

## JOURNAL OF THE SENATE

## Sixtieth Legislative Assembly

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Bismarck, February 28, 2007

The Senate was on the Fourth, Fifth, Thirteenth, and Fifteenth orders of business pursuant to Sen. Christmann's motion.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2087, SB 2112, SB 2159, SB 2231, SB 2235, SB 2242.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2058, SB 2059, SB 2061, SB 2082, SB 2086, SB 2095, SB 2098, SB 2099, SB 2104, SB 2107, SB 2119, SB 2142, SB 2147, SB 2151, SB 2158, SB 2230, SCR 4007.

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

**MR. SPEAKER:** The President has signed: HB 1037, HB 1053, HB 1057, HB 1068, HB 1098, HB 1104, HB 1122, HB 1131, HB 1178, HB 1184, HB 1193, HB 1201, HB 1248, HB 1261, HB 1341, HB 1347, HB 1387, HB 1490, HCR 3014.

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

**MR. SPEAKER:** The President has signed: SB 2035, SB 2068, SB 2069, SB 2089, SB 2091, SB 2124, SB 2127, SB 2167.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2058, SB 2059, SB 2061, SB 2082, SB 2086, SB 2095, SB 2098, SB 2099, SB 2104, SB 2107, SB 2119, SB 2142, SB 2147, SB 2151, SB 2158, SB 2230, SCR 4007.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1052, HB 1064, HB 1085, HB 1114, HB 1185, HB 1236, HB 1318, HB 1374, HB 1376, HB 1377, HB 1382, HB 1383, HB 1468, HCR 3001.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3005.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1045, HB 1048, HB 1206, HB 1224, HB 1257, HB 1333.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on February 28, 2007: SB 2035, SB 2068, SB 2069, SB 2089, SB 2091, SB 2124, SB 2127, SB 2167.

**REPORT OF STANDING COMMITTEE**

**HB 1029, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1029 was placed on the Sixth order on the calendar.

Page 1, line 9, after "the" insert "primary"

Page 1, line 17, after "the" insert "primary"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1075: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1075 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1076, as engrossed: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (3 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1076 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1108: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1108 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1123, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1123 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1154, as engrossed: Human Services Committee (Sen. J. Lee, 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 1154 was placed on the Sixth order on the calendar.

Page 1, line 18, after the second underscored boldfaced period insert:

"1."

Page 1, line 21, replace "expired" with "expire"

Page 2, line 2, after the underscored period insert:

2. The permit fee established by the department must be based on the cost of conducting routine and complaint inspections and enforcement actions and the cost of preparing and sending license renewals. Any fee collected under this section must be deposited in the department's operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly. The department shall waive all or a portion of the permit fee for any tanning facility that is subject to local jurisdiction.

3. The department shall accept city or county enforcement of this chapter if the department determines the city or county requirements meet or exceed the requirements of this chapter and any rules adopted under this chapter."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1211, as engrossed: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1211 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1213, as engrossed: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1213 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1232, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1232 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1235: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1235 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1277: Education Committee (Sen. Freborg, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1277 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1281: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1281 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1290, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1290 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1305, as engrossed: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1305 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1313, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1313 was placed on the Fourteenth order on the calendar.

**FIRST READING OF HOUSE BILL**

**HB 1348:** A BILL for an Act to amend and reenact subsection 1 of section 57-43.2-03 of the North Dakota Century Code, relating to the special fuels special excise tax; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3048:** A concurrent resolution directing the Legislative Council to study crime victims compensation funding.

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

**HCR 3049:** A concurrent resolution directing the Legislative Council to study whether it is feasible and desirable to modify the renaissance zone law to allow for scattered site development.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HCR 3050:** A concurrent resolution directing the Legislative Council to study the filling of vacancies in the Legislative Assembly.

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

**HCR 3051:** A concurrent resolution directing the Legislative Council to study the procedures through which members of the Legislative Assembly are elected.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HCR 3056:** A concurrent resolution directing the Legislative Council to study the search for and identification of missing persons.

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

**HCR 3057:** A concurrent resolution directing the Legislative Council to study the corporate and individual income tax laws to determine the feasibility and desirability of providing income tax benefits for employers to encourage expansion of employment opportunities in the state.

Was read the first time and referred to the **Political Subdivisions Committee**.

**William R. Horton, Secretary**

