

Third Day of Legislative Organizational Session

JOURNAL OF THE SENATE

Fifty-eighth Legislative Assembly

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Bismarck, December 4, 2002

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

The prayer was offered by Pastor Don Burnett, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 9:10 a.m., which motion prevailed.

THE SENATE RECONVENED, with President Dalrymple presiding.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Rules Committee (Sen. Holmberg, Chairman)** recommends that the Senate and Joint Rules of the Fifty-seventh Legislative Assembly, as adopted on Thursday, December 7, 2000, and published in the 2001 Senate and House Rules and Committees book, with the following new rules and amendments, be adopted as the permanent rules of the Senate for the Fifty-eighth Legislative Assembly, and that the reading of this report be dispensed with:

SECTION 1. AMENDMENT. Subsection 2 of Senate Rule 402 is amended as follows:

2. No bill introduced at the request of an executive agency or the Supreme Court may be introduced after ~~December tenth before the ensuing regular~~ the close of business on the day after the adjournment of the organizational session, except upon approval of a majority of the Delayed Bills Committee.

SECTION 2. AMENDMENT. Senate Rule 501 is amended as follows:

501. STANDING COMMITTEES.

1. The Committee on Committees consists of ~~eight~~ nine members. The Majority Leader, by virtue of office, is a member of the committee and shall serve as its chairman. The Majority Leader shall appoint ~~four~~ five other members from the majority party and three members from the minority party to the committee. The committee shall appoint standing committees concerned with matters in the fields as indicated and procedural committees.
2. The five-day standing committee is Appropriations: (14 members) Bills and resolutions referred or rereferred under Senate Rule 329.
3. The three-day standing committees are:
 - a. Education: (~~7~~ 6 members)
Public Schools; Libraries; Institutions of Higher Learning.
 - b. Finance and Taxation: (6 members)
Public Debt; Taxes and Tax Laws.
 - c. Human Services: (6 members)
Human Services; Public Health; Public Safety.
 - d. Industry, Business and Labor: (7 members)

Banks and Banking; Corporations; Insurance; Matters pertaining to Private Business and Industry; Workers' Compensation; Unemployment Compensation; Labor Laws and kindred subjects.

- e. Judiciary: (~~7~~ 6 members)
Elections and Election Privileges; Judiciary.
- 4. The two-day standing committees are:
 - a. Agriculture: (6 members)
Agriculture; Livestock; Drainage and Irrigation; Warehouse and Grain Grading.
 - b. Government and Veterans Affairs: (6 members)
State and Federal Affairs; Government Pensions and Benefits; Military and Veterans Affairs; Industrial Commission and institutions under its supervision; State Historical Society and State Parks.
 - c. Natural Resources: (7 members)
Game and Fish; Public Lands; Mines and Mining; Gas and Oil; Forestry.
 - d. Political Subdivisions: (~~8~~ 6 members)
Cities; Counties; Townships; Park Districts; Apportionment.
 - e. Transportation: (6 members)
Highways and Bridges; Railroads; Motor Vehicles; Airlines and Airports.
- 5. The procedural committees are:
 - a. Arrangements for Senate Committee Rooms, to consist of three members.
 - b. Correction and Revision of the Journal, to consist of three members.
 - c. Delayed Bills, to consist of five members.
 - d. Employment, to consist of five members.
 - e. Inaugural Planning, to consist of three members.
 - f. Rules, to consist of nine members.
- 6. When an executive nomination is received, the Committee on Committees shall appoint a select committee to consider it. The select committee shall meet and consider the nominee forthwith, and shall report its recommendations to the Senate.

SECTION 3. AMENDMENT. Senate Rule 502 is amended as follows:

502. LIMITATIONS ON COMMITTEE MEMBERSHIP. Each member shall serve on two standing committees, not including the Joint Constitutional Revision Committee, except the Majority Leader, who may not serve on any standing committee, the Minority Leader, who may be appointed to any standing committee, including the Joint Constitutional Revision Committee, by the Committee on Committees, and all members of the Appropriations Committee, who may not serve on any other standing committee, including the Joint Constitutional Revision Committee. No member of the Senate may be appointed to more than one 3-day and one 2-day committee. The Majority and Minority Leaders may participate in all standing committees but may not vote therein except that the Minority Leader may vote on any committee to which the Minority Leader has been appointed.

SECTION 4. AMENDMENT. Senate Rule 504 is amended as follows:

504. COMMITTEE MEETINGS.

1. The Appropriations Committee meets on Monday, Tuesday, Wednesday, Thursday, and Friday of each week.
2. The three-day committees meet on Monday, Tuesday, and Wednesday of each week.
3. The two-day committees meet on Thursday and Friday of each week.
4. Any committee that meets on Wednesday and which has a member who is also a member of the Joint Constitutional Revision Committee may not take any substantive action during the time the Joint Constitutional Revision Committee meets.
5. The chairman of any committee, or a majority of that committee, may call meetings at times and on other days as deemed necessary.

