

## JOURNAL OF THE SENATE

## Fifty-fourth Legislative Assembly

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Bismarck, March 13, 1995

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

The prayer was offered by Pastor David M. Sealy, First Baptist Church, Mandan.

The roll was called and all members were present.

A quorum was declared by the President.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2034, SB 2079, SB 2095, SB 2121, SB 2170, SB 2171, SB 2172, SB 2173, SB 2174, SB 2248, SB 2289, SB 2444, SB 2450.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2137, SB 2229, SB 2234, SB 2316, SB 2341, SB 2347, SB 2357, SB 2373, SB 2379, SB 2381, SB 2397, SB 2411, SB 2415.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The President has signed: HB 1023, HB 1057, HB 1080, HB 1092, HB 1108, HB 1115, HB 1119, HB 1125, HB 1139, HB 1147, HB 1148, HB 1157, HB 1181, HB 1203, HB 1232, HB 1233, HB 1272.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The President has signed: HB 1046, HB 1069, HB 1103, HB 1244, HB 1275.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1268.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1064, HB 1159, HB 1184, HB 1314, HB 1386.

**MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)**

MADAM PRESIDENT: The House has passed unchanged: SCR 4017, SCR 4024, SCR 4032, SCR 4039, SCR 4048, SCR 4051.

**MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)**

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2082, SB 2238.

**MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)**

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2074, SB 2152, SB 2195, SB 2433.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2074**

Page 1, line 1, replace "sections 57-02.1-02," with "subsection 1 of section" and remove ", and"

Page 1, line 2, remove "57-02.1-06" and after "to" insert "computation of"

Page 1, line 3, remove "made"

Page 1, remove lines 5 through 14

Page 1, line 15, replace "Section" with "Subsection 1 of section"

Page 1, remove lines 17 and 18

Page 1, line 21, remove the overstrike over "~~counties~~" and remove "taxing districts in each county"

Page 2, line 8, replace "~~the taxing~~" with "a"

Page 2, line 9, remove "districts in the"

Page 2, line 11, remove ", up to a maximum of"

Page 2, line 12, remove "seventy-five cents per acre [hectare]" and remove "~~the~~"

Page 2, line 13, remove "taxing districts in"

Page 2, line 14, remove the overstrike over "~~No~~", remove "Taxing districts in a", and remove "not"

Page 2, remove lines 18 through 29

Page 3, remove lines 1 through 11

Re-number accordingly

#### HOUSE AMENDMENTS TO SENATE BILL NO. 2152

Page 1, line 10, remove the overstrike over "~~and fixed again~~"

Page 1, remove the overstrike over line 11

Page 1, line 12, remove the overstrike over "~~five years with a maximum rate of~~", after "eight" insert "nine", and remove the overstrike over "~~percent per year. For the~~"

Page 1, remove the overstrike over line 13

Page 1, line 14, remove the overstrike over "~~float~~" and remove "and variable at one percent below the Bank's then current"

Page 1, remove lines 15 and 16

Page 1, line 17, remove "date. The rate during the remaining term of the loan floats"

Re-number accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2195

Page 3, line 23, replace "eleven" with "twelve"

Page 3, line 24, after "[45.36 kilograms]" insert "after June 30, 1995, and before July 1, 1997,"

Page 3, line 25, after the period insert "The board shall levy an assessment of thirteen cents per hundredweight [45.36 kilograms] after June 30, 1997, and before July 1, 1999, and fourteen cents per hundredweight [45.36 kilograms] after June 30, 1999."

Re-number accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2433

Page 4, line 4, replace "an individual" with "a person"

Renumber accordingly

**COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER**

This is to inform you that on March 10, 1995, I signed the following: SB 2069, SB 2122, SB 2158, SB 2163, SB 2210, SB 2224, SB 2240, SB 2244, SB 2250, SB 2252, SB 2258, SB 2261, SB 2262, SB 2265, SB 2284, SB 2285, SB 2286, SB 2322, and SB 2331.

