

JOURNAL OF THE SENATE

Fifty-eighth Legislative Assembly

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Bismarck, January 9, 2003

The Senate convened at 12:00 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor Tim Jenks, Bethel Lutheran, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3009.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Stenehjem, O'Connell and Reps. Berg, Boucher introduced:

SCR 4003: A concurrent resolution welcoming Chairman Tex Hall of the Three Affiliated Tribes to the North Dakota Legislative Assembly and to commend Chairman Hall and the leaders of all American Indian people in North Dakota for their work to improve our state.

Was read the first time.

MOTION

SEN. STENEHJEM MOVED that the rules be suspended, that SCR 4003 not be printed, not be referred to committee, not be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Stenehjem, O'Connell and Reps. Berg, Boucher introduced:

SENATE CONCURRENT RESOLUTION NO. 4003

A concurrent resolution welcoming Chairman Tex Hall of the Three Affiliated Tribes to the North Dakota Legislative Assembly and to commend Chairman Hall and the leaders of all American Indian people in North Dakota for their work to improve our state.

WHEREAS, members of the Fifty-eighth Legislative Assembly wish to improve North Dakota's relationship and cooperation with the sovereign Indian tribes of our great state; and

WHEREAS, the Legislative Assembly has worked to promote job creation and generate a more dynamic economy for American Indian people in North Dakota; and

WHEREAS, the Mandan, Hidatsa, and Arikara Nation, Turtle Mountain Band of Chippewa, Spirit Lake Nation, Standing Rock Nation, and Sisseton-Wahpeton Sioux Tribe share a common destiny with all citizens of the state of North Dakota; and

WHEREAS, like all leaders in service to citizens, tribal leaders have worked to improve economic opportunities, education, and health care for American Indian people; and

WHEREAS, Chairman Hall is an enrolled member of the Mandan, Hidatsa, and Arikara Nation and has been elected chairman of the Three Affiliated Tribes; and

WHEREAS, Chairman Hall has distinguished himself as a national leader and advocate for American Indian people as President of the National Congress of American Indians; and

WHEREAS, Chairman Hall will address the members of the Fifty-eighth Legislative Assembly in a joint session on Thursday, January 9, 2003, to report on the important relationship between the state of North Dakota and the tribal governments of North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-eighth Legislative Assembly welcomes Chairman Tex Hall of the Three Affiliated Tribes and thanks Chairman Hall and all leaders of the American Indian people of North Dakota for their work to improve our state; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Tribal Business Council of the Mandan, Hidatsa, and Arikara Nation; to the Tribal Council of the Turtle Mountain Band of Chippewa; to the Tribal Council of the Spirit Lake Nation; to the Tribal Council of the Standing Rock Sioux; and to the Tribal Council of the Sisseton-Wahpeton Sioux Tribe.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution welcoming Chairman Tex Hall of the Three Affiliated Tribes to the North Dakota Legislative Assembly and to commend Chairman Hall and the leaders of all American Indian people in North Dakota for their work to improve our state.

The question being on the final adoption of the resolution, which has been read.

SCR 4003 was declared adopted on a voice vote.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended and SCR 4003 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4003.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3009: A concurrent resolution urging Congress to provide sufficient emergency natural disaster assistance for farmers and ranchers.

Was read the first time.

MOTION

SEN. BOWMAN MOVED that the rules be suspended, that HCR 3009 not be printed, not be referred to committee, not be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Kempenich, D. Johnson, Froelich and Sens. Bowman, Flakoll, Klein introduced:

HOUSE CONCURRENT RESOLUTION NO. 3009

A concurrent resolution urging Congress to provide sufficient emergency natural disaster assistance for farmers and ranchers.

