

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

Bismarck, April 6, 2007

The Senate convened at 8:00 a.m., with President Dalrymple presiding.

The prayer was offered by Doctor Donald A. Urey, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present except Senators Taylor and Wardner.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

HB 1107, as engrossed: SEN. SEYMOUR (Appropriations Committee) MOVED that the amendments on SJ page 1016 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1107: A BILL for an Act to amend and reenact subsections 1 and 5 of section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense reimbursement for state officials and employees.

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 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; 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; Nothing; O'Connell; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Oehlke

Engrossed HB 1107, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1106, as engrossed: SEN. SEYMOUR (Appropriations Committee) MOVED that the amendments on SJ pages 1304-1305 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. MATHERN REQUESTED that the Senate divide the amendments to Engrossed HB 1106, which request was granted on a voice vote.

DIVISION A: Section 7 of the proposed amendments.

DIVISION B: The remainder of the proposed amendments.

REQUEST

SEN. STENEHJEM REQUESTED a verification vote on Division A of the proposed amendments to Engrossed HB 1106, which request was granted.

The question being the adoption of Division A of the proposed amendments to Engrossed HB 1106, the motion failed on a verification vote.

The question being the adoption of Division B of the proposed amendments to Engrossed HB 1106, the motion passed on a voice vote.

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

NAYS: Heitkamp; Krauter; Potter; Robinson

Engrossed HB 1001, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1001.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1106.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1107.

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

MR. SPEAKER: The Senate has failed to pass: HB 1175.

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

MR. SPEAKER: The President has signed: HB 1218, HB 1309, HB 1322, HB 1340, HB 1344, HB 1392, HB 1429, HB 1461, HB 1465, HB 1499, HCR 3046.

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

MR. SPEAKER: The President has signed: SB 2298.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1010, HB 1088, HB 1157, HB 1348, HB 1402, HB 1422, HB 1456.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on April 6, 2007: SB 2298.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 12:30 p.m., which motion prevailed.

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

SECOND READING OF HOUSE BILL

HB 1051: A BILL for an Act to create and enact sections 57-15-01.2, 57-15-10.3, and 57-20-07.2 of the North Dakota Century Code, relating to limitations on levies by taxing districts, emergency levy authority of taxing districts, and a state-paid property tax relief credit; to amend and reenact sections 57-02-08.1, 57-20-07.1, 57-20-09, 57-20-21.1, and 57-32-03, subsection 1 of section 57-38-30.3, and section 57-51.1-07.2 of the North Dakota Century Code, relating to contents of property tax statements, income tax rates, priority for delinquent taxes, the homestead property tax credit, the discount for early payment of property taxes, and to provide property tax relief funding from the permanent oil tax trust fund; to provide for a legislative council study; to provide a continuing appropriation for state-paid property tax relief; to provide an appropriation; and to provide an effective date.

MOTION

SEN. COOK MOVED that Reengrossed HB 1051, as amended, be further amended as follows:

In lieu of the amendments adopted by the Senate as printed on pages 833-836 of the Senate Journal, Reengrossed House Bill No. 1051 is amended as follows:

Page 1, line 1, replace "sections 57-15-01.2, 57-15-10.3, and" with "section"

Page 1, line 2, remove "limitations on levies by taxing districts, emergency levy"