

JOURNAL OF THE SENATE

Fifty-sixth Legislative Assembly

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Bismarck, March 12, 1999

The Senate convened at 12:45 p.m., with President Pro Tem W. Stenehjem presiding.

The prayer was offered by Senator Sand.

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

A quorum was declared by the President Pro Tem.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

This is to inform you that on March 11, 1999, I have signed the following: SB 2042, SB 2051, SB 2052, SB 2067, SB 2079, SB 2092, SB 2094, SB 2102, SB 2103, SB 2104, SB 2141, SB 2143, SB 2147, SB 2155, SB 2197, and SB 2209.

MOTION

SEN. ST. AUBYN MOVED that HCR 3017 and HCR 3023, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. ST. AUBYN MOVED that HB 1196, which is on the Fourteenth order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Sen. St. Aubyn's motion, HB 1196 was rereferred.

MOTION

SEN. ST. AUBYN MOVED that after action taken on the Sixth order, HB 1071, HB 1211, HB 1310, and HCR 3075 be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1071, as engrossed: SEN. KREBSBACH (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 685 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1071: A BILL for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to postretirement adjustments for supreme and district court judges under the public employees retirement system; to amend and reenact subdivision e of subsection 4 of section 54-52-17 and subsection 6 of section 54-52-17 of the North Dakota Century Code, relating to disability retirement and survivor's benefits for supreme and district court judges under the public employees retirement system; 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; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Engrossed HB 1071, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1211, as engrossed: SEN. C. NELSON (Judiciary Committee) MOVED that the amendments on SJ page 686 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1211: A BILL for an Act to amend and reenact section 16.1-09-02 and subsection 4 of section 16.1-12-02.2 of the North Dakota Century Code, relating to the filing of certificates of candidacy by write-in candidates.

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; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Engrossed HB 1211, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1310, as engrossed: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ page 686 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1310: A BILL for an Act to amend and reenact sections 24-03-06, 24-03-08, and 24-06-26.1 of the North Dakota Century Code, relating to construction of highways to permit a natural flow of water.

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; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Engrossed HB 1310, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HCR 3075: SEN. WATNE (Judiciary Committee) MOVED that the amendments on SJ page 687 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3075: A concurrent resolution directing the Legislative Council to study insurance discrimination against victims of domestic violence.

The question being on the final adoption of the amended resolution, which has been read.

HCR 3075, as amended, was declared adopted on a voice vote and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to amend and reenact subsection 3 of section 54-52-05 of the North Dakota Century Code, relating to employer payment of employee contributions under the public employees retirement system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

HB 1069 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1072: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 39-03.1-10.1 and subdivision a of subsection 4 of section 39-03.1-11 of the North Dakota Century Code, relating to refunds and computation of retirement benefits under the highway patrolmen's retirement system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

HB 1072 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1200: A BILL for an Act relating to the unauthorized removal or possession of purple coneflowers, Echinacea purpurea or Echinacea angustifolia; to provide a penalty; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; St. Aubyn; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Schobinger; Solberg; Stenehjem, B.

ABSENT AND NOT VOTING: Bowman

Engrossed HB 1200 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1233: A BILL for an Act to create and enact a new section to chapter 15-54 of the North Dakota Century Code, relating to training for food service personnel; and to repeal section 15-54-08 of the North Dakota Century Code, relating to health certificates for school food service personnel.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Heitkamp; Kilzer; Kroeplin; Lee; Lindaas; Mutch; Sand; Thompson; Tomac

ABSENT AND NOT VOTING: Bowman

Engrossed HB 1233 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1423: A BILL for an Act to amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code, relating to canola seed standards.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Engrossed HB 1423 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3021: A concurrent resolution urging the United States Fish and Wildlife Service not to list the blacktailed prairie dog, *Cynomys ludovicianus*, as a threatened or endangered species under the Endangered Species Act.

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

HCR 3021 was declared adopted on a voice vote and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3055: A concurrent resolution directing the Legislative Council to study the extent of and remedies for damage caused to landowners from depredation by big game animals, waterfowl, and turkeys and damage caused to property by hunters.

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

HCR 3055 was declared adopted on a voice vote and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3079: A concurrent resolution directing the Legislative Council to study the relationship of rural subdivisions and townships.

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

HCR 3079 was declared adopted on a voice vote and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. FREBORG MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1365, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1365: Sens. Cook, Flakoll, Kelsh.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do not concur in the House amendments to Engrossed SB 2027 as printed on SJ page 660 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 PRO TEM APPOINTED as a Conference Committee on Engrossed SB 2027: Sens. W. Stenehjem, Traynor, C. Nelson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2107 as printed on SJ page 671 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 PRO TEM APPOINTED as a Conference Committee on Engrossed SB 2107: Sens. Traynor, Fischer, Heitkamp.