WHEREAS, natural disasters can take many forms, including drought, excessive moisture, hurricanes, earthquakes, floods, excessive heat, and insect devastation; and

WHEREAS, natural disasters are a constant threat to America's farmers and ranchers and can severely hurt even the best run agricultural operations; and

WHEREAS, natural disasters devastated United States agricultural producers in 2001 and 2002; and

WHEREAS, farmers and ranchers need more disaster assistance than is available under current programs to pay all or part of the production costs incurred during the disaster years, to pay essential family living expenses, to reorganize farming and ranching operations, and to refinance certain agricultural debts; and

WHEREAS, North Dakota state university estimated that North Dakota producers incurred \$168 million in net crop losses and \$55 million in direct livestock losses due to drought conditions in 2002; and

WHEREAS, North Dakota state university estimated that this state has incurred more than \$866 million in direct and indirect economic losses due to drought conditions in 2002; and

WHEREAS, passing emergency natural disaster assistance is the single-most important action that the United States Congress can take for farmers, ranchers, and rural communities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-eighth Legislative Assembly urges the Congress to provide sufficient emergency natural disaster assistance for farmers and ranchers; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Secretary of the United States Department of Agriculture, and to each member of the North Dakota Congressional Delegation.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3009: A concurrent resolution urging Congress to provide sufficient emergency natural disaster assistance for farmers and ranchers.

The question being on the final adoption of the resolution, which has been read.

HCR 3009 was declared adopted on a voice vote.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended and HCR 3009 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3009.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed unchanged: SCR 4003.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fifth and Ninth orders of business and at the conclusion of those orders, the Senate stand in recess until 1:00 p.m., at which time it will meet in the House chamber for a Joint Session, and after the Joint Session, the Senate stand adjourned until 12:30 p.m., Friday, January 10, 2003, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2050: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2050 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2051: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2051 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2080: Transportation Committee (Sen. Trenbeath, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2080 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2092: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2092 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2110: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2110 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2126: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2126 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4002: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4002 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Trenbeath, Grindberg, Krebsbach and Reps. F. Klein, Monson, Tieman introduced:

SB 2173: A BILL for an Act to amend and reenact sections 11-11.1-03 and 11-11.1-04 and subsection 29 of section 57-15-06.7 of the North Dakota Century Code, relating to property tax levy authority for tourism promotion by a job development authority or industrial development organization; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Lyson, Erbele, Trenbeath and Reps. Delmore, Norland introduced:

SB 2174: A BILL for an Act to amend and reenact section 14-09-22 of the North Dakota Century Code, relating to the use of corporal punishment.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Polovitz, Christenson, Tollefson and Reps. Herbel, Potter introduced:

SB 2175: A BILL for an Act to amend and reenact section 40-08-15 of the North Dakota Century Code, relating to the compensation of a mayor.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. Wardner, Brown, Nelson and Reps. Glassheim, Haas, N. Johnson introduced:

SB 2176: A BILL for an Act to amend and reenact section 54-52.1-03.1 of the North Dakota Century Code, relating to participation by retired political subdivision employees in the uniform group insurance program.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Wardner, Urlacher and Reps. Haas, N. Johnson, Wald introduced:

SB 2177: A BILL for an Act to amend and reenact section 15.1-21-03 of the North Dakota Century Code, relating to instructional time for high school units.

Was read the first time and referred to the **Education Committee**.

Sen. Urlacher and Reps. Haas, F. Klein introduced:

SB 2178: A BILL for an Act to amend and reenact section 2-06-09 of the North Dakota Century Code, relating to the termination of an airport authority.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Cook, Bercier, Trenbeath and Reps. Dosch, Schmidt, Weisz introduced:

SB 2179: A BILL for an Act to amend and reenact section 49-10.1-19 of the North Dakota Century Code, relating to the provision of a written critical incident stress debriefing policy.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Krauter, Erbele, Fairfield and Reps. Froelich, Kerzman introduced:

SCR 4004: A concurrent resolution urging Congress to enact a comprehensive emergency disaster aid package for crop and livestock producers who suffered economic losses as a result of weather-related disasters in 2001 and 2002.

Was read the first time and referred to the **Agriculture Committee**.

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

WILLIAM R. HORTON, Secretary