JOURNAL OF THE SENATE

Sixty-second Legislative Assembly

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Bismarck, April 12, 2011

The Senate convened at 8:00 a.m., with President Wrigley presiding.

The prayer was offered by Pastor Scott Bauman, Charity Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

HB 1001, as engrossed: SEN. CHRISTMANN (Appropriations Committee) MOVED that the amendments on SJ pages 1297-1303 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications and transfers; to amend and reenact sections 54-03-10, 54-03-20, and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

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 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Sitte; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Larsen; Luick; Murphy; Schaible; Schneider; Sorvaag

Engrossed HB 1001, as amended, passed and the emergency clause was declared carried.

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MOTION

SEN. CHRISTMANN MOVED that HB 1368 be placed at the top of the Fourteenth order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1368: A BILL for an Act to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to repeal sections 54-03-19.1 and 54-03-19.2 of the North Dakota Century Code, relating to the legislative compensation commission; 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 NOT PASS, the roll was called and there were 0 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson;

Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed HB 1368 lost.

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CONSIDERATION OF AMENDMENTS

HB 1003, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 1226-1241 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1003: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide an appropriation to the legislative council; to provide an exemption; to provide for transfer of funds; to authorize the state board of higher education to issue and sell bonds for capital projects; to amend and reenact sections 15-10-08 and 15-70-04, subsection 3 of section 43-12.2-03, subsection 3 of section 43-17.2-03, and section 57-51.1-07.4 of the North Dakota Century Code, relating to state board of higher education member compensation, eligibility for the medical personnel loan repayment program, eligibility for the physician loan repayment program, and grants for nonbeneficiary students enrolled in tribally controlled community colleges; to provide legislative intent; to provide for a report; to provide for legislative management studies; and to declare an emergency.

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 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Cook; Dotzenrod; Erbele; Fischer; Flakoll; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Robinson; Schneider; Sitte; Sorvaag; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Christmann; Dever; Freborg; Klein; Olafson; Schaible; Stenehjem

Engrossed HB 1003, as amended, passed and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1363: A BILL for an Act to amend and reenact sections 15-70-04 and 57-51.1-07.4 of the North Dakota Century Code, relating to grants for nonbeneficiary students enrolled in tribally controlled community colleges; and to provide an appropriation.

ROLL CALL

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

YEAS: Flakoll

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1363, as amended, lost.

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MOTION

SEN. CHRISTMANN MOVED that Sen. Miller replace Sen. Hogue on the Conference Committee on HB 1046, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. CHRISTMANN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1004, Engrossed HB 1019, Engrossed HB 1041, Engrossed HB 1074, Engrossed HB 1134, HB 1141, Reengrossed HB 1152, and Reengrossed HB 1199, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1004: Sens. Kilzer, Fischer, Robinson
Engrossed HB 1019: Sens. Grindberg, Erbele, Bowman
Engrossed HB 1041: Sens. J. Lee, Kilzer, Mathern
Engrossed HB 1074: Sens. Schaible, Luick, Heckaman
Engrossed HB 1134: Sens. Sorvaag, Schaible, Nelson
HB 1141: Sens. Sorvaag, Cook, Marcellais
Reengrossed HB 1152: Sens. Uglem, J. Lee, Dever
Reengrossed HB 1199: Sens. Berry, J. Lee, Mathern

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LYSON MOVED that the Senate do not concur in the House amendments to Reengrossed SB 2227 as printed on SJ pages 1221-1222 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed SB 2227: Sens. Lyson, Hogue, Triplett.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do not concur in the House amendments to SB 2008 as printed on SJ pages 1363-1364 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2008: Sens. Christmann, Erbele, Wanzek.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do not concur in the House amendments to Reengrossed SB 2020 as printed on SJ pages 1364-1365 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed SB 2020: Sens. Fischer, Holmberg, Robinson.

MOTION

SEN. CHRISTMANN MOVED that HB 1001 and HB 1003 be messaged to the House immediately, which motion prevailed.

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 1001, HB 1003.

REPORT OF STANDING COMMITTEE

HCR 3047: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3047 was placed on the Sixth order on the calendar.