MOTION

SEN. KROEPLIN MOVED that the Senate reconsider its action whereby Engrossed HB 1194 failed to pass, which motion was defeated.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. URLACHER MOVED that the Senate do concur in the House amendments to SB 2054 as printed on SJ page 626, which motion prevailed on a voice vote.

SB 2054, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2054: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to inclusion of a production cost factor in the formula for valuation and assessment of agricultural land for property tax purposes; and to provide an effective date.

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, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nothing; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Cook

ABSENT AND NOT VOTING: Bowman

Engrossed SB 2054 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2255 as printed on SJ pages 659-660, which motion prevailed on a voice vote.

SB 2255, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2255: A BILL for an Act to create and enact a new section to chapter 12.1-23 of the North Dakota Century Code, relating to theft by nonresidents; and to delcare 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; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Engrossed SB 2255 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do concur in the House amendments to Engrossed SB 2136 as printed on SJ page 603, which motion prevailed on a voice vote.

Engrossed SB 2136, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2136: A BILL for an Act to amend and reenact section 6-09-37 of the North Dakota Century Code, relating to sale of land acquired by the Bank of North Dakota.

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; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Reengrossed SB 2136 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to Engrossed SB 2132 as printed on SJ page 626, which motion prevailed on a voice vote.

Engrossed SB 2132, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2132: A BILL for an Act to amend and reenact sections 53-06.1-01, 53-06.1-01.1, 53-06.1-03, 53-06.1-06, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-10, 53-06.1-11, 53-06.1-11.1, 53-06.1-12.3, 53-06.1-14, 53-06.1-15.1, and 53-06.1-16 of the North Dakota Century Code, relating to games of chance.

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, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Thane

ABSENT AND NOT VOTING: Bowman

Reengrossed SB 2132 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2326 as printed on SJ page 604, which motion prevailed on a voice vote.

SB 2326, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2326: A BILL for an Act to amend and reenact sections 6-08-16, 6-08-16.1, and subsection 1 of section 6-08-16.2 of the North Dakota Century Code, relating to authorizing an electronic funds transfer without sufficient funds; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman

Engrossed SB 2326 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2240 as printed on SJ page 661, which motion prevailed on a voice vote.

SB 2240, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to amend and reenact section 5-01-05.1 of the North Dakota Century Code, relating to public intoxication.

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

YEAS: Andrist; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee;

Lindaas; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Lyson; Mathern, D.

ABSENT AND NOT VOTING: Bowman

Engrossed SB 2240 passed and the title was agreed to.

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT
CALENDAR**

HCR 3002: A concurrent resolution directing the Legislative Council to study American Indian long-term care and case management needs, access to appropriate services, and the functional relationship between state service units and the North Dakota American Indian reservation service systems.

HCR 3003: A concurrent resolution directing the Legislative Council to study the mill levy match program for senior citizens to determine if the program could be expanded to enhance home and community-based service availability.

HCR 3040: A concurrent resolution urging Congress to make the federal income tax fairer, simpler, flatter, lower, and subject to fewer exceptions and special interest provisions.

The question being on the final adoption of the resolutions, which have been read.

HCR 3002, HCR 3003, and HCR 3040 were declared adopted on a voice vote, and the titles were agreed to.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2229: Reps. Klein; N. Johnson; Glasheim

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1009, HB 1065, HB 1077, HB 1104, HB 1139, HB 1140, HB 1163, HB 1173, HB 1283, HB 1296, HB 1324, HB 1327, HB 1333, HB 1366, HB 1411, HCR 3011, HCR 3056.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 9:45 a.m., March 12, 1999: SMR 8001.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 8:56 a.m., March 12, 1999: SB 2069, SB 2082, SB 2158, SB 2160, SB 2184, SB 2198, SB 2208, SB 2232, SB 2233, SB 2237, SB 2238, SB 2249, SB 2261, SB 2313, SB 2315, SB 2318, SB 2334, SB 2343, SB 2345, SB 2389, SB 2406.

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 2029, SB 2264, SB 2298, SB 2347, SB 2358, SB 2369, SB 2382, SB 2405, SB 2426.

