

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, March 5, 2001

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

The prayer was offered by Reverend Maury Millican, Bismarck Community Church, Bismarck.

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

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that the Senate resolve into a Memorial Service, which motion prevailed.

SENATE MEMORIAL SERVICE**MEMORIAL SERVICE COMMITTEE**

Senator Darlene Watne, Chair
 Senator Michael Polovitz
 Senator Ed Kringstad

Invocation

Rev. Maury Millican
 Bismarck Community Church

Musical Selection

by Tom Jundt
 "The Lord's Prayer"
 Accompanied by Carol Kolodejchuk
 Human Services Committee Clerk

Introduction of Guests**First and Second Reading of the Memorial Resolution****Musical Selection**

by Jessica Shaw
 Music Pastor of New Song Community Worship Church
 "I Will Comfort You"
 Written and arranged by Jessica Shaw

Memorial Address

Rosemarie Myrdal
 Former Lieutenant Governor

Benediction

Rev. Maury Millican

DECEASED MEMBERS

James M. Cussons, Died March 22, 2000
 79 Years Old, District 23, Served 2 Sessions

Oscar J. Sorlie, Died April 14, 1999
 91 Years Old, Districts 8 and 20, Served 5 Sessions

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Ninth order of business for the first reading of SMR 8001, which motion prevailed.

FIRST READING OF SENATE MEMORIAL RESOLUTION

Memorial Resolutions Committee introduced:

SMR 8001: A memorial resolution for deceased members of the Senate of North Dakota.
 Was read the first time.

MOTION

SEN. WATNE MOVED that the rules be suspended, that SMR 8001 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Memorial Resolutions Committee introduced:

SENATE MEMORIAL RESOLUTION NO. 8001

A memorial resolution for deceased members of the Senate of North Dakota.

WHEREAS, God has summoned to eternal rest our former colleagues:

James M. Cussons, who served in the 46th and 47th Legislative Assemblies, from District 23, died March 22, 2000;

Oscar J. Sorlie, who served in the 38th and 39th Legislative Assemblies, from District 8, and in the 40th through the 42nd Legislative Assemblies, from District 20, died April 14, 1999; and

WHEREAS, we now pause to mourn the passing of our former Senate colleagues and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the Senate and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased senators.

SECOND READING OF SENATE MEMORIAL RESOLUTION

SMR 8001: A memorial resolution for deceased members of the Senate of North Dakota.

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

SMR 8001 was declared adopted on a voice vote.

MOTION

SEN. WATNE MOVED that the Memorial Address by Former Lieutenant Governor Rosemarie Myrdal and the Invocation and Benediction by Reverend Maury Millican be printed in the Journal, which motion prevailed.

INVOCATION BY REVEREND MAURY MILLICAN

Our help is in the name of the Lord, who made heaven and earth. Let us pray. Eternal God, maker of heaven and earth, You made us from the dust of the earth, and by your breath You gave us life. We glorify You. Jesus Christ, the resurrection and the life, You tasted death for all humanity, and by rising from the grave, You opened the way for eternal life. We praise You. Holy Spirit, author and giver of life, You are the comforter of all who sorrow, our sure confidence and everlasting hope. We worship You.

We acknowledge the uncertainty of our life on earth. We are given a mere handful of days, and our span of life seems nothing in your sight. All flesh is like grass; and all its beauty is like the flower of the field. The grass withers, the flower fades; but your Word will stand forever. In this is our hope, for You are our God. Even in the valley of the shadow of death, You are with us.

We give thanks on this day for your servants, who, having lived this life in faith, now live eternally with You. Especially, we thank You for these former senators, James M. Cussons and Oscar J. Sorlie; for the gift of their lives, for the grace You have given them, and for all in them that was good and kind and faithful. To some You give the gift of governing; they stewarded their gifts as senators. We remember them before You today, and thank You for their service to the State of North Dakota. Amen.

MEMORIAL ADDRESS BY FORMER LIEUTENANT GOVERNOR ROSEMARIE MYRDAL

Ladies and gentlemen, members of the Senate, and family members of the senators who are being remembered and honored here today:

We are reading the names and are thinking about the senators who have died in the past year. We are here to reflect upon their lives, our associations with them, and especially the meaning of their service to the State of North Dakota as senators.