Page 1, line 20, remove ". During the term for which elected,"

Page 1, line 21, replace "no member of the legislative assembly may be appointed" with ", nor"

Page 1, line 22, overstrike "compensation" and insert immediately thereafter "legislative assembly"

Page 1, line 22, overstrike "been"

Page 1, line 22, overstrike "by the legislative assembly during that term"

Page 1, line 22, remove "if the rate of"

Page 1, line 23, replace "that increase is" with "the compensation in an amount"

Page 1, line 23, after "general" insert "rate of"

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1092, as engrossed: Your conference committee (Sens. Schaible, Flakoll, Marcellais and Reps. L. Meier, Wall, Mock) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1152-1153 and place HB 1092 on the Seventh order.

Engrossed HB 1092 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2067: Your conference committee (Sens. J. Lee, Berry, Mathern and Reps. Damschen, Paur, Conklin) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 900, adopt amendments as follows, and place SB 2067 on the Seventh order:

That the House recede from its amendments as printed on page 900 of the Senate Journal and pages 1071 and 1072 of the House Journal and that Senate Bill No. 2067 be amended as follows:

Page 3, line 3, after "shall" insert "provide the parents with written information regarding the nature of the proposed testing and then"

Page 3, line 7, overstrike "on the grounds that testing for metabolic"

Page 3, line 7, remove "or"

Page 3, line 8, remove "genetic"

Page 3, line 8, overstrike "diseases"

Page 3, line 8, remove ", or both,"

Page 3, line 8, overstrike "conflicts with their religious tenets and practices"

Renumber accordingly

SB 2067 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2155, as engrossed: Your conference committee (Sens. Uglem, J. Lee, Mathern and Reps. Pietsch, Louser, Kilichowski) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 995-996, adopt amendments as follows, and place SB 2155 on the Seventh order:

That the House recede from its amendments as printed on pages 995 and 996 of the Senate Journal and pages 1110 and 1111 of the House Journal and that Engrossed Senate Bill

No. 2155 be amended as follows:

Page 2, line 12, replace "implement" with "supervise"

Page 2, line 14, replace "implement" with "supervise"

Page 2, line 16, replace "implement" with "supervise"

Page 3, line 16, after "analyst" insert "and is supervised by a licensed psychologist or applied behavior analyst"

Page 5, line 7, remove the overstrike over "~~one hundred fifty~~"

Page 5, line 8, remove the overstrike over "~~dollars~~"

Page 5, line 8, remove "the costs incurred by the board in issuing the license or registration"

Page 6, line 29, remove "registrant,"

Page 8, after line 13, insert:

"11. An individual licensed as an occupational therapist or an occupational therapy assistant pursuant to chapter 43-30 within the body of knowledge and scope of professional practice of occupational therapy."

Page 9, remove lines 11 through 23

Page 9, line 24, replace "4." with "3."

Page 9, line 28, replace "5." with "4."

Page 10, line 1, replace "6." with "5."

Renumber accordingly

Engrossed SB 2155 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2195: Your conference committee (Sens. Olafson, Lyson, Nething and Reps. Maragos, Steiner, Delmore) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 996 and place SB 2195 on the Seventh order.

SB 2195 was placed on the Seventh order of business on the calendar.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** has carefully examined the Journal of the Sixty-third and Sixty-fourth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1267, line 5, remove "as amended,"

Page 1267, line 10, remove "as amended,"

Page 1267, line 12, remove "as amended,"

Page 1267, line 13, remove "as amended,"

Page 1267, line 16, remove "as amended,"

Page 1267, line 17, remove "as amended,"

Page 1274, line 10, replace "outline" with "outlines"

Page 1275, line 15, replace "related" with "created"

Page 1329, line 9, replace "bill" with "amended bill"

Page 1330, lines 33 through 34, remove "and has committee recommendation of DO PASS,"

Page 1339, line 20, remove "SB 2248," and " and SCR 4015"

Page 1340, line 34, remove "HB 1421," and "HB 1425,"

Page 1340, line 38, remove "HB 1421," and "HB 1425,"

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

CONSIDERATION OF AMENDMENTS

HCR 3047: SEN. OLAFSON (Judiciary Committee) MOVED that the amendments on SJ pages 1379-1380 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3047: A concurrent resolution to amend and reenact 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.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 36 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dotzenrod; Erbele; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nething; Nodland; Olafson; Robinson; Schaible; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Dever; Fischer; Holmberg; Kilzer; Krebsbach; Miller; Nelson; O'Connell; Oehlke; Schneider; Sitte

HCR 3047, as amended, was declared adopted on a recorded roll call vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3009: A concurrent resolution for the amendment of section 4 of article XI of the Constitution of North Dakota, relating to oaths of office of elected and appointed officials.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Hogue; Miller; Sitte

HCR 3009 was declared adopted on a recorded roll call vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3048: A concurrent resolution urging Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to avoid a "runaway convention".