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

MR. SPEAKER: The Senate has failed to pass: HB 1194, HB 1218, HB 1267, HB 1353, HB 1429.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1130, HB 1347, HB 1374, HB 1379, HB 1384, HCR 3039, HCR 3062.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1223, HB 1362, HB 1396, HB 1406, HB 1431, HCR 3001.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2054, SB 2132, SB 2136, SB 2240, SB 2255, SB 2326.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2027 and SB 2107 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2027: Sens. W. Stenehjem; Traynor; C. Nelson

SB 2107: Sens. Traynor; Fischer; Heitkamp

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

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

HB 1365: Sens. Cook; Flakoll; Kelsh

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has failed to pass: SB 2277, SB 2278, SB 2348, SB 2379.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SB 2119, SB 2177, SB 2213, SB 2420.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2284.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2185, SB 2212, SB 2253, SB 2362, SB 2374.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2185

Page 1, line 8, after the first "state" insert a comma

Page 1, line 9, after "12-56-01" insert a comma

Page 1, line 10, after "notified" insert "in writing"

Page 1, line 11, replace "such" with "the" and replace the comma with "of the designated officer"

Page 1, line 19, remove "or the state in which the individual is on parole or probation"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2212

Page 1, line 16, remove the overstrike over "~~class A misdemeanor for a~~"

Page 1, line 17, remove the overstrike over "~~first~~", remove the overstrike over "~~offense and a~~", and remove the overstrike over "~~for a subsequent offense~~"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2253

Page 1, line 3, after "23-07-02.1" insert "and subsection 2 of section 23-07-07.5"

Page 2, after line 14, insert:

"SECTION 3. AMENDMENT. Subsection 2 of section 23-07-07.5 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The results of any positive or reactive test must be reported to the state department of health in the manner prescribed by the department and to the individual tested. Subsection 1 does not require the testing of an individual before sentencing or the testing of an individual held in a jail or correctional facility awaiting transfer to the state penitentiary."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2362

Page 1, line 6, after "under" insert "subsection 1 of" and after "12.1-16-05" insert ", except the health care provider,"

Page 1, line 9, after the period insert "This section does not preclude any claim under any other provision of law."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2374

Page 2, line 13, remove "or under a"

Page 2, line 14, remove "department of human services program"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2075, SB 2101, SB 2235.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2075

Page 1, line 10, remove "which are valid for sixty days and issued pursuant to rules adopted by the"

Page 1, line 11, remove "board"

Page 2, line 26, remove "The board may adopt by rule."

Page 2, remove lines 27 through 29

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2101

Page 1, line 1, after "reenact" insert "subsection 2 of section 57-34-03 and"

Page 1, line 2, after the first "to" insert "deposit and", replace "telecommunication" with "telecommunications", and after "tax" insert "; to provide a continuing appropriation; to provide for a transfer"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Subsection 2 of section 57-34-03 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. A telecommunications carrier's customer in this state is entitled to a refund equal to two and one-half percent of the amount of telecommunications service charges paid to telecommunications carriers by that customer in excess of eight hundred thousand dollars in a calendar year. A refund claim under this subsection must be filed with the tax commissioner before July first of the year following the calendar year for which the refund is claimed. A claim for refund must be made in the manner prescribed by the tax commissioner. Refunds under this subsection must be paid by the tax commissioner from tax collections under this chapter and are appropriated from the telecommunications carriers tax fund as a standing and continuing appropriation to the tax commissioner for that purpose."

Page 1, line 7, after the first period insert "**Deposit of tax revenues -**", after "**counties**" insert "**- Telecommunications carriers tax fund**", and after the second period insert "Net gross receipts tax revenues of up to eight million four hundred thousand dollars per taxable year under this chapter must be deposited in a special fund in the state treasury, the telecommunications carriers tax fund. Net gross receipts tax revenues under this chapter exceeding eight million four hundred thousand dollars in a taxable year must be deposited in the state general fund. For purposes of this section, "net gross receipts tax revenues" means gross receipts tax revenues minus any refunds paid under section 57-34-03."

Page 1, line 8, overstrike "net gross receipts tax revenues" and insert immediately thereafter "moneys in the telecommunications carriers tax fund"

Page 1, line 13, overstrike "Gross receipts tax revenues of" and insert immediately thereafter "The balance of the telecommunications carriers tax fund, not exceeding"

Page 1, line 14, overstrike "are" and insert immediately thereafter ", is"

Page 1, line 15, overstrike "and any gross receipts tax revenues"

Page 1, line 16, overstrike "exceeding that appropriation in any taxable year must be deposited in the state general fund"

Page 1, line 20, after the first "allocation" insert "from the telecommunications carriers tax fund"

Page 2, after line 2, insert:

"SECTION 3. TRANSFER. Within five days after the effective date of this Act, the state treasurer shall transfer net gross receipts tax revenues collected under chapter 57-34 for taxable year 1998 from the state general fund to the telecommunications carriers tax fund, but the transfer under this section may not exceed the limitation on deposits in the telecommunications carriers tax fund under section 57-34-05."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2235

Page 1, line 3, after "plans" insert "; and to declare an emergency"

Page 1, after line 16, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2275: Reps. Jensen; B. Thoreson; Rose