**CORRECTION AND REVISION OF THE JOURNAL**

**MADAM PRESIDENT:** Your Committee on Correction and Revision of the Journal (Sen. Sand, Chairman) has carefully examined the Journal of the Forty-seventh Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 883, line 29, remove "G."

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

**CONSIDERATION OF AMENDMENTS**

**SCR 4014: SEN. W. STENEHJEM** (Joint Constitutional Revision Committee) **MOVED** that the amendments on SJ page 904 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SCR 4018: SEN. TRAYNOR** (Joint Constitutional Revision Committee) **MOVED** that the amendments on SJ page 904 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1045, as engrossed: SEN. GRINDBERG** (Education Committee) **MOVED** that the amendments on SJ pages 904-905 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1190, as engrossed: SEN. SCHERBER** (Industry, Business and Labor Committee) **MOVED** that the amendments on SJ page 906 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1205, as engrossed: SEN. SAND** (Industry, Business and Labor Committee) **MOVED** that the amendments on SJ page 906 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1208, as engrossed: SEN. ANDRIST** (Industry, Business and Labor Committee) **MOVED** that the amendments on SJ page 906 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1329: SEN. ANDRIST** (Industry, Business and Labor Committee) **MOVED** that the amendments on SJ page 907 be adopted and then be placed on the Fourteenth order with **DO PASS**.

**REQUEST**

**SEN. SCHERBER REQUESTED** that the Senate divide the amendments to HB 1329.

**MOTION**

**SEN. GOETZ MOVED** that HB 1329 be laid over one legislative day because the proposed division has not been received from the Legislative Council, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1388, as engrossed: SEN. GRINDBERG** (Education Committee) **MOVED** that the amendments on SJ pages 907-908 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

HB 1496, as engrossed: SEN. SCHOBINGER (Education Committee) MOVED that the amendments on SJ page 908 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

## MOTION

SEN. GOETZ MOVED that the rules be suspended and that Reengrossed HB 1131 be placed on the Sixth order for consideration of amendments and thereafter be rereferred to the Appropriations Committee, which motion prevailed.

## MOTION

SEN. LEE MOVED that Reengrossed HB 1131 be amended as follows, as recommended by the Political Subdivisions Committee (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING), which motion prevailed.

Page 3, after line 12, insert:

"SECTION 4. AMENDMENT. Section 29-27-02.1 of the North Dakota Century Code is amended and reenacted as follows:

29-27-02.1. Disposition of statutory fees, fines, forfeitures, pecuniary penalties, and bond forfeitures. All Except as otherwise provided by law, all statutory fees, fines, forfeitures, and pecuniary penalties prescribed for a violation of state laws, when collected, must be paid into the treasury of the proper county to be added to the state school fund. When any bail bond or other property or money deposited as bail is forfeited to the state, eighty percent of the proceeds collected therefrom must be paid over to the treasurer of the county whose officers originally instituted the action and credited to the general fund of the county. In the event that the attorney general of the state of North Dakota originally instituted the action, the bail bond, money, or other property forfeited must be paid over to the proper state official and credited to the state school general fund and twenty percent must be deposited in the general fund of the county in which the forfeiture occurred."

Page 3, line 27, replace "Section" with "Sections", after "2" insert "and 5", and replace "becomes" with "become"

Page 3, line 28, replace "July" with "January" and replace "1997" with "1998"

Page 4, line 1, replace "Section" with "Sections", after "1" insert "and 4", and replace "is" with "are"

Page 4, line 2, replace "June 30" with "December 31" and replace "is" with "are"

Renumber accordingly

Reengrossed HB 1131, as amended, was referred to the Appropriations Committee.

## CONSIDERATION OF AMENDMENTS

HCR 3018, as engrossed: SEN. SAND (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 868-869 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3018: A concurrent resolution calling for a Conference of the States to be promoted and convened by the Council of State Governments.

