

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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SECOND DAY

Bismarck, January 7, 1987

The Senate convened at 1:00 p.m., with President Meiers presiding.

The prayer was offered by Reverend Harley Holden, Bethel Assembly of God, Mandan.

Heavenly Father, we pause before You at the opening of this day's session of the Senate, to acknowledge You, to acknowledge our need of You and to ask Your help.

The task we face is awesome. The repercussions and effects of the decisions and laws that are made are often unfathomable to us when we make these decisions.

Also, we feel the responsibility of our fellow North Dakotans, our descendants and the quality of life here, are upon us.

Therefore, we are thankful that we may ask Your help in our decisionmaking process. Furthermore, I ask that when Your wisdom and plans would ask a direction contrary to popular opinion, that there would be a willingness on our part to yield to You as our supreme, all-wise, original lawmaker. Help us, we pray.

In Jesus' Name. Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Tennesos and Vosper.

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 reexamined the Journal of the Second day of the Legislative Organizational and Special Session and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 37, line 26, delete ", which"

On page 37, line 27, delete "motion prevailed" and insert in lieu thereof "and requested a recorded roll call vote on the motion"

## ROLL CALL

The question being on Sen. Nething's motion, the roll was called and there were 41 YEAS, 12 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Langley; Lashkowitz; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Schoenwald; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Axtman; Dotzenrod; Heigaard; Krauter; Lips; Maixner; Mushik; Richard; Satrom; Shea; Stromme; Wogsland

ABSENT AND NOT VOTING: None

Sen. Nething's motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that SB 2901 be amended as follows:

- On page 1, line 4, after the word "date" insert the words "and an expiration date"
- On page 1, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 1, line 23, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 2, line 14, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 2, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 6, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 15, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 4, line 22, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 4, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 7, remove the overstrike over the word "~~three~~" and delete the word "four"

- On page 5, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 16, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 5, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, delete lines 34 and 35 and insert in lieu thereof the following new section:

"SECTION 6. EFFECTIVE DATE - EXPIRATION DATE. The provisions of this Act become effective January 1, 1987, and are ineffective after July 30, 1987. The provisions of sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-08.2, 57-40.2-02.1, and 57-40.3-02 as those sections existed on December 31, 1986, shall be in effect after June 30, 1987."

And renumber the lines and pages accordingly

#### REQUEST

SEN. NETHING REQUESTED a recorded roll call vote on the motion to adopt the proposed minority amendments to SB 2901, which request was granted.

#### ROLL CALL

The question being on Sen. Lashkowitz's motion that the amendment included in the proposed minority report to SB 2901 be adopted, the roll was called and there were 25 YEAS, 28 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Heinrich; Kelly; Kelsh; Lashkowitz; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Peterson; Reiten; Streibel; Tennefos; Thane; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Axtman; Dotzenrod; Freborg; Heigaard; Hilken; Holmberg; Ingstad; Keller; Krauter; Langley; Lips; Maixner; Mathern; Maxson; Meyer, J.; Mushik; Nalewaja; Olson; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Todd; Wogsland

ABSENT AND NOT VOTING: None

The motion to adopt the proposed minority amendments to SB 2901 failed."

SEN. J. MEYER, Chairman

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

## MOTIONS

SEN. MAIXNER MOVED that the Senate dispense with the reading of the report of the Committee on Revision and Correction of the Journal of the Second Day of the Legislative Organizational and Special Session, which motion prevailed.

SEN. LIPS MOVED that SB 2082 be returned to the Senate floor from the Committee on Education, which motion prevailed.

## REQUEST

SEN. LIPS REQUESTED the unanimous consent of the Senate to withdraw SB 2082. There being no objection, it was so ordered 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 Fourth day of the Legislative Organizational and Special Session and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 54, line 41, after "entirety," insert "not"

On page 56, line 7, delete "the final passage of the proposed minority" and insert in lieu thereof "Sen. Lashkowitz's motion that the amendment included in the proposed minority"

On page 56, line 8, delete "report" and after "SB 2901", insert "be adopted"

On page 63, line 30, delete "Tennefos" and insert "Todd"

On page 63, line 41, delete "Todd" and insert "Tennefos"

On page 64, line 2, delete "Welfare" and insert "Services"  
SEN. J. MEYER, Chairman

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

## 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. J. MEYER, Chairman

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

## MOTIONS

SEN. HEIGAARD MOVED that Paula Riehl be placed in nomination for the office of Desk Reporter of the Senate, which motion prevailed.

SEN. WOGSLAND MOVED that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of Paula Riehl as Desk Reporter of the Senate, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Vosper

Paula Riehl was declared elected Desk Reporter of the Senate.

President Meiers then administered the Oath of Office to the Desk Reporter.