SB 2309: Reps. Jensen; B. Thoreson; Rose

SB 2388: Reps. Kliniske; Porter; Niemeier

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1272 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1272: Reps. Koppelman; Wikenheiser; Ekstrom

MOTION

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

MOTION

SEN. ST. AUBYN MOVED that the Senate be on the Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 15, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1038, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1038 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "legislative intent" with "for allocation of"

Page 1, remove line 5

Page 1, line 6, remove "for" and after "funds" insert "for the training of prehospital emergency medical services personnel"

Page 2, line 15, remove "Medical assistance -"

Page 2, remove lines 16 through 20

Page 2, line 21, remove "assessment. This"

Page 2, remove lines 27 through 31

Page 3, line 1, replace "**INTENT**" with "**ALLOCATION OF FUNDS**" and remove "The funds appropriated for the purpose of defraying expenses"

Page 3, remove lines 2 through 6

Page 3, line 7, after "provided" insert "during the 1999-2001 biennium" and replace "based on \$2,200 for volunteer" with a period

Page 3, remove lines 8 through 11

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1075, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1075 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "and"

Page 1, line 4, replace "; and to" with a period

Page 1, remove lines 5 and 6

Page 2, line 31, overstrike "may" and insert immediately thereafter "shall" and overstrike "person" and insert immediately thereafter "applicant"

Page 3, line 1, after "jurisdiction" insert "regardless of whether the applicant has been employed as a nursing home administrator"

Page 3, remove lines 19 and 20

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1093, as engrossed: Political Subdivisions Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1093 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "Proceeds" with "Net proceeds" and replace "must" with "may"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1095: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1095 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1136, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1136 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1137: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1137 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1152, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1152 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact two new sections to chapter 43-32 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to registration of psychological associates; and to" and after "reenact" insert "section"

Page 1, remove lines 3 and 4

Page 1, line 5, remove ", and 43-32-32", replace "registration" with "the practice", and after the second "of" insert "psychology."

Page 1, remove line 6

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 30

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, line 2, remove the overstrike over "Any person in the employ of any federal, state, county or municipal agency, or"

Page 9, remove the overstrike over lines 3 through 6

Page 9, line 7, remove the overstrike over "after July 1," after "1999" insert "2001", and remove the overstrike over ". However, the exemption period may be extended by the board"

Page 9, remove the overstrike over lines 8 through 15

Page 9, line 16, remove the overstrike over "2."

Page 9, line 20, remove the overstrike over "3." and remove "2."

Page 9, line 23, remove the overstrike over "4." and remove "3."

Page 9, line 27, remove the overstrike over "5." and remove "4."

Page 10, line 3, remove the overstrike over "6." and remove "5."

Page 10, line 7, remove the overstrike over "7." and remove "6."

Page 10, line 12, remove the overstrike over "8." and remove "7."

Page 10, line 13, remove "until July 1, 2000,"

Page 10, line 16, remove the overstrike over "9.", remove "8.", remove the overstrike over "psychologist", and remove "psychology"

Page 10, remove lines 18 through 31

Page 11, remove lines 1 through 11

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1154: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1154 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1155, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1155 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1161: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1161 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1169, as engrossed: Natural Resources Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1169 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1185, as reengrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1185 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1260, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1260 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1284: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1284 was placed on the Sixth order on the calendar.

Page 2, line 4, overstrike "The five", remove "or more", overstrike "person membership", and overstrike "includes the"

Page 2, overstrike lines 5 and 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1315: Natural Resources Committee (Sen. Traynor, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1315 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1356: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1356 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1372: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1372 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1377: Political Subdivisions Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1377 was placed on the Sixth order on the calendar.

Page 2, line 27, remove "If the board of commissioners determines to"

Page 2, remove lines 28 and 29

Page 3, line 11, after "annexed" insert an underscored comma

Page 3, line 12, after "resolution" insert an underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1388, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1388 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1391: Human Services Committee (Sen. Thane, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1391 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1417: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1417 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1439, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1439 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1450, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1450 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3015: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3015 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3019: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3019 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3022: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3022 was placed on the Sixth order on the calendar.

Page 1, after line 21, insert:

"**BE IT FURTHER RESOLVED**, that the study address the length of terms of office of members of the Senate and the House of Representatives; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3027: Natural Resources Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3027 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3038, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3038 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3045: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3045 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3047: Natural Resources Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3047 was placed on the Fourteenth order on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2266: Your conference committee (Sens. Thane, Fischer, DeMers and Reps. Devlin, Jensen, Eckre) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 591 and place SB 2266 on the Seventh order.

SB 2266 was placed on the Seventh order of business on the calendar.

The Senate stood adjourned pursuant to Senator St. Aubyn's motion.

WILLIAM C. PARKER, Secretary