## MOTION

SEN. GOETZ MOVED that the question be put at 1:57 p.m., which motion prevailed.

## REQUEST

SEN. TENNEFOS REQUESTED a recorded roll call vote on Engrossed HCR 3018, as amended, which request was granted.

## ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 16 YEAS, 33 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Nelson, G.; Nething; Sand; St. Aubyn; Stenehjem, W.; Traynor; Urlacher; Watne

NAYS: Bowman; Christmann; DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Schobinger; Solberg; Stenehjem, B.; Streibel; Tallackson; Tennefos; Thane; Tomac; Wanzek; Wogsland; Yockim

Engrossed HCR 3018, as amended, lost.

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## SECOND READING OF SENATE BILL

SB 2150: A BILL for an Act to amend and reenact subdivision a of subsection 5 of section 57-51.1-03 of the North Dakota Century Code, relating to oil exempt from the oil extraction tax; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch

SB 2150, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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## SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4013: A concurrent resolution for the amendment of sections 8 and 13 of article IV, section 7 of article V, and section 9 of article XI of the Constitution of North Dakota, relating to election of presiding officers of the legislative assembly, legislative procedures, powers and duties of the lieutenant governor, and impeachment proceedings; and to repeal section 13 of article XI of the Constitution of North Dakota, relating to impeachment proceedings.

## 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 34 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Freborg; Goetz; Grindberg; Heitkamp; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern;

Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Streibel; Tallackson; Thane; Tomac; Traynor; Urlacher; Watne

**NAYS:** Bowman; Christmann; DeMers; Heinrich; Holmberg; Kelsh; Mushik; Mutch; Robinson; Stenehjem, B.; Stenehjem, W.; Tennefos; Wanzek; Wogsland; Yockim

SCR 4013 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1082:** A BILL for an Act to create and enact a new subsection to section 12-59-15 of the North Dakota Century Code, relating to the breach of parole; and to amend and reenact subsection 4 of section 12-48-15, section 12-48-20, and subdivision b of subsection 3 of section 12.1-08-06 of the North Dakota Century Code, relating to disposition of moneys earned by inmates and definitions relating to escape.

#### 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

HB 1082, as amended, passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1185:** A BILL for an Act to provide for the exchange of patient immunization data.

#### 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed HB 1185, as amended, passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1221:** A BILL for an Act to allow an employer covered under the workers' compensation act to require the use of preferred providers; and to create and enact a new section to chapter 51-08.1 of the North Dakota Century Code, relating to prohibiting discrimination against health care providers.

## 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed HB 1221, as amended, passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

HB 1223: A BILL for an Act to amend and reenact section 12.1-32-06.1 of the North Dakota Century Code, relating to an additional period of probation that may be imposed for certain types of offenses.

## 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed HB 1223, as amended, passed and the title was agreed to.

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## POINT OF PERSONAL PRIVILEGE

SEN. SCHOBINGER: Madam President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

## REMARKS OF SENATOR SCHOBINGER

I would like to send special congratulations to the Minot High School Magicians who won their 14th State Class A Championship this past Saturday, defeating the Bismarck Demons. This is the first Minot championship since 1990. Special notice should go to Dan Upton, who scored 21 points despite a slight tendon tear, and to Bismarck's Russell Archambault, who were named as Most Valuable Players.

Again, congratulations to the Minot High School's 1995 basketball team on a very successful season.

Team Members: Dan Upton, Brock Teets, James Williams, Travis Hjelmstad, Lamar Barr, Mark Beyer, Brock Laskowski, Shannon Straight, Mark Williams, Kenny Younger, Dean Bartsch, Brett Berryman.

Coaches: Gene Manson, Dale Olson

Cheerleaders: Lisa Dahl, Joy-el Erie, Lisa Everson, Jodi Hanson, Larissa Korslien, Kim Larson, Allison Vangness.