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

HCR 3048 was declared adopted on a voice vote.

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APPOINTMENT OF CONFERENCE COMMITTEE

SEN. CHRISTMANN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1047, Engrossed HB 1126, Engrossed HB 1206, Reengrossed HB 1269, Engrossed HB 1451, and HCR 3016, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1047: Sens. Cook, Miller, Triplett
Engrossed HB 1126: Sens. Dever, J. Lee, Mathern
Engrossed HB 1206: Sens. Klein, Wardner, Schneider
Reengrossed HB 1269: Sens. Olafson, Lyson, Nelson
Engrossed HB 1451: Sens. Cook, Stenehjem, Dotzenrod
HCR 3016: Sens. Berry, Uglem, Mathern

MOTION

SEN. KREBSBACH MOVED that the Senate reconsider its action whereby HB 1340, as amended, failed to pass, which motion failed on a verification vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. NETHING MOVED that the conference committee report on SB 2182 as printed on SJ page 1371 be adopted, which motion prevailed on a voice vote.

SB 2182, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2182: A BILL for an Act to amend and reenact section 51-12-01 of the North Dakota Century Code, relating to false and misleading advertising; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed SB 2182 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. J. LEE MOVED that the conference committee report on SB 2067 as printed on SJ page 1380 be adopted, which motion prevailed on a voice vote.

SB 2067, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2067: A BILL for an Act to amend and reenact section 23-01-03.1, subsection 3 of section 25-17-00.1, and sections 25-17-01, 25-17-03, and 25-17-04 of the North Dakota Century Code, relating to newborn disease screening and research regarding metabolic and genetic diseases.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed SB 2067 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. FLAKOLL MOVED that the conference committee report on Reengrossed HB 1214 as printed on SJ page 1372 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1214, as amended, was placed on the Fourteenth order of business.

SECOND READING OF HOUSE BILL

HB 1214: A BILL for an Act to create and enact sections 15.1-02-18.1 and 15.1-02-18.2 of the North Dakota Century Code, relating to the statewide longitudinal data system and the mandatory provision of information; to amend and reenact section 15.1-02-18, subsection 6 of section 23-02.1-27, and section 52-01-03 of the North Dakota Century Code, relating to the statewide longitudinal data system and to the disclosure of records; and to repeal section 44-04-18.14 of the North Dakota Century Code, relating to the followup information on North Dakota education and training system.

ROLL CALL

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

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Sitte

Reengrossed HB 1214, as amended, passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. NODLAND MOVED that the conference committee report on Reengrossed HB 1421 as printed on SJ pages 1371-1372 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. BERRY MOVED that the conference committee report on SB 2065 as printed on SJ page 1309 be adopted, which motion prevailed on a voice vote.

SB 2065, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to amend and reenact subsection 1 of section 44-08-04 of the North Dakota Century Code, relating to officer and employee claims for meals.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed SB 2065 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LYSON MOVED that the conference committee report on Engrossed SB 2206 as printed on SJ page 1309 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2206, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2206: A BILL for an Act to create and enact a new section to chapter 2-05 of the North Dakota Century Code, relating to anemometer towers; to provide a penalty; to provide an appropriation; to provide for application; and to declare an emergency.

ROLL CALL

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

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Uglem; Wanzek; Wardner; Warner

NAYS: Triplett

Reengrossed SB 2206 passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. ANDRIST MOVED that the conference committee report on SB 2361 as printed on SJ page 1310 be adopted, which motion prevailed on a voice vote.

SB 2361, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2361: A BILL for an Act to create and enact two new subsections to section 54-21.3-02 and a new section to chapter 54-21.3 of the North Dakota Century Code, relating to definitions under the State Building Code and used temporary work camp housing exemptions; to amend and reenact section 54-21.3-04 of the North Dakota Century Code, relating to applicability of the State Building Code to other state or local government codes; and to declare an emergency.

