JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

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Bismarck, February 25, 1993 The Senate convened at 1:00 p.m., with President Myrdal presiding.

The prayer was offered by Father Robert E. Feeney, St. Joseph Catholic Church, Mandan.

The roll was called and all members were present.

A quorum was declared by the President.

MOTION

SEN. MATHERN MOVED that HB 1337, HB 1472, HB 1506, HB 1507, and HB 1508 be returned to the Senate floor from the Industry, Business and Labor Committee and be rereferred to the Judiciary Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, HB 1337, HB 1472, HB 1506, HB 1507, and HB 1508 were rereferred.

MOTION

SEN. MATHERN MOVED that HB 1357 be returned to the Senate floor from the Industry, Business and Labor Committee and be rereferred to the Transportation Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, HB 1357 was rereferred.

MOTION

SEN. MATHERN MOVED that HB 1009 be returned to the Senate floor from the Finance and Taxation Committee and be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, HB 1009 was rereferred.

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Stegman, Doug	Red River Valley Sugarbeet Growers Association
Steiner, Vicky L.	ND Association of Oil and Gas ND Coal Conversion Counties Association
Steinkopf, Gerald E.	US West
Stigen, Wally M.	Otter Tail Power Company
Stottler, Lauren C.	US West Communications
Strege, Steven D.	ND Grain Dealers Association
Stuhlmiller, Norman E.	AARP Andrus Foundation
Summers, Jane F.	ND Committee for the Bill of Rights

Swanson, Douglas G.	Workers Against Inhumane Treatment
Syria, M. E.	Greater North Dakota Association
	-T-
Tabor, Sandra L.	State Bar Association of North Dakota
Tangedahl, Thor N.	National Association for Retired Persons
Tanous, Wayne J.	MDU Resources Group, Inc.
Thilmony, Steve J.	Snowmobile North Dakota
Thomas, Arnold R.	ND Hospital Association
Thompson, Alfred A.	American Association of Retired Persons
Thompson, Donald L.	ND Long-Term Care Association Open Door Center REM-North Dakota, Inc.
Thorson, Dorothy A.	Golden Rule Insurance Company
Thune, Gary R.	American Insurance Association ND School Boards Association
Tipton, Gary L.	Tipton Insurance Agency Farmers Insurance Group of Companies
Tipton, Kevin W.	Distilled Spirits Council of the U.S.
Tishmack, Jerome	BEK Communications Cooperative ND Association of Telephone Cooperatives
Titus, Carmon B., Jr.	ND Addiction Counselors Association
Tjaden, Rod	Greater North Dakota Association
Torstenson, Jerry H.	Dakota Resource Council
Traynor, Terrance 0.	ND Association of Counties
Trvcano, James	ND Coin-Machine Operators Association
Tupa, Thomas C.	APT, Inc. Association of Former Public Employees Independent North Dakota State Employees Association National Association of Social Workers National Electrical Contractors Association ND Association of Home Health Services ND Association of Life Underwriters ND Association of Plumbing, Heating, and Mechanical Contractors ND Coalition for Impaired Health Professionals ND Conference of Social Welfare ND Retired Teachers Association ND State Board of Public Accountancy ND Wildlife Federation Society of Higher Education Professionals United Sportsmen of North Dakota