## MOTION

SEN. GOETZ MOVED that the Senate be on the Fifth and Sixteenth orders of

business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, March 14, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SCR 4019: Joint Constitutional Revision Committee (Sen. Andrist, Chairman) A MAJORITY of your committee (Sens. Andrist, W. Stenehjem, Traynor, Reps. Brown, Kretschmar, Maragos) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS.

Page 1, line 19, after "in" insert "June"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4019: Joint Constitutional Revision Committee (Sen. Andrist, Chairman) A MINORITY of your committee (Sens. Krauter, O'Connell, Reps. Aarsvold, Gulleson) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS.

Page 1, line 19, replace "primary" with "general"

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

SCR 4023: Joint Constitutional Revision Committee (Sen. Andrist, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SCR 4023 was placed on the Sixth order on the calendar.

Page 1, line 8, after "manner" insert ", that no more than one person holding a bachelor's degree from a particular institution serve on the board at any one time," and replace "adds" with "that"

Page 1, line 9, after "house" insert "be added"

Page 2, line 6, remove the overstrike over "~~except for the student member, no more than one~~" and after "any" insert "person holding a bachelor's degree from a particular"

Page 2, remove the overstrike over line 7

Page 2, line 8, remove the overstrike over "~~education may serve on the board at any one time.~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1076, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1076 was placed on the Sixth order on the calendar.

Page 1, line 3, after "assembly" insert "; and to provide an effective date"

Page 2, line 19, overstrike "one" and insert immediately thereafter "two" and overstrike "eighty" and insert immediately thereafter "fifty"

Page 2, remove lines 24 through 29

Page 3, remove lines 1 through 3

Page 3, after line 9, insert:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on January 1, 1997."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1129, as engrossed: Agriculture Committee (Sen. Bowman, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1129 was placed on the Sixth order on the calendar.

Page 3, line 1, remove "- Privatization"

Page 3, line 2, replace "centennial trees commission, as it exists" with "governor appoint a seven-member advisory committee to work with the state forester to promote the centennial trees program."

Page 3, remove lines 3 through 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1149: Agriculture Committee (Sen. Bowman, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Sixth order on the calendar.

Page 2, line 20, remove the overstrike over "~~This subsection~~"

Page 2, remove the overstrike over lines 21 through 23

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1155, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1155 was placed on the Sixth order on the calendar.

Page 1, line 2, after "settlements" insert "; and to provide a penalty"

Page 3, line 10, after "requirements" insert "- Penalty"

Page 4, after line 13, insert:

"6. A person may not act as or hold oneself out to be a viatical settlement provider unless licensed under this chapter. Any person willfully violating this section is guilty of a class C felony."

Page 8, after line 20, insert:

"26.1-33.1-09. Authority to adopt rules and standards. The commissioner may:

1. Adopt rules to implement this chapter.
2. Establish standards for evaluating reasonableness of payments under viatical settlement contracts. This authority includes regulation of discount rates used to determine the amount paid in exchange for assignment, transfer, sale, devise, or bequest of a benefit under a life insurance policy.

3. Establish appropriate licensing requirements and fees for agents and brokers.
4. Require a bond."

Page 8, line 21, replace "26.1-33.1-09" with "26.1-33.1-10"

Page 8, line 24, replace "26.1-33.1-10" with "26.1-33.1-11"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

HB 1163, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1163 was placed on the Sixth order on the calendar.

Page 1, line 19, after "physician" insert "or licensed nurse practitioner"

Page 2, line 2, after "physician" insert "or licensed nurse practitioner"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

HB 1165, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1165 was placed on the Sixth order on the calendar.

