

Second Day of Legislative Organizational Session

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, December 5, 2006

The Senate convened at 9:00 a.m., with President Dalrymple presiding.

The prayer was offered by Dr. Keith Ritchie, Pastor of Cornerstone Community Church, Bismarck.

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

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 9:10 a.m., at which time there will be a Joint Session in the House, and that the Senate will then stand in recess until 1:15 p.m., which motion prevailed.

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

ANNOUNCEMENT

PRESIDENT DALRYMPLE ANNOUNCED a presentation on legislative ethics and laws and rules governing the activities and conduct of public officials by Jay E. Buringrud, Assistant Director of the Legislative Council.

REMARKS OF MAJORITY LEADER STENEHJEM

Vaclav Havel once said, "Genuine politics - even politics worthy of the name - the only politics I am willing to devote myself to - is simply a matter of serving those around us: serving the community and serving those who will come after us. Its deepest roots are moral because it is a responsibility expressed through action, to and for the whole."

Each of us is truly blessed to be a part of the Sixtieth Legislative Assembly. The voters in each of our respective districts have given us the immense honor and privilege to serve them in this chamber. With that honor and privilege comes an enormous responsibility. Our constituents expect us to perform and live up to a high standard that is consistent with the position we hold as North Dakota Senators. We must always remember we are servants to the people we represent.

Ethics are difficult to define in a manner that everyone agrees on because not all of us agree on what constitutes right or wrong behavior, what is good or bad, or what is ethical or unethical. My definition includes principled leadership. Principled leadership includes principled values - values such as respect, dignity, honesty, integrity, fairness and compassion. We are here to make decisions - decisions that will affect all of the people in this great state for years to come. The effectiveness of the leadership each of us provides will be a function of the quality of decisions each of us makes. Making those decisions with clear ethics and principles will allow each of us to make better decisions.

As members of the Senate, we need to conserve the public trust with integrity, objectivity and impartiality of government. We need to act at all times in such a way as to uphold the public trust. We must act at all times in a manner that will bear the closest public scrutiny for this chamber is larger than any one of us. We must resolve our official duties versus our private interest conflicts in favor of the public interest. We are obligated to make all decisions in the public interest.

Molleen Matsumura is quoted as saying, "Reason guides our attempt to understand the world about us. Both reason and compassion guide our efforts to apply that knowledge ethically, to understand other people, and have ethical relationships with other people." When we adjourn the Sixtieth Legislative Assembly, I hope we can all look back on this session, hold our heads up high and conclude we left this honorable institution in better shape than when we arrived.

REMARKS OF MINORITY LEADER O'CONNELL

The question is "Where does the Code of Ethics come from?" It starts right here with each and every one of us. We need to be honest, we need to be truthful, especially in all public

communications. I think we all value 'doing the right thing', because it is the 'right' thing. Our constituents expect no less of us.

When in doubt, talk it out! Think: Is it ethical? Is it Legal? Is it OK? Is it right? We need to be sensitive to, and we will address all situations that might raise any appearance of conflict of interest in this chamber.

We must remember that that good laws, if they are not obeyed, do not constitute good government. Hence, there are two parts of good government; one is the actual obedience of citizens to the laws, the other part is the goodness of the laws which they obey.

We have looked at some examples of good ethics. We need to be trustworthy. We need to be honest, we need to keep promises and be loyal. We need to respect everybody in this chamber, give them privacy, be courteous, and most of all, be accountable. What I'm saying, ladies and gentlemen, is "if you don't think that it's right for your children or grandchildren to do it, don't do it."

MOTION

SEN. CHRISTMANN MOVED that the remarks of Majority Leader Stenehjem and Minority Leader O'Connell be printed in the Journal, which motion prevailed.

ANNOUNCEMENT

PRESIDENT DALRYMPLE ANNOUNCED a presentation on sexual harassment issues by Linda Jensen, Director of Training and Development, Human Resource Management Services.

ANNOUNCEMENT

PRESIDENT DALRYMPLE ANNOUNCED a presentation under the legislative wellness program, as required under North Dakota Century Code Section 54-52.1-14. This presentation on stress management was given by a representative of the St. Alexius employee assistance program, Chuck Motis.

MOTION

SEN. CHRISTMANN MOVED that the absent member be excused, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand adjourned until 8:30 a.m., Wednesday, December 6, 2006, which motion prevailed.

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

William R. Horton, Secretary