

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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SECOND DAY

Bismarck, January 9, 1985

The Senate convened at 1:30 p.m., with President Meiers presiding.

The prayer was offered by Father Michael Mullner, Center for Pastoral Ministry, Bismarck.

Creator God, as we begin this session, we do so with the awareness that without Your Divine Presence our work would be empty.

Guide us who serve, so that our prejudgments and our personal histories do not hinder the purpose of this session or the coming of the kingdom.

Make of us instruments of Your will, as we attempt to meet the real needs of those who have chosen us as their representatives.

Fill us with Your Holy Spirit so that by our work and service Your kingdom will come in fullness and in peace.

Lord, we rejoice in this opportunity to gather in Your name.

Bless us now and our work.

We pray this in the name of Christ our Lord. Amen.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the First day and finds the same to be correct.

SEN. DAVID, Chairman

SEN. J. MEYER MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Employment recommends the following employees:

J. Vernon Asheim	Assistant Secretary of the Senate
Sandra Boehler	Bill Clerk
Erma Hauglie	Chief Stenographer and Payroll Clerk
Jan Burgad	Appropriations Committee Clerk
Nancy Hayes	Assistant Appropriations Committee Clerk
Carol Nitschke	Chief Committee Clerk
Pearl Berget	Committee Clerk
Jan Mumma	Committee Clerk
Alice Zako	Committee Clerk
Barb Klein	Committee Clerk
Naomi Faul	Committee Clerk
George Berg	Committee Clerk
Gloria Johner	Committee Clerk
Connie Koenig	Committee Clerk
Esther Beazley	Committee Clerk
Lori Oswald	Assistant Committee Clerk
Diane Larson	Chief Page and Bill Book Clerk
Kevin Cramer	Desk Page
Jacqueline Schmidt	Journal Page
Lois J. Scherr	Secretary to Majority Leader
Sharon Lang	Assistant to the Secretary of the Majority Leader
Dee Hanson	Secretary to Minority Leader
Sandi Kershaw	Assistant to the Secretary of the Minority Leader
David Larson	Deputy Sergeant-at-Arms
Jack Evans	Assistant Sergeant-at-Arms
Robert Muhs	Assistant Sergeant-at-Arms
Marshall Gooch	Assistant Sergeant-at-Arms
Gary Hendrickson	Assistant Sergeant-at-Arms
Eugene Grenz	Chief Bill & Journal Room Clerk
Ledores Robey	Bill Room Clerk
Melvena McLeish	Bill Room Clerk
Selma Carlson	Bill Room Clerk
Faye Caya	Bill Room Clerk
Fred Schulz	Journal Room Clerk
Nettie Monroe	Journal Room Clerk
Carrie Hanson	Stenographer
Sharon Neukircher	Stenographer
Sue Alexander	Stenographer
Marge Mosbrucker	Stenographer
Esther Davis	Information Desk Attendant
Pamela Davy	Telephone Page
Thelma Harvey	Telephone Attendant
Margo Undlin	Telephone Attendant
Renee Bullinger	Telephone Attendant
Jim Inman	Parking Lot Attendant
Kelly Kramer	Page
Steven Karel	Page
Reed Boelter	Page
Jeri Kurle	Page
Wanda Scheid	Page

Gary Emineth	Bill Book Clerk
Mark Wolf	Bill Book Clerk
Lucy Miller	Bill Book Clerk
Dick Lang	Janitor
Lucas Geisinger	Janitor
Kevin Erhardt	Janitor

SEN. NAADEN, Chairman

SEN. NELSON MOVED that the report be adopted.

ROLL CALL

The question being on the motion to adopt the report of the procedural Committee on Employment, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Ereborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

The report was adopted, and President Meiers then administered the Oath of Office to the Senate employees.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sen. Holmberg introduced:

SCR 4015: A concurrent resolution congratulating the Viking Elementary School Principal Wayne Peterson; the students, faculty, staff, and parents at Viking Elementary School; Grand Forks Public Schools Superintendent Dr. Mark Sanford; and the staff of the Center for Aerospace Sciences at the University of North Dakota for their outstanding performance and successful participation in the national Young Astronauts' Program.

Was read the first time.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that SCR 4015 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Holmberg introduced:

SENATE CONCURRENT RESOLUTION NO. 4015

A concurrent resolution congratulating the Viking Elementary School Principal Wayne Peterson; the students, faculty, staff, and parents at Viking Elementary School; Grand Forks Public Schools Superintendent Dr. Mark Sanford; and the staff of the Center for Aerospace Sciences at the University of North Dakota for their outstanding performance and successful participation in the national Young Astronauts' Program.