Page 1, line 9, after "reenact" insert "section 10-04-16,"

Page 1, line 10, replace the third "section" with "sections 43-10.1-07,"

Page 1, line 11, remove the first "and", replace the second "and" with a comma, and after "g" insert ", and h"

Page 1, line 12, after "51-19-13" insert ", and section 51-19-14"

Page 2, after line 13, insert:

"SECTION 5. AMENDMENT. Section 10-04-16 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-04-16. Orders, injunctions, and prosecutions for violations. ~~Whenever~~ If it shall appear appears to the commissioner, either upon complaint or otherwise, that any person has engaged in, or is engaging in, or is about to engage in any act or practice or transaction ~~which that~~ is prohibited by this chapter or by any order of the commissioner issued pursuant to any section of ~~under~~ this chapter or which is declared to be illegal in this chapter, the commissioner may, ~~in his discretion:~~

1. Issue any order including, ~~but not limited to,~~ cease and desist, stop, and suspension orders, which the commissioner deems necessary or appropriate in the public interest or for the protection of investors. The commissioner may, in addition to any other remedy authorized by this chapter, impose by order and collect a civil penalty against any person found in an administrative action to have violated any provision of this chapter, or any ~~regulation,~~ rule, or order adopted or issued under this chapter, in an amount not to exceed ten thousand dollars for each violation. ~~The attorney general, upon the commissioner's request,~~ commissioner may bring actions to recover penalties pursuant to this section

in district court. ~~However, any~~ A person aggrieved by an order issued pursuant to this subsection may request a hearing before the commissioner if ~~such a~~ written request is made within ten days after receipt of the order. ~~The provisions of subsections~~ Subsections 2, 3, 4, and 5 of section 10-04-12 apply to any hearing conducted ~~hereunder~~ under this subsection. If, after a hearing, the commissioner ~~shall sustain~~ sustains an order previously issued, the sustaining order is subject to appeal to the district court of Burleigh County by serving on the commissioner within twenty days after the date of entry of the sustaining order a written notice of appeal signed by the appellant stating:

- a. The order of the commissioner from which the appeal is taken.
- b. The grounds upon which a reversal or modification of ~~such~~ the order is sought.
- c. A demand for a certified transcript of the record of ~~such~~ the order.

~~The provisions of subdivisions~~ Subdivisions a and b of subsection 3 of section 10-04-13 apply to an appeal ~~hereunder~~ under this subsection.

2. Apply to the district court of any county in this state for an injunction restraining ~~such~~ the person and ~~his~~ the person's agents, employees, partners, officers, and directors from continuing ~~such~~ the act, practice, or transaction or engaging therein or doing any acts in furtherance thereof, and for such other and further relief as the facts ~~may~~ warrant. In any proceeding for an injunction, the commissioner may apply for and on due showing be ~~entitled to~~ have issued the court's subpoena requiring the appearance forthwith of any defendant and ~~his~~ the defendant's agents, employees, partners, officers, or directors, and the production of ~~such~~ the documents, books, and records ~~as may appear~~ necessary for the hearing upon the petition for an injunction. Upon proof of any of the offenses described in this section, the court may grant ~~such~~ the injunction as the facts ~~may~~ warrant, and a receiver or conservator may be appointed for the defendant or the defendant's assets. The court ~~may~~ not require the commissioner to post a bond.
3. Refer ~~such any~~ evidence ~~as may be~~ available concerning ~~such~~ the act, practice, or transaction to the ~~attorney general or the proper state's attorney~~ appropriate criminal prosecutor who may, with or without ~~such a~~ the reference, institute the necessary criminal proceedings. ~~In any criminal proceeding, the attorney general or the state's attorney~~ The prosecutor may apply for and on due showing be ~~entitled to~~ have issued the court's subpoena requiring the appearance forthwith of any defendant and ~~his~~ the defendant's agents, employees, partners, officers, and directors, and the production of ~~such any~~ documents, books, and records ~~as may appear~~ necessary for the prosecution of ~~such~~ the criminal proceedings. ~~The court may impose upon any defendant convicted of any of the offenses described in this section such penalty, in accord with the provisions of section 10-04-18, as the facts may warrant.~~

Page 3, line 17, remove "attorney general, upon the request of"

Page 3, line 18, remove "the" and remove the underscored comma

Page 3, line 21, after "made" insert ", in writing,"

Page 3, after line 24, insert:

"SECTION 10. AMENDMENT. Section 43-10.1-07 of the North Dakota Century Code is amended and reenacted as follows:

43-10.1-07. Prosecution for violations of law. If, as a result of verification procedures or investigations as provided in sections 43-10.1-05 and 43-10.1-06.2, or based upon other reliable information, the securities commissioner, after consultation with the attorney general, believes that grounds for criminal prosecution of the operator or manager of any licensed funeral establishment or cemetery association or any other person exist for violation of this chapter or any other law of this state, the securities commissioner may forward such information and refer any evidence as is available or known to him to the state's attorney of the county having jurisdiction over such concerning a violation for such criminal prosecution of such operator, manager, or other person as the information and evidence requires this chapter or of any rule or order issued under this chapter to the appropriate criminal prosecutor who may, with or without the reference, institute criminal proceedings under this chapter. The criminal prosecutor may apply for and on due showing be issued the court's subpoena requiring the appearance forthwith of any defendant and the defendant's agents, employees, partners, officers, and directors, and the production of any documents, books, and records necessary for the prosecution of the criminal proceedings."

Page 3, line 27, after "Penalties." insert:

"1."

Page 3, line 28, overstrike "made"

Page 3, line 29, overstrike "pursuant to", after "of" insert "under", and overstrike ", or who engages in any act,"

Page 4, line 1, overstrike "practice, or transaction declared by" and overstrike "this chapter to be"

Page 4, line 2, overstrike "unlawful"

Page 4, after line 2, insert:

"2. An information must be filed or an indictment must be found under this chapter within five years after the commissioner or criminal prosecutor knew or reasonably should have known about the facts that are the basis for the prosecution."

3. "Willfully" means the person was aware of the consequences of the person's actions, and proof of evil motive or intent to violate the law or knowledge that the law was being violated is not required. Each act or omission is a separate offense, and a prosecution or conviction for an offense does not bar a prosecution or conviction for any other offense."

Page 4, line 16, replace "ten" with "six"

Page 5, line 1, replace "and" with a comma and after "g" insert ", and h"

Page 5, line 16, remove "attorney general, upon the request of the" and remove the second underscored comma

Page 6, line 7, remove "attorney general, upon the request"

Page 6, line 8, remove "of the" and remove the underscored comma

Page 6, after line 14, insert:

- 'h. The commissioner may refer ~~such~~ evidence ~~as is~~ available concerning any violation of this chapter or of any rule or order ~~hereunder~~ issued under this chapter to the ~~county attorney of the county in which the violation occurred~~ appropriate criminal prosecutor who may, with or without ~~such a~~ the reference, institute appropriate criminal proceedings under this chapter. The criminal prosecutor may apply for and on due showing be issued the court's subpoena requiring the appearance forthwith of any defendant and the defendant's agents, employees, partners, officers, and directors, and the production of any documents, books, and records necessary for the prosecution of the criminal proceedings."

Page 6, after line 22, insert:

"SECTION 18. AMENDMENT. Section 51-19-14 of the North Dakota Century Code is amended and reenacted as follows:

**51-19-14. Criminal penalties.**

1. Any person who willfully violates any provision of this chapter or who willfully violates any rule or order under this chapter is guilty of a class B felony; ~~but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order.~~
2. Any person who willfully employs, directly or indirectly, any device, scheme, or artifice to defraud in connection with the offer or sale of any franchise or willfully engages, directly or indirectly, in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person in connection with the offer, purchase, or sale of any franchise is guilty of a class B felony.
3. Nothing in this chapter limits the power of the state to punish any person for any conduct ~~which~~ that constitutes a crime.
4. An information must be filed or an indictment must be found under this chapter within five years after the commissioner or criminal prosecutor knew or reasonably should have known about the facts that are the basis for the prosecution.
5. "Willfully" means the person was aware of the consequences of the person's actions, and proof of evil motive or intent to violate the law or knowledge that the law was being violated is not required. Each act or omission is a separate offense, and a prosecution or conviction for an offense does not bar a prosecution or conviction for any other offense."