ROLL CALL

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

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner

NAYS: Warner

Engrossed SB 2361 passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. ANDRIST MOVED that the conference committee report on Engrossed SB 2138 as printed on SJ pages 1309-1310 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2138, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2138: A BILL for an Act to create and enact a new section to chapter 34-14 of the North Dakota Century Code, relating to employer's payment of accrued paid time off.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 39 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjem; Triplett; Uglem; Wanzek; Wardner

NAYS: Heckaman; Marcellais; Mathern; Murphy; Robinson; Schneider; Taylor; Warner

Engrossed SB 2138 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. MILLER MOVED that the conference committee report on Engrossed SB 2193 as printed on SJ page 1350 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2193, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2193: A BILL for an Act to amend and reenact sections 40-51.2-05 and 40-51.2-07 of the North Dakota Century Code, relating to notice of proposed annexations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed SB 2193 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SCHAIBLE MOVED that the conference committee report on SB 2213 as printed on SJ page 1350 be adopted, which motion prevailed on a voice vote.

SB 2213, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2213: A BILL for an Act to amend and reenact section 54-52.4-03 of the North Dakota Century Code, relating to family medical leave for state employees; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed SB 2213 passed and the emergency clause was declared carried.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. MILLER MOVED that the conference committee report on Engrossed SB 2085 as printed on SJ page 1369 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2085, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2085: A BILL for an Act to create and enact subdivision c to subsection 1 of section 4.1-47-31 of the North Dakota Century Code, relating to the penalty for selling noxious weeds; to amend and reenact section 4.1-47-02 of the North Dakota Century Code, relating to the control and sale of noxious weeds; to provide a penalty; and to allow the agriculture commissioner to use environment and rangeland protection funds for invasive species control.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed SB 2085 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LYSON MOVED that the conference committee report on Engrossed SB 2145 as printed on SJ page 1370 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2145, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2145: A BILL for an Act to amend and reenact section 5-02-01 of the North Dakota

Century Code, relating to alcoholic beverage license exception for nonprofit organizations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed SB 2145 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SITTE MOVED that the conference committee report on Engrossed SB 2158 as printed on SJ page 1370 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2158, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2158: A BILL for an Act to amend and reenact subsections 2, 4, and 5 of section 6-08-16 and subsections 4, 5, and 6 of section 6-08-16.2 of the North Dakota Century Code, relating to issuing a check with nonsufficient funds or without an account; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 39 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Lyson; Marcellais; Miller; Murphy; Nelson; Nething; Nodland; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjem; Triplett; Uglem; Wanzek; Wardner

NAYS: Dotzenrod; Luick; Mathern; O'Connell; Robinson; Schneider; Taylor; Warner

Reengrossed SB 2158 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. OLAFSON MOVED that the conference committee report on Engrossed SB 2073 as printed on SJ pages 1367-1369 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2073, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact section 16.1-08.1-01, subsection 1 of section 16.1-08.1-03.3, and section 16.1-08.1-03.5 of the North Dakota Century Code, relating to the definition of direct expenditures and campaign contribution statements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Murphy; Nelson;

Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Heckaman; Mathern

Reengrossed SB 2073 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. OLAFSON MOVED that the conference committee report on SB 2195 as printed on SJ page 1381 be adopted, which motion prevailed on a voice vote.

SB 2195, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2195: A BILL for an Act to create and enact a new subsection to section 47-16-17.1 of the North Dakota Century Code, relating to remedies for termination of a lease due to domestic violence.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Hogue; Sitte

Engrossed SB 2195 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. UGLEM MOVED that the conference committee report on Engrossed SB 2155 as printed on SJ page 1380-1381 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2155, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2155: A BILL for an Act to create and enact two new sections to chapter 43-32 of the North Dakota Century Code, relating to regulation of applied behavior analysts; and to amend and reenact sections 43-32-01, 43-32-08, 43-32-08.1, 43-32-08.2, 43-32-09, 43-32-12, 43-32-13, and 43-32-14, subsection 1 of section 43-32-16, and sections 43-32-19.1 and 43-32-30 of the North Dakota Century Code, relating to the regulation of applied behavior analysis by the state board of psychologist examiners.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed SB 2155 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SCHAIBLE MOVED that the conference committee report on Reengrossed HB 1092 as printed on SJ page 1380 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LARSEN MOVED that the conference committee report on Reengrossed HB 1425 as printed on SJ page 1372 be adopted, which motion prevailed on a voice vote.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3009, HCR 3048.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HCR 3047.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1340, HB 1363.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1368.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2008, SB 2020, and SB 2227, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2008: Sens. Christmann; Erbele; Wanzek
SB 2020: Sens. Fischer; Holmberg; Robinson
SB 2227: Sens. Lyson; Hogue; Triplett

