

JOURNAL OF THE SENATE - SPECIAL SESSION

Fifty-seventh Legislative Assembly

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Bismarck, November 28, 2001

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

The prayer was offered by Senator Robinson.

The roll was called and all members were present.

A quorum was declared by the President.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Employment Committee (Sen. MUTCH, Chairman)** recommends the following Senate employees for the special session of the Fifty-Seventh Legislative Assembly:

Bill Horton	Secretary of the Senate
Karen Hoovestol	Journal Reporter
Mel Beckler	Sergeant-at-Arms
Renae Doan	Administrative Assistant to the Majority Leader
Kileigh Gard	Administrative Assistant to the Minority Leader
Shelby Schantz	Page (Majority position)
Amber Hill	Page (Minority position)
Peggy Iszler	Information Desk Attendant
Vonnie Pietsch	Committee Clerk
Sandra Johnson	Committee Clerk

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

SECOND READING OF HOUSE BILL

HB 1480: A BILL for an Act to amend and reenact subsections 1, 2, 3, and 8 of section 12.1-32-15 of the North Dakota Century Code, relating to registration requirements for sexual offenders and offenders against children; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

HB 1480 passed and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1480.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 11:45 a.m., which motion prevailed.

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

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1480.

MOTION

SEN. STENEHJEM MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Bowman presiding.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HB 1480.

MOTION

SEN. STENEHJEM MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

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

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Watne, Chairman)** has carefully reexamined the Journal of the First Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1681, line 13, after the hyphen, replace "01" with "10"

Page 1682, line 20, after the underscored hyphen, replace "01" with "10"

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

MOTION

SEN. STENEHJEM MOVED that the Senate resolve itself into a Confirmation Session, which motion prevailed.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Krebsbach, Chairman)** appointed to consider the nomination of the Commissioner to the North Dakota Office of Securities do advise and consent to the nomination of Karen Tyler.

SEN. KREBSBACH MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Karen Tyler as the Commissioner to the North Dakota Office of Securities", the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroepflin; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern, D.; Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Heitkamp; Kringstad; Mathern, T.; Polovitz; Tomac

The Senate advises and consents to the nomination of Karen Tyler as the Commissioner to the North Dakota Office of Securities.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Watne, Chairman)** appointed to consider the nomination for the North Dakota Gaming Commission do advise and consent to the nomination of Lois Altenburg.

SEN. WATNE MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Lois Altenburg for the North Dakota Gaming Commission", the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern, D.;

Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Mathern, T.; Polovitz

The Senate advises and consents to the nomination of Lois Altenburg for the North Dakota Gaming Commission.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Grindberg, Chairman)** appointed to consider the nomination for the North Dakota State Board of Higher Education do advise and consent to the nomination of Bruce Christianson.

SEN. GRINDBERG MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Bruce Christianson for the North Dakota State Board of Higher Education", the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern, D.; Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Mathern, T.; Polovitz

The Senate advises and consents to the nomination of Bruce Christianson for the North Dakota State Board of Higher Education.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Schobinger, Chairman)** appointed to consider the nomination of the Commissioner of the North Dakota Department of Financial Institutions do advise and consent to the nomination of Timothy Karsky.

SEN. SCHOBINGER MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Timothy Karsky as the Commissioner of the North Dakota Department of Financial Institutions", the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern, D.; Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Mathern, T.; Polovitz

The Senate advises and consents to the nomination of Timothy Karsky as the Commissioner of the North Dakota Department of Financial Institutions.

MOTION

SEN. STENEHJEM MOVED that the Confirmation Session be dissolved, which motion prevailed.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate stand adjourned until 9:00 a.m., Thursday, November 29, 2001, which motion prevailed.

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

WILLIAM R. HORTON, Secretary