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Turner, Jay O.	Meredith Cable ND Cable Television Association
Tvenge, Warren L.	ND American Institute of Architects
	-U-
Unhjem, Michael B.	Blue Cross Blue Shield of North Dakota
Unser, Ted J.	Workers Against Inhumane Treatment
	-V-
Valley, Thomas L.	Motor Vehicle Manufacturers Association
Vellek, Carol	REM-North Dakota, Inc.
Voge, Arlon R.	ND Livestock Marketing Association
	-₩-
Wagner, Vernon E.	ND Medical Association
Wahlert, Teresa A.	US West
Walton, Ray H.	Capital Scales ND State's Attorneys Association
Ward, Patrick J.	American Council of Life Insurance American Family Life Assurance Company American West Insurance Company Dakota Fire Insurance Company Dawson Hail Insurance Company Health Insurance Association of America Lincoln Mutual Life and Casualty Insurance Midwest Casualty Insurance Company Motion Picture Association of America National Association of Independent Insurers Nodak Mutual Insurance Company ND Grain Dealers Association Pioneer Mutual Life Insurance Company St. Paul Company of North Dakota State Farm Insurance Companies Surety Mutual Life & Casualty Insurance TMG Life Insurance Company
Warner, Shelly	ND Long-Term Care Association
Weatherly, Merle	United Sportsmen of North Dakota
Wefald, Robert O.	State Bar Association of North Dakota
Weisenberger, James J.	North Dakota AFL-CIO
Westby, Joseph A.	ND Education Association
Weston, Penni M.	ND Nurses Association
Westrem, John B.	Northern States Power Company
Whalen, Joseph R.	Golden Rule Insurance Company
Wheeler, Arthur W.	ND Petroleum Association ND Retail Association

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Wheeler, Gerridee	Blue Cross Blue Shield of North Dako ND Academy of Ophthalmology ND Society of Anesthesiologists	ota
Wheelihan, David M.	ND Association of Rural Electric Cod	operatives
White, Larry J.	Prairie Public Broadcasting, Inc.	
Wilhelmson, L. Dan	Consolidated Telephone Cooperative	
Williams, Wade A.	Council of Clubs	
Williamson, Lyle	MCI Telecommunications Corporation	
Winkjer, Dean	N W Communications	
Wisness, Paul	Reservation Telephone Cooperative	
Wolf, Albert A.	Benedictine Health Systems, Inc. Bismarck Public Schools Independent Community Banks of North National Basketball Association National Football League Rent-A-Center Rent-A11 R. L. Polk & Company Tobacco Institute	ı Dakota
Wolfe, Howard A.	ND Veterans Coordinating Council The American Legion	
Woodmansee, Tom E.	Johnson Brothers Northwest Beverages ND Grocers Association	i
Woodworth, Bonnie M.	ND State Beekeepers Association	
Wrangham, Dwight	ND Coin-Machine Operators Association	m
	-Y-	
Yantes, Ken S.	ND Township Officers Association	
Yantzer, Myron	North Dakota AFL-CIO	
Ystebo, David H.	Greater North Dakota Association	
	-Z-	
Zanin, Michael	Golden Rule Insurance Company	
Ziegler, Ken	ANG Coal Gasification Company Basin Cooperative Services Basin Electric Power Cooperative Dakota Coal Company Dakota Gasification Company	

MOTION

SEN. MATHERN MOVED that the Senate be on the Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 26, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SCR 4025: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS

and **BE PLACED ON THE CONSENT CALENDAR** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4025 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4039: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4039 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4046: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4046 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4050: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4050 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

- SCR 4051: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4051 was placed on the Sixth order on the calendar.
- Page 2, line 2, after "education" insert ", with full consideration given to the welfare of the student"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4052: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (4 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SCR 4052 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

- SCR 4053: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends D0 PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4053 was placed on the Sixth order on the calendar.
- Page 1, line 4, remove ", as amended,"
- Page 1, line 19, remove ", as amended"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4057: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4057 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4958: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4058 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4060: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4060 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4061: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4061 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4062: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4062 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4066: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4066 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4068: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (4 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SCR 4068 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4069: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (3 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SCR 4069 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1034: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1053: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1053 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1059: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1074: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1074 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1095: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1095 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1098: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1098 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1117: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1117 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1130: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS

(6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1130 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1146: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1146 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1159: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1159 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1244: Political Subdivisions Committee (Sen. Graba, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1244 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1288: Political Subdivisions Committee (Sen. Graba, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1288 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1324: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1324 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1358: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1358 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1385: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1385 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1388: Political Subdivisions Committee (Sen. Graba, Chairman) recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1388 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3020: Judiciary Committee (Sen. Marks, Vice Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3020 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3023: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3023 was placed on the Tenth order on the calendar.

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

CAROL SIEGERT, Secretary