Each of these senators earned the confidence of their fellow citizens. They were elected to serve from districts across the state, often in competitive campaigns. And each of them seeking reelection after four years asked citizens to vote for them - approving of their work. Some served several terms, others just one or two, but they all experienced the sacrifice that is involved in holding state office - absence from the workplace, family separation, time spent working with citizens who needed help. During the sessions, the stress of inactivity, long hours in committee meetings, and the pressures of an intense schedule take a toll. Each of the senators being honored today also lived with a sense of responsibility for the effects of laws passed and the difficult decisions impacting the lives of the people they represented.

During the eight years I served as President of the Senate, I had the opportunity to observe the senators on the floor and voting. The debates over contentious issues were carried out with civility and dignity. Senators know how to disagree without being disrespectful. Participation in the Senate sessions and committee hearings tests character and intellect. The work of a senator requires reading, listening, discussing, reflection on values, and the defense of decisions before critical constituents. It often helps to have a sense of humor, too.

But life as a senator also brings rewards. There is a sense of pride in being introduced as a North Dakota Senator. And through the year, people who serve in the legislature can see the positive results of laws passed and the development of good, honest government under law. The time spent together today also reminds us of a reward that becomes part of the life of the senator and the life of the family - lifelong friendships.

In this past year, we have faced the end of life on this earth. We cannot escape the grief, regrets, loneliness, and sometimes painful memories. And, we share a search for comfort and meaning seeking strength and guidance in prayer and God's grace. And so today, as we share friendship and honor the memory of the senators who have died this past year, let us remember this:

Their lives continue to be an inspiration for those who serve in the Senate today. The work they did continues to be of value to the citizens of North Dakota. And so, as you miss your senator and grieve - please accept this memorial tribute as an expression of appreciation from the citizens of the State of North Dakota.

Thank you for inviting me to be here today. I do appreciate the opportunity to participate in this special service.

BENEDICTION BY REVEREND MAURY MILLICAN

The Lord bless you and keep you; the Lord make his face shine upon you and be gracious to you; the Lord turn his face toward you and give you peace.

MOTION

SEN. CHRISTMANN MOVED that the Memorial Service be dissolved, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 1:40 p.m., which motion prevailed.

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

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, and after action taken on the Sixth order, SCR 4043 be placed on the Eleventh order, as amended, and HB 1119, HB 1120, and HB 1170 be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4043: SEN. EVERY (Natural Resources Committee) MOVED that the amendments on SJ page 686 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4043: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of promoting carbon sequestration programs in this state.

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

Engrossed SCR 4043 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1119, as engrossed: SEN. DEVER (Government and Veterans Affairs 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 BILL

HB 1119: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to establishing a state employee performance bonus program; and to provide an expiration 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; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Heitkamp

ABSENT AND NOT VOTING: Lee

Engrossed HB 1119, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1120, as engrossed: SEN. KILZER (Government and Veterans Affairs 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 BILL

HB 1120: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to pilot programs for recruiting and retaining state employees in hard-to-fill occupations; to provide an expiration date; 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; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed HB 1120, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1170, as engrossed: SEN. NICHOLS (Agriculture Committee) MOVED that the amendments on SJ page 688 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1170: A BILL for an Act to amend and reenact sections 4-30-01, 4-30-02, 4-30-02.1, 4-30-03.1, 4-30-03.2, 4-30-03.3, 4-30-03.4, 4-30-03.5, 4-30-03.6, 4-30-03.7, 4-30-03.8, 4-30-13.1, 4-30-18, 4-30-20, 4-30-36, 4-30-36.2, 4-30-36.3, 4-30-36.4, 4-30-37, 4-30-38, 4-30-47, and 4-30-48 of the North Dakota Century Code, relating to elimination of references to the sale of cream and to update references to federal laws and regulations; and to repeal sections 4-30-19, 4-30-21, 4-30-22, 4-30-23, 4-30-24, 4-30-25, 4-30-26, and 4-30-42 of the North Dakota Century Code, relating to standards for production and sale of cream.

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; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

Engrossed HB 1170, as amended, passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4047: A concurrent resolution for the amendment of sections 2 and 5 of article V of the Constitution of North Dakota, relating to the agriculture commissioner; to provide for application; and to provide an effective date.