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

MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2047: Reps. Wrangham; Drovdal; S. Meyer
SB 2207: Reps. Ruby; Kempenich; Onstad
SB 2336: Reps. Grande; Headland; S. Meyer

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

MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2268: Reps. Wieland; Louser; Conklin

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1047, HB 1269, and HB 1451, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1047: Reps. Belter; Headland; Zaiser
HB 1269: Reps. Dahl; DeKrey; Guggisberg
HB 1451: Reps. Carlson; Delzer; Kroeber

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

MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1004: Sens. Kilzer; Fischer; Robinson
HB 1019: Sens. Grindberg; Erbele; Bowman

HB 1041: Sens. J. Lee; Kilzer; Mathern
HB 1074: Sens. Schaible; Luick; Heckaman
HB 1134: Sens. Sorvaag; Schaible; Nelson
HB 1141: Sens. Sorvaag; Cook; Marcellais
HB 1152: Sens. Uglem; J. Lee; Dever
HB 1199: Sens. Berry; J. Lee; Mathern

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1047: Sens. Cook; Miller; Triplett
HB 1126: Sens. Dever; J. Lee; Mathern
HB 1206: Sens. Klein; Wardner; Schneider
HB 1269: Sens. Olafson; Lyson; Nelson
HB 1451: Sens. Cook; Stenehjem; Dotzenrod
HCR 3016: Sens. Berry; Uglem; Mathern

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has appointed Sen. Miller to replace Sen. Hogue on the Conference Committee on HB 1046.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2065, SB 2067, SB 2073, SB 2085, SB 2138, SB 2145, SB 2155, SB 2158, SB 2182, SB 2193, SB 2195.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1092, HB 1214, HB 1421, HB 1425.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2206, SB 2213, SB 2361.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1270, HB 1433.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1029.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1136, HB 1320, HB 1325, HB 1364, HB 1462.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HB 1136, HB 1320, HB 1325, HB 1364, HB 1462.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HCR 3036, HCR 3037, HCR 3039.

MOTION
SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Wednesday, April 13, 2011, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE
SB 2169, as engrossed: Your conference committee (Sens. Sorvaag, Cook, Marcellais and Reps. Streyle, Boehning, Amerman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 807-808 and place SB 2169 on the

Seventh order.

Engrossed SB 2169 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2247: Your conference committee (Sens. Olafson, Sitte, Sorvaag and Reps. Kingsbury, Boehning, Delmore) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 808 and place SB 2247 on the Seventh order.

SB 2247 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2308, as engrossed: Your conference committee (Sens. G. Lee, Nodland, Mathern and Reps. Ruby, Owens, Gruchalla) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1222 and place SB 2308 on the Seventh order.

Engrossed SB 2308 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2231: Your conference committee (Sens. Lyson, Sorvaag, Nelson and Reps. Brabandt, Steiner, Hogan) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 793-794 and place SB 2231 on the Seventh order.

SB 2231 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1029, as engrossed: Your conference committee (Sens. Flakoll, Luick, Heckaman and Reps. Rust, Sanford, Mueller) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1332-1333 and place HB 1029 on the Seventh order.

Engrossed HB 1029 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1270, as engrossed: Your conference committee (Sens. G. Lee, Luick, Heckaman and Reps. R. Kelsch, Heller, Mueller) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1046, adopt amendments as follows, and place HB 1270 on the Seventh order:

That the Senate recede from its amendments as printed on page 1046 of the House Journal and pages 743 and 744 of the Senate Journal and that Engrossed House Bill No. 1270 be amended as follows:

Page 2, line 19, after "2." insert:

"a."

Page 2, line 20, after the underscored period insert:

"b. Notwithstanding subdivision a, if the individual received a teaching license or certificate from another state on or after January 1, 2002, and if the issuing state did not require that the individual pass a state test as a condition of licensure or certification, the board shall require that the individual, within two years from the date of licensure, pass all state licensure tests normally required of applicants from this state.

c."

Page 2, line 21, after "years" insert "and is renewable if the licenseholder meets the reeducation requirements established for all five-year license renewals"

Renumber accordingly

Engrossed HB 1270 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1433, as engrossed: Your conference committee (Sens. Lyson, Sitte, Nelson and Reps. Boehning, Brabandt, Onstad) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1301 and place HB 1433 on the Seventh order.

Engrossed HB 1433 was placed on the Seventh order of business on the calendar.

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

William R. Horton, Secretary