

Organizational and Orientation Session
December 4, 5, 6, 1984

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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Bismarck, December 4, 1984

At the hour of 9:00 a.m., on the fourth day of December, 1984, according to the Constitution and Statutes of the State of North Dakota, the holdover members and members elected to the Senate of the Forty-ninth Legislative Assembly of the State of North Dakota, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, and were called to order by the Honorable Ernest M. Sands, Lieutenant Governor of the State of North Dakota.

CERTIFICATION

The list of the qualified members and holdover members as certified by the Secretary of State was read by the 1983 Secretary of the Senate, Leo Leidholm, as follows:

Secretary of the Senate
Forty-ninth Legislative Assembly
Bismarck, North Dakota 58505

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of those duly elected as members of the Senate of the Forty-ninth Legislative Assembly of the State of North Dakota:

Dist No. - Counties or Parts Thereof	Name	Address
2. Williams, Divide	Bruce Bakewell	Fortuna
4. Mountrail, Burke, Divide	Stanley Wright	Stanley
6. Bottineau, McHenry	Mark Adams	Lansford
8. McLean	Layton Freborg	Underwood
10. Cavalier, Towner, Walsh	Bill Heigaard	Langdon
12. Benson, Eddy, Ramsey	Byron Langley	Warwick
14. Wells, Foster	Bryce Streibel	Fessenden
16. Walsh	Harvey D. Tallackson	Grafton
17. Grand Forks	Jack Ingstad	Grand Forks
&		
18. Grand Forks		

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20.