the county, the county director of tax equalization shall obtain the approval of the state supervisor of assessments for use of the schedule within the county.

10. For any county that has not fully implemented use of soil type and soil classification data from detailed and general soil surveys for any taxable year after 2008, the tax commissioner shall appoint a qualified individual as a special assessor who shall make a reassessment of all of the agricultural property in the county using soil type and soil classification data from detailed and general soil surveys. The board of county commissioners shall pay any costs of the reassessment under this subsection. If the board of county commissioners has not paid the cost of the reassessment within thirty days after completion of the reassessment, the state tax commissioner shall certify to the state treasurer the cost of the reassessment and that amount must be withheld by the state treasurer from the county general fund allocation from the state aid distribution fund to that county under subsection 1 of section 57-39.2-26.1 in the next ensuing allocation and each ensuing allocation until the cost of the reassessment is fully paid. The state treasurer shall pay the withheld amount to the special assessor."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1340, as engrossed: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1340 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1355: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1355 was placed on the Fourteenth order on the calendar.

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 1369, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1369 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1371: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "forty-five" with "twenty-five"

Page 1, line 20, remove ", in addition to"

Page 1, line 21, remove "any salary a member of the board receives from any other source"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1386: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1386 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1393, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1393 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1396: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1396 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1414: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1414 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1456, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1456 was placed on the Sixth order on the calendar.

Page 1, line 9, after "siting" insert "and reclamation of wind farm sites"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1458: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1458 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1462, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1462 was placed on the Sixth order on the calendar.

Page 4, line 11, replace "independence council" with "policy commission"

Page 5, line 15, replace "independence council" with "policy commission" and replace "member" with "representative of the agriculture community appointed by the governor"

Page 5, line 16, remove "appointed by the agriculture commissioner"

Page 5, line 20, remove "and"

Page 5, line 21, after "governor" insert ", a representative recommended by the North Dakota petroleum marketers association and appointed by the governor, a member from the North Dakota investor-owned electric utility industry and appointed by the governor, a member from the generation and transmission electric cooperative industry and appointed by the governor, a member from the lignite coal-producing industry and appointed by the governor, and a member from the refining or gas-processing industry appointed by the governor"

Page 5, line 22, replace the first "independence council" with "policy commission. The commission shall meet at least six times or as often as the members deem necessary to complete the development of the comprehensive energy policy. The commission shall hold at least two public hearings before June 1, 2008, at which time interested parties may present testimony regarding issues pertinent to the development of the policy" and replace the second "independence council" with "policy commission"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1486, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1486 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1492, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1492 was placed on the Sixth order on the calendar.

Page 2, line 1, overstrike "Any" and insert immediately thereafter "Except as otherwise provided in subsection 10, any"

Page 2, remove lines 4 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1501, as engrossed: 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). Engrossed HB 1501 was placed on the Sixth order on the calendar.

Page 2, line 2, replace "for which public notice is required" with "issued" and replace "this chapter" with "chapter 23-20.3, 23-25, 23-29, or 61-28"

Page 2, line 9, replace "chapter 28-32" with "sections 28-32-40, 28-32-42, 28-32-43, 28-32-44, 28-32-46, and 28-32-49"

Page 2, line 11, replace "violations" with "a violation" and replace "this chapter" with "chapter 23-20.3, 23-25, 23-29, or 61-28 which occurs after the permit is issued."

Page 2, line 12, replace "this chapter" with "those chapters"

Page 2, line 13, replace "occur" with "occurs" and replace "all challenges" with "any challenge"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1506, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1506 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1511, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1511 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1515, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1515 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HCR 3013: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3013 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3024, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3024 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3026: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3048: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3048 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3016: A concurrent resolution for the amendment of section 6 of article IV of the Constitution of North Dakota, relating to the appointment of a member of the legislative assembly to a full-time appointive state office.

Was read the first time and referred to the **Political Subdivisions Committee**.

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

William R. Horton, Secretary