REPORT OF PROCEDURAL COMMITTEE

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

1987 SENATE EMPLOYEES

Assistant Secretary of the Senate

Jim Kusler ..... Beulah

Bill Clerk

Deanna Hill ..... Bismarck

Deputy Sergeants-at-Arms

Frank LaQua ..... Bismarck

Vern Thompson ..... Minnewaukan

Assistant Sergeants-at-Arms

Jim Walsh ..... Ellendale

Lance Hagen ..... Ellendale

Paul Janke ..... Fredonia

Chief Stenographer & Payroll Clerk

Maureen Mulhauser ..... Bismarck

Stenographers

Sue Alexander ..... Bismarck  
 Michelle Christensen ..... Fargo  
 Sharon Neukircher ..... Bismarck  
 Alice Zako ..... Bismarck

Chief Committee Clerk

Mary Schmitz ..... Oakes

Appropriations Committee Clerk

Carin Noriega ..... West Fargo

Assistant Appropriations Committee Clerk

Victor Heier ..... Mandan

Committee Clerks

Caryl Hieb ..... Bismarck  
 Nancy Pfenning ..... Mandan  
 Judi Markegaard ..... Bismarck  
 Connie Skager ..... Stanton  
 Kimberly Pollert ..... Litchville  
 Michelle Kalenze ..... Bismarck  
 Nancy Dockter ..... McClusky  
 Mary Haberman ..... Bismarck  
 Jeannette Shaw-Lynch ..... Fargo  
 Michelle Larson ..... Bismarck

Assistant to Committee Clerks

Brenda Miller ..... Mandan

Secretary to Majority Leader

Sandi Kershaw ..... McKenzie

Assistant Secretary to Majority Leader

Wanda Scheid ..... Hazen

Secretary to Minority Leader

Jan Steinle ..... Bismarck

Assistant Secretary to Minority Leader

Marius Rogneby ..... Bismarck

Chief Page & Bill Book Clerk

Lucy Miller ..... St. Anthony

Desk Page

Stephanie Gullickson ..... Mandan

Journal Page

David Hetland, Jr. .... Hannaford

Pages

LeLand Barth ..... Solen

Scott Swanson ..... Bismarck

Jacki Giovannoni ..... Bismarck

Diane Larson ..... Bismarck

Mae DelaBarre ..... Grand Forks

Bill Book Clerks

Brett Lloyd ..... Lisbon

Viola Wraalstad ..... Bismarck

Frank Christensen ..... Cooperstown

Chief Telephone Attendant

Renee Bullinger ..... Mandan

Telephone Attendants

Arlyne Hight ..... Bismarck

Ruby Stadick ..... Underwood

Stephanie Ohlhauser ..... Kramer

Telephone Page

Janet Britton ..... Bismarck

Information Desk Attendant

Janice Clancy ..... Bismarck

Bill Room Clerks

Delano Huston ..... Bismarck

Selma Carlson ..... Mandan

Ledores Robey ..... Bismarck

Fred Schulz ..... Streeter

Journal Room Clerks

Nettie Monroe ..... Bismarck  
 Joan Nelson ..... Bismarck

Parking Lot Attendant

Jeff Heider ..... McCanna  
 SEN. SATROM, Chairman

## 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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Vosper

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

## MOTIONS

SEN. TALLACKSON MOVED that SB 2002 be returned to the Senate floor from the **Committee on Appropriations**, which motion prevailed.

SEN. TALLACKSON MOVED that SB 2002 be rereferred to the **Committee on Education**, which motion prevailed.

SEN. D. MEYER MOVED that SB 2121, SB 2124, and SB 2125 be returned to the Senate floor from the **Committee on State and Federal Government**, which motion prevailed.

SEN. D. MEYER MOVED that SB 2121, SB 2124, and SB 2125 be rereferred to the **Committee on Education**, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your **Committee on Finance and Taxation** to which was referred SB 2217 has had the same under consideration and recommends that the same DO PASS.

SEN. SATROM, Chairman



SB 2217 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 2120 has had the same under consideration and recommends that the same DO PASS.

SEN. D. MEYER, Chairman

SB 2120 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 2119 has had the same under consideration and recommends that the same DO PASS.

SEN. D. MEYER, Chairman

SB 2119 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTIONS

**SEN. HEIGAARD MOVED** that the absent Senators be excused, which motion prevailed.

**SEN. HEIGAARD MOVED** that the Senate be on the Fifth order of business and at the conclusion of the Fifth order of business, and the Ninth order of business, and after the reading of SB 2217, SB 2119, and SB 2120 that the Senate stand in recess until 2:00 p.m. at which time it will meet in the House Chambers in Joint Session with the House of Representatives, and after the Joint Session with the House, the Senate stand adjourned until 1:00 p.m. on Thursday, January 8, 1987, which motion prevailed.

PERRY GROTBORG, Secretary