SECTION 5. Joint Rule 303 is created as follows:

303. JOINT CONSTITUTIONAL REVISION COMMITTEE. The Joint Constitutional Revision Committee consists of ten members, five from each house with three from the majority faction and two from the minority faction, appointed in the same manner as the members of other standing committees are appointed. The first-named member from each house is cochairman of the committee. The committee meets on Wednesday of each week at three p.m. in the Prairie Room or at the times and places called by the cochairmen. The presiding officer shall refer to the committee all resolutions proposing amendments, additions, or repeals to the Constitution of North Dakota. The committee shall report in the same manner and in accordance with the same time schedules as do other standing committees. The committee shall report a resolution back first to its house of origin.

SECTION 6. AMENDMENT. Subsections 1 and 2 of Joint Rule 603 are amended as follows:

1. ~~Five hundred~~ The Legislative Council shall determine the number of copies of each bill and resolution ~~must~~ to be printed. After the initial order is printed, the supervisor of the bill and journal room may order additional copies to be printed to meet demand.
2. ~~One hundred~~ The Legislative Council shall determine the number of copies of each bill and resolution engrossed under Senate Rule 335 and House Rule 335 ~~must~~ to be printed on request of the Secretary of the Senate or Chief Clerk of the House. After the initial order is printed, the supervisor of the bill and journal room may order additional copies to be printed to meet demand.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Arrangements for Senate Committee Rooms (Sen. Christmann, Chairman)** recommends that the Senate use the same committee rooms as were used during the Fifty-seventh Legislative Session. These are as follows:

<u>COMMITTEE</u>	<u>MEETING DAYS</u>	<u>ROOM</u>
Appropriations	MTWThF	Harvest
Education	MTW	Missouri River
Government and Veterans Affairs	ThF	Missouri River
Finance and Taxation	MTW	Lewis and Clark
Transportation	ThF	Lewis and Clark
Human Services	MTW	Red River
Political Subdivisions	ThF	Red River
Industry, Business and Labor	MTW	Roosevelt
Agriculture	ThF	Roosevelt
Judiciary	MTW	Fort Lincoln
Natural Resources	ThF	Fort Lincoln

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Stenehjem, Chairman)** recommends the following as the proposed chairmen, vice chairmen, and members of standing committees:

APPOINTMENT OF STANDING COMMITTEES - SENATE
Appropriations Committee

Holmberg - Chairman
 Bowman - Vice Chairman
 Grindberg - Vice Chairman
 Andrist
 Christmann
 Kilzer
 Kringstad
 Schobinger
 Thane

Krauter
 Lindaas
 Mathern
 Robinson
 Tallackson

Education Committee

Freborg - Chairman
 G. Lee - Vice Chairman
 Cook
 Flakoll

Christenson
 Taylor

Finance and Taxation Committee

Urlacher - Chairman
 Wardner - Vice Chairman
 Syverson
 Tollefson

Nichols
 Seymour

Human Services Committee

J. Lee - Chairman
 Brown - Vice Chairman
 Erbele
 Fischer

Fairfield
 Polovitz

Industry, Business and Labor Committee

Mutch - Chairman
 Klein - Vice Chairman
 Espegard
 Krebsbach
 Nething

Every
 Heitkamp

Judiciary Committee

Traynor - Chairman
 Lyson - Vice Chairman
 Dever
 Trenbeath

Bercier
 Nelson

Agriculture Committee

Flakoll - Chairman
 Erbele - Vice Chairman
 Klein
 Urlacher

Nichols
 Seymour

Government and Veterans Affairs Committee

Krebsbach - Chairman
 Dever - Vice Chairman
 Brown
 Wardner

Fairfield
 Nelson

Natural Resources Committee

Fischer - Chairman
 Tollefson - Vice Chairman
 Freborg
 Lyson
 Traynor

Every
 Heitkamp

Political Subdivisions Committee

Cook - Chairman
 Syverson - Vice Chairman
 G. Lee
 J. Lee

Christenson
 Polovitz

Transportation Committee

Trenbeath - Chairman
Espegard - Vice Chairman
Mutch
Nething

Bercier
Taylor

Joint Constitutional Revisions Committee

Tollefson - Chairman
Mutch - Vice Chairman
Krebsbach

Nichols
Seymour

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

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 10:00 a.m., at which time it will reconvene in the House for a Joint Session, after which, the Senate stand adjourned, which motion prevailed.

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

WILLIAM R. HORTON, Secretary