Page 7, line 14, replace "the federal treasury" with "a" and after "rate" insert "consistent with section 47-14-05"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

HB 1196: Agriculture Committee (Sen. Bowman, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1196 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1236, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1236 was placed on the Sixth order on the calendar.

Page 1, line 1, after "6-01-17.1" insert a comma

Page 1, line 2, remove "and" and after "6-05" insert ", a new section to chapter 57-35, and a new section to chapter 57-35.2"

Page 1, line 4, remove "and"

Page 1, line 5, after "company" insert ", and the taxation of trust companies; to amend and reenact subsection 2 of section 57-35-01 and subsection 4 of section 57-35.2-01 of the North Dakota Century Code, relating to the taxation of trust companies; and to provide an effective date"

Page 1, underscore lines 10 through 12

Page 1, underscore lines 15 through 21

Page 2, underscore lines 1 through 27

Page 2, line 28, underscore "business will jeopardize the solvency of the trust company; and after the semicolon insert "or"

Page 3, underscore lines 1 and 2

Page 3, line 3, underscore "unsound condition" and replace "; or" with an underscored period

Page 3, remove lines 4 through 6

Page 3, underscore lines 9 through 29

Page 4, underscore lines 1 through 19

Page 4, line 20, underscore "company;" and after the semicolon insert "or"

Page 4, underscore lines 21 and 22

Page 4, line 23, underscore "unsound condition" and replace "; or" with an underscored period

Page 4, remove lines 24 and 25

Page 4, underscore lines 26 and 27

Page 4, after line 27, insert:

"SECTION 4. AMENDMENT. Subsection 2 of section 57-35-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Trust company" includes any trust company organized under the laws of this state with its principal place of, the United States, another state, a foreign country, or a dependency or insular possession of the United States, and doing business in this state.

SECTION 5. A new section to chapter 57-35 of the North Dakota Century Code is created and enacted as follows:

Imposition of tax on interstate trust companies. If the provisions of this chapter do not fairly represent the extent of the trust company's business activity in this state, the tax commissioner may require, with respect to all or any part of the trust company's business activity, if reasonable, the employment of another method to effectuate an equitable allocation and apportionment of the trust company's income.

**SECTION 6. AMENDMENT.** Subsection 4 of section 57-35.2-01 of the North Dakota Century Code is amended and reenacted as follows:

4. "Trust company" means any trust company organized under the laws of this state, any other state, ~~or of the United States, with a place of a foreign country, or a dependency or insular possession of the United States, and doing business in this state.~~

**SECTION 7.** A new section to chapter 57-35.2 of the North Dakota Century Code is created and enacted as follows:

Imposition of tax on interstate trust companies. If the provisions of this chapter do not fairly represent the extent of the trust company's business activity in this state, the tax commissioner may require, with respect to all or any part of the trust company's business activity, if reasonable, the employment of another method to effectuate an equitable allocation and apportionment of the trust company's income.

**SECTION 8. EFFECTIVE DATE.** Sections 4, 5, 6, and 7 of this Act are effective for taxable years beginning after December 31, 1994."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1253, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1253 was placed on the Sixth order on the calendar.

Page 3, line 19, remove the overstrike over "~~position~~" and remove "occupation, any employer"

Page 3, line 20, after "b." insert "Return to the same occupation, any employer."

c. Return to a modified position.

d."

Page 3, line 22, overstrike "c." and insert immediately thereafter "e."

Page 3, line 25, overstrike "d." and insert immediately thereafter "f."

Page 3, line 28, overstrike "e." and insert immediately thereafter "g."

Page 3, line 29, overstrike "f." and insert immediately thereafter "h."

Page 4, line 1, overstrike "g." and insert immediately thereafter "i."

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

Page 4, line 3, remove "or" and after "e" insert ", f, or g"

Page 6, line 13, remove "must" and after "also" insert "shall"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1263, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1263 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1264: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Sixth order on the calendar.