WHEREAS, the national Young Astronauts' Program is designed to stimulate young Americans in grades one through nine using the excitement of the space program to improve their competency in math, science, and technology so they may actively participate in, contribute to, and profit from the society of the future; and

WHEREAS, Viking Elementary School at Grand Forks, North Dakota, was the first of nine schools in the entire country selected by the White House staff to be a pilot school using a math, science, and technology curriculum developed by the National Space Institute along with the National Aeronautics Space Administration; and

WHEREAS, ten Viking Elementary School students were personally congratulated by United States President Ronald Reagan, and the entire student body and staff of Viking Elementary School will be recognized for their national achievement on January 10, 1985, by Astronauts Col. "Buzz" Aldrin and Dr. Anna Fisher; and

WHEREAS, the Center for Aerospace Sciences at the University of North Dakota is the sponsor of the Viking Elementary School Young Astronauts' Chapter;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Forty-ninth Legislative Assembly of the State of North Dakota extends its very sincere congratulations to the Viking Elementary School Principal Wayne Peterson; the students, faculty, staff, and parents at Viking Elementary School; the Grand Forks Public Schools Superintendent Dr. Mark Sanford; and the staff at the Center for Aerospace Sciences at the University of North Dakota for their outstanding performance and successful participation in the national Young Astronauts' Program; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the superintendent of Grand Forks Public Schools, the Viking Elementary School principal, and the director of the Center for Aerospace Sciences at the University of North Dakota.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4015: A concurrent resolution congratulating the Viking Elementary School Principal Wayne Peterson; the students, faculty, staff, and parents at Viking Elementary School; Grand Forks Public Schools Superintendent Dr. Mark Sanford; and the staff of the Center for Aerospace Sciences at the University of North Dakota for their outstanding performance and successful participation in the national Young Astronauts' Program.

Was read the second time.

The question being on the final adoption of the resolution.

SCR 4015 was declared adopted on a voice vote.

MOTIONS

SEN. NETHING MOVED that the rules be suspended, that SCR 4015 be messaged to the House immediately, which motion prevailed.

SEN. LODOEN MOVED that SB 2201 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

SEN. LODOEN MOVED that SB 2201 be rereferred to the Committee on Industry, Business and Labor, which motion prevailed.

SEN. STROMME MOVED that SB 2098 be returned to the Senate floor from the Committee on Education, which motion prevailed.

REQUEST

SEN. STROMME REQUESTED the unanimous consent of the Senate to withdraw SB 2098. There being no objection, it was so ordered by the President.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2117 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2117 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2118 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2118 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2131 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SB 2131 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2134 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2134 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2142 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2142 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2153 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

SB 2153 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2155 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

SB 2155 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2186 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SB 2186 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SCR 4004 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

SCR 4004 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SCR 4012 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SCR 4012 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

Sens. Adams, Parker and Reps. Timm, Smette introduced:

SB 2006: A BILL for an Act to amend and reenact section 43-09-22 of the North Dakota Century Code, relating to fees for inspections of electrical installations.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Sens. Adams, D. Meyer, Bakewell and Reps. Hughes, Dotzenrod, R. Anderson introduced:

SB 2020: A BILL for an Act to provide a two-year exemption from the oil extraction tax for newly drilled wells; to provide an expiration date; and to declare an emergency.

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

Sen. Maixner introduced:

SB 2039: A BILL for an Act to amend and reenact section 65-05-01 of the North Dakota Century Code, relating to time period for filing workmen's compensation claims.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Sen. Olson introduced:

SB 2040: A BILL for an Act to amend and reenact section 27-08.1-01 of the North Dakota Century Code, relating to small claims court venue for collection of nonsufficient fund or no account checks.

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

Sen. Olson introduced:

SB 2041: A BILL for an Act to create and enact chapter 10-19.1 of the North Dakota Century Code, relating to the creation, organization, operation, liability, and dissolution of business corporations; to amend and reenact sections 10-06-07, 10-06-07.1, 10-22-01, 10-22-02, 10-22-03, 10-22-05, 10-22-06, 10-22-07, 10-22-15, 10-22-16, 10-22-18, 10-23-09, 10-23-11, 10-23-12, 10-23-13, 10-23-14, 10-23-15, 10-23-16, 10-23-17, 10-30-05, subsection 12 of section 25-03.1-02, and subsection 4 of section 38-08.1-03.1 of the North Dakota Century Code, relating to references to chapters 10-19, 10-20, and 10-21 (North Dakota Business Corporation Act); and to repeal chapters 10-19, 10-20, and

10-21 of the North Dakota Century Code, relating to the North Dakota Business Corporation Act. Was read the first time and referred to the Committee on Industry, Business and Labor.

MOTION

SEN. NETHING MOVED that at the conclusion of the Fifth order of business and the Ninth order of business, the Senate adjourn and convene at 1:30 p.m., Thursday, January 10, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary