

JOURNAL OF THE SENATE

Sixty-first Legislative Assembly

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Bismarck, March 5, 2009

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

The prayer was offered by Pastor Donna Dohrmann, Lutheran Church of the Cross, Bismarck.

The roll was called and all members were present except Senators Anderson, Hogue, and Marcellais.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

HB 1064, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1064 was rereferred to the Appropriations Committee.

REPORT OF STANDING COMMITTEE

HB 1101: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1101 was rereferred to the Appropriations Committee.

MOTION

SEN. CHRISTMANN MOVED that HB 1416 and HB 1445 be returned to the Senate floor from the **Human Services Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that HB 1064 and HB 1101 be returned to the Senate floor from the **Appropriations Committee** and then be placed on the Fourteenth order for second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1082: SEN. OEHLKE (Finance and Taxation Committee) MOVED that the amendments on SJ pages 656-657 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1438, as engrossed: SEN. FIEBIGER (Transportation Committee) MOVED that the amendments on SJ page 657 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1448: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ page 658 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1549, as engrossed: SEN. KLEIN (Agriculture Committee) MOVED that the amendments on SJ page 658 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4030: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ page 656 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. POTTER REQUESTED a verification vote on the adoption of the proposed amendments to SCR 4030, which request was granted.

The proposed amendments to SCR 4030 failed on a verification vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4029: A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to the establishment of an independent legislative redistricting commission; and for the amendment of sections 2, 3, and 4 of article IV of the Constitution of North Dakota, relating to legislative redistricting and the term of office of senators and representatives.

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 20 YEAS, 24 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Kilzer; Krauter; Lindaas; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Olafson; Stenehjem; Wanzek; Wardner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

SCR 4029 was declared lost on a roll call vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4031: A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to the establishment of a legislative redistricting commission; and for the amendment of sections 2, 3, and 4 of article IV of the Constitution of North Dakota, relating to legislative redistricting and the term of office of senators and representatives.

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 19 YEAS, 25 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Krauter; Lindaas; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Olafson; Stenehjem; Wanzek; Wardner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

SCR 4031 was declared lost on a roll call vote.

SECOND READING OF HOUSE BILL

HB 1036: A BILL for an Act to amend and reenact section 65-04-01 of the North Dakota Century Code, relating to the calculation of workforce safety and insurance premiums.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

HB 1036 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1062: A BILL for an Act to create and enact a new section to chapter 65-05.1 of the North Dakota Century Code, relating to workers' compensation rehabilitation services pilot programs; to amend and reenact section 65-05.1-06.1 of the North Dakota Century Code, relating to expansion of workers' compensation rehabilitation services; and to provide for a report to the legislative council.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

HB 1062 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1078: A BILL for an Act to create and enact a new subsection to section 25-06-02 of the North Dakota Century Code, relating to the facilitation of acquisition of instructional materials in alternate formats to students with print disabilities; to amend and reenact sections 25-06-01 and 25-06-01.1 of the North Dakota Century Code, relating to the facilitation of acquisition of instructional materials in alternate formats to students with print disabilities; and to provide an appropriation.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

Engrossed HB 1078 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1086: A BILL for an Act to amend and reenact subdivision g of subsection 2 of section 57-35.3-02, sections 57-38-30.5 and 57-38-32, subdivision c of subsection 1 of section 57-38-35.2, and section 57-38.1-17.1 of the North Dakota Century Code, relating to correction of statutory references for financial institution tax purposes, references to base period research expenses and the time period for claiming carryback for the research and experimental expenditure income tax credit, the corporate income tax return filing requirement, calculation of interest on refunds relating to the carryback of a tax credit, and the allocation of a gain or loss on the sale of a partnership interest; and to provide an effective date.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer;

Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

HB 1086 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to amend and reenact section 4-01-17.1 of the North Dakota Century Code, relating to control of predatory animals, destructive birds, and injurious field rodents.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

Engrossed HB 1125, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1127: A BILL for an Act to amend and reenact section 12-62-01.1, subsection 1 of section 19-03.1-32, and subsection 5 of section 54-12-14 of the North Dakota Century Code, relating to the time within which county and city officials have to furnish crime statistics to the attorney general's office, the powers of enforcement personnel, and the asset forfeiture fund; and to repeal sections 44-04-23, 54-12-15, and 54-12-16 of the North Dakota Century Code, relating to computer software concerns upon the advent of the year 2000 and the duties of and protections offered by the drug enforcement unit were assumed by the bureau of criminal investigation.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

HB 1127 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1131: A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-01 and subsection 1 of section 57-40.3-02.1 of the North Dakota Century Code, relating to the motor vehicle excise tax definition of purchase price of a motor vehicle and the tax imposed on motor vehicle leases with nominal consideration; and to provide an effective date.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

HB 1131 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1136: A BILL for an Act to amend and reenact sections 26.1-01-07 and 26.1-01-08.1 of the North Dakota Century Code, relating to fees chargeable by the insurance commissioner.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: O'Connell

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

Engrossed HB 1136 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1199: A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 of the North Dakota Century Code, relating to setoff of income tax refund for debts owed to any fund or program administered by the insurance commissioner; and to provide an effective date.

ROLL CALL

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

YEAS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Anderson; Hogue; Marcellais

HB 1199 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1216: A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-07 and section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident small game hunting and nonresident waterfowl hunting licenses.

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 28 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Behm; Bowman; Dotzenrod; Erbele; Flakoll; Freborg; Heckaman; Horne; Klein; Krauter; Krebsbach; Lee, J.; Lindaas; Lyson; Miller; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Seymour; Triplett; Wanzek; Wardner; Warner

NAYS: Bakke; Christmann; Cook; Dever; Fiebiger; Fischer; Grindberg; Holmberg; Kilzer; Lee, G.; Mathern; Nelson; Nething; Robinson; Schneider; Stenehjem; Taylor

ABSENT AND NOT VOTING: Hogue; Marcellais

HB 1216, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1298: A BILL for an Act to create and enact subsection 4 to section 10-19.1-124, subsection 4 to section 10-32-128, subsection 4 to section 10-33-115, chapter 10-36, and a new subsection to section 45-11-08.2 of the North Dakota Century Code, relating to limited liability companies, nonprofit corporations, nonprofit limited liability companies, and partnership fictitious names; to amend and reenact subsection 2 of section 10-01.1-03, section 10-01.1-06, subsection 3 of section 10-15-36, subsection 5 of section 10-15-38, sections 10-15-52.3, 10-19.1-01, 10-19.1-10, and 10-19.1-23, subsection 1 of section 10-19.1-43, section 10-19.1-46, subsection 1 of section 10-19.1-48, subsection 2 of section 10-19.1-51, subsection 1 of section 10-19.1-75, section 10-19.1-76.2, subsection 6 of section 10-19.1-87, subsection 1 of section 10-19.1-91, subsection 3 of section 10-19.1-104.4, sections 10-19.1-105 and 10-19.1-107, subsection 2 of section 10-19.1-137, section 10-19.1-146, subsection 26 of section 10-19.1-147, subsection 5 of section 10-19.1-148, sections 10-32-02, 10-32-04, and 10-32-06, subsection 1 of section 10-32-10, sections 10-32-18 and 10-32-20, subsection 2 of section 10-32-43, section 10-32-48, subsection 1 of section 10-32-80, subsection 1 of section 10-32-85, subsection 2 of section 10-32-87, subsection 1 of section 10-32-99, subsection 4 of section 10-32-107, subsection 3 of section 10-32-108.4, subsection 1 of section 10-32-109, sections 10-32-110 and 10-32-111, subsection 3 of section 10-32-140, subsection 3 of section 10-32-149, section 10-32-150, subsection 5 of section 10-32-152, sections 10-33-01 and 10-33-18, subsection 1 of section 10-33-39, subsection 1 of section 10-33-44, subsection 2 of section 10-33-46, subsection 1 of section 10-33-84, section 10-33-130, subsection 3 of section 10-33-139, subsection 2 of section 10-33-140, subsection 5 of section 10-33-141, section 38-08.1-03, subsections 27 and 28 of section 45-10.2-02, section 45-10.2-21, subsection 8 of section 45-10.2-24, subsection 3 of section 45-10.2-41, section 45-10.2-64, subsection 2 of section 45-10.2-81, subsection 3 of section 45-10.2-97, subsection 26 of section 45-10.2-109, subsection 5 of section 45-10.2-111, subsections 17 and 18 of section 45-13-01, subsections 15 and 16 of section 45-22-01, subsection 3 of section 45-22-03, subsection 2 of section 45-22-22, subsection 5 of section 45-22-23, subsections 18 and 19 of section 45-23-01, and subsection 26 of section 45-23-08 of the North Dakota Century Code, relating to commercial registered agent listing, cooperative associations, business corporations, limited liability companies, nonprofit corporations, geophysical exploration companies, limited partnerships, general partnerships, limited liability partnerships, and limited liability limited partnerships; and to provide a penalty.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Hogue; Marcellais

Engrossed HB 1298 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SCR 4030 be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SCR 4030 was rereferred.

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

MR. PRESIDENT: The House has passed unchanged: SB 2031, SB 2032, SB 2073, SB 2074, SB 2077, SB 2079, SB 2080, SB 2093, SB 2113, SB 2180, SB 2193.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2057.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2041.

HOUSE AMENDMENTS TO SENATE BILL NO. 2041

Page 1, line 12, remove "division of state radio"

ReNUMBER accordingly

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2208.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2208

Page 1, line 9, after the overstruck comma insert "and rapeseed or canola"

Page 1, line 10, overstrike the comma

Page 1, line 11, overstrike "rapeseed or canola,"

Page 2, line 28, after "sunflowers" insert "and canola"

ReNUMBER accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SB 2029, SB 2055, SB 2056, SB 2058, SB 2071, SB 2078, SB 2111, SB 2130, SB 2134, SB 2136.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

MR. SPEAKER: The President has signed: SB 2034, SB 2137, SB 2146, SB 2147, SB 2148.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

MR. SPEAKER: The President has signed: HB 1026, HB 1080, HB 1111, HB 1114, HB 1133, HB 1134, HB 1148, HB 1152, HB 1154, HB 1156, HB 1157, HB 1165, HB 1167.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 6, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1043: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1043 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1276, as reengrossed: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1276 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1306, as reengrossed: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS,

0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1306 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1394, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1394 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1414: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1414 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1434, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1434 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HCR 3004: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3004 was placed on the Fourteenth order on the calendar.

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

Fran A. Gronberg, Secretary