ROLL CALL

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

NAYS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Lee

SCR 4047 was declared lost on a recorded roll call vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4030: A concurrent resolution directing the Legislative Council to study the economic and social benefits of solid waste reduction and the implementation of recycling programs including the expansion of Project Safe Send to rural communities, job creation in the solid waste industry, growth of the solid waste industry, the life span of existing municipal solid waste landfills, and identification of impediments to waste reduction in the state, including the development of markets, training, identification of technical needs, and funding.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

SCR 4030 was declared lost on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4044: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing incentives to encourage and promote the recycling of product containers.

The question being on the final adoption of the resolution, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SCR 4044 was declared lost on a voice vote.

MOTION

SEN. TALLACKSON MOVED that the Senate reconsider its action whereby Engrossed HB 1300 failed to pass, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to charity events by public-spirited organizations.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 29 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Dever; Erbele; Espegard; Every; Grindberg; Holmberg; Kelsh; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lyson; Mathern, D.; Nelson, C.; Nelson, G.; Nichols; Polovitz; Schobinger; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner; Watne

NAYS: Andrist; Bowman; Christmann; Cook; Fischer; Flakoll; Freborg; Heitkamp; Kilzer; Lindaas; Mathern, T.; Mutch; Nething; O'Connell; Robinson; Solberg; Stenehjem; Tomac; Wanzek

ABSENT AND NOT VOTING: Lee

Engrossed HB 1300 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that Senate Rule 508 be amended to read "fortieth legislative day" in place of "thirty-seventh legislative day", thereby extending the deadline for reporting resolutions out of committee, which motion prevailed.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2035, SB 2051, SB 2075, SB 2077, SB 2087, SB 2089, SB 2092, SB 2093, SB 2094, SB 2096, SB 2112, SB 2122, SB 2138, SB 2140, SB 2165, SB 2168, SB 2199, SB 2302, SB 2326, SB 2350.

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

MR. SPEAKER: The President has signed: HB 1060, HB 1062, HB 1067, HB 1068, HB 1070, HB 1076, HB 1080, HB 1081, HB 1082, HB 1083, HB 1090, HB 1095, HB 1096, HB 1110, HB 1127, HB 1129, HB 1132, HB 1138, HB 1140, HB 1143, HB 1144, HB 1176, HB 1178, HB 1183, HB 1194, HB 1209, HB 1250, HB 1346, HB 1365.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4038, SCR 4040, SCR 4041, SCR 4045.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1258.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1077, HB 1195.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1049.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1237.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HCR 3003.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1042, HB 1072, HB 1078, HB 1086, HB 1087, HB 1093, HB 1104, HB 1139, HB 1152, HB 1155, HB 1207, HB 1351, HB 1374, HB 1471.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2035, SB 2051, SB 2075, SB 2077, SB 2087, SB 2089, SB 2092, SB 2093, SB 2094, SB 2096, SB 2112, SB 2122, SB 2138, SB 2140, SB 2165, SB 2168, SB 2199, SB 2302, SB 2326, SB 2350.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3065.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2083, SB 2099, SB 2158, SB 2161, SB 2178, SB 2260, SB 2283, SB 2284, SB 2363, SB 2421.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2146.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2164.

HOUSE AMENDMENTS TO SENATE BILL NO. 2164

Page 1, line 21, after "institutions" insert "; and to provide for legislative council correction of statutory references"

Page 47, after line 29, insert:

"SECTION 91. LEGISLATIVE COUNCIL CORRECTION OF STATUTORY REFERENCES. The legislative council may replace appropriate references to the "department of banking and financial institutions" in any measure enacted by the fifty-seventh legislative assembly with references to the "department of financial institutions", as appropriate."

Renumber accordingly

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, March 6, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

SCR 4042: Transportation Committee (Sen. Stenehjem, Chairman) recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SCR 4042 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1166, as engrossed: Transportation Committee (Sen. Stenehjem, 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 1166 was placed on the Sixth order on the calendar.

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

Page 1, line 16, replace "as provided in section 24-03-14" with "for the storage and housing of road materials and road machinery, equipment, and tools"

Page 1, after line 18, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1364: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1364 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1419, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1419 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1449, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1449 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1469, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1469 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3013: Transportation Committee (Sen. Stenehjem, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3013 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3065: A concurrent resolution directing the Legislative Council to study the negative impact due to diminishing rail access and service, the cost to industry, business, and communities of shifting rail services to state and local highway systems, and the feasibility and desirability of funding enhanced rail facilities including an intermodal rail facility in this state.

Was read the first time and referred to the **Transportation Committee**.

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

WILLIAM R. HORTON, Secretary