Page 1, line 18, after "Each" insert "A" and remove the overstrike over "report."

Page 1, line 19, remove the overstrike over "in a form prescribed by the commissioner" and insert immediately thereafter "and designed to provide information and an explanation of the call figures in a legal notice at least three columns by ten inches [25.4 centimeters] in size", remove the overstrike over ", must be published" and insert immediately thereafter "semiannually", remove the overstrike over "within", after "sixty" insert "thirty", and remove the overstrike over "days"

Page 1, line 20, remove the overstrike over "of the" and insert immediately thereafter "second and fourth quarter", remove the overstrike over "call", after "date" insert "dates", and remove the overstrike over "at the expense of the association, in some newspaper in the"

Page 1, remove the overstrike over line 21

Page 1, line 22, remove the overstrike over "in a legal newspaper of the county in which such association is located."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1274, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1274 was placed on the Sixth order on the calendar.

Page 1, line 18, remove "or per-line" and after the underscored period insert "Per-line blocking must be provided without charge for residential customers and business customers with special needs, such as law enforcement and domestic violence agencies."

Page 1, remove lines 19 and 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1287, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1287 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1292: Finance and Taxation Committee (Sen. Tennefos, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1292 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1315, as engrossed: Transportation Committee (Sen. B. Stenehjem,

Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1315 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1328: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1328 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1330: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1331: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1331 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1332, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1332 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1342, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1342 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1356: Agriculture Committee (Sen. Bowman, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1356 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1379, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1379 was rereferred to the Appropriations Committee.

## REPORT OF STANDING COMMITTEE

HB 1394: Agriculture Committee (Sen. Bowman, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1394 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1399, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO NOT PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1399 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1419: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1419 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1432, as reengrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1432 was placed on the Sixth order on the calendar.

Page 1, line 3, after "primary" insert "and exceptions from the definition of administrative agency"

Page 1, line 13, after the period insert "No other election may be held in conjunction with the presidential preference primary."

Page 2, line 17, replace "following provisions apply to a presidential" with "secretary of state shall adopt rules relating to the presidential preference primary, including rules providing for the reduction of poll workers, the reduction of poll hours, the reduction of precincts, the arrangement of the names of candidates on the official ballot, the publication of the sample ballot, and open voting within cities or counties."

Page 2, remove lines 18 through 29

Page 3, remove lines 1 and 2

Page 5, after line 4, insert:

"SECTION 9. A new subdivision to subsection 1 of section 28-32-01 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

The secretary of state with respect to rules adopted for the presidential preference primary under section 4 of this Act."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1461, as reengrossed: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1461 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the second "and"

Page 1, line 6, after "licensure" insert "; and to provide an effective date"

Page 2, line 2, replace "except a county" with "or a hospice program licensed under chapter 23-17.4"

Page 2, line 3, remove "social service board,"

Page 2, line 7, after the period insert "The term does not include a qualified service provider as defined in section 50-06.2-02 or an individual who provides direct personal care services when that individual is acting solely under private arrangements with a direct recipient of care or with a relative acting on that recipient's behalf."

Page 2, line 19, remove "or another law"

Page 3, line 15, remove ", including meal preparation"

Page 3, after line 15, insert:

"b. Home management services that are provided to a person who is unable to perform these activities due to illness, disability, or physical condition and which include at least two of the following: housekeeping, meal preparation, and shopping."

Page 3, line 16, replace "b" with "c"

Page 3, line 18, replace "c" with "d"

Page 3, line 20, replace "d" with "e"

Page 3, line 21, replace "e" with "f"

Page 7, after line 5, insert:

"SECTION 5. EFFECTIVE DATE. Subdivision d of subsection 13 of section 23-17.3-01 becomes effective August 1, 1997."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

HB 1478: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1478 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

HCR 3001: Agriculture Committee (Sen. Bowman, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3001 was placed on the Tenth order on the calendar.

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

William C. Parker, Secretary