

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

Bismarck, April 4, 2007

The Senate convened at 8:30 a.m., with President Dalrymple presiding.

The prayer was offered by Pastor Steve Wisthoff, First Baptist Church, Bismarck.

The roll was called and all members were present except Senators Andrist, O'Connell, and Seymour.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that Reengrossed SB 2021 and Engrossed SB 2401 be placed immediately after Reengrossed SB 2186 on the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. LEE MOVED that the Senate do not concur in the House amendments to Reengrossed SB 2186 as printed on SJ pages 1118-1119 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed SB 2186: Sens. J. Lee, Erbele, Heckaman.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do not concur in the House amendments to Reengrossed SB 2021 as printed on SJ pages 1241-1242 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed SB 2021: Sens. Krebsbach, Wardner, Tallackson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do not concur in the House amendments to Engrossed SB 2401 as printed on SJ page 1229 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2401: Sens. G. Lee, Freborg, Taylor.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. CHRISTMANN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1002, Reengrossed HB 1125, Engrossed HB 1372, and Engrossed HB 1504, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1002: Sens. Christmann, Kilzer, Tallackson

Reengrossed HB 1125: Sens. Flakoll, G. Lee, Taylor

Engrossed HB 1372: Sens. G. Lee, Flakoll, Bakke

Engrossed HB 1504: Sens. Lyson, Nething, Marcellais

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LYSON MOVED that the Senate do concur in the House amendments to SCR 4016 as printed on SJ page 898, which motion prevailed on a voice vote.

SCR 4016, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1515: A BILL for an Act to create and enact a new section to chapter 20.1-02 and a new section to chapter 54-17 of the North Dakota Century Code, relating to establishment of a private land open to sportsmen biomass demonstration project and the duty of the industrial commission to establish a biomass incentive and research program.

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 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Fiebiger; Fischer; Flakoll; Grindberg; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, J.; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Freborg; Hacker; Lee, G.; Lyson

Engrossed HB 1515, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1340: A BILL for an Act to create and enact chapter 10-35 of the North Dakota Century Code, relating to publicly traded corporations; and to amend and reenact section 54-09-08 of the North Dakota Century Code, relating to the secretary of state's general services operating fund.

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 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; Oehlke; Olafson; Pomeroy; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Wanzek; Wardner; Warner

NAYS: Cook; O'Connell; Potter; Stenehjem; Urlacher

Engrossed HB 1340 passed and the title was agreed to.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1340.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1006, HB 1311, HB 1488, HB 1491, HB 1515.

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

MR. SPEAKER: The Senate has failed to pass: HB 1399.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1218, HB 1309, HB 1322, HB 1344, HB 1392, HB 1429, HB 1461, HB 1465, HB 1499, and HCR 3046.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1021 and HB 1403 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1021: Reps. Skarphol; Thoreson; Glassheim

HB 1403: Reps. N. Johnson; Nottestad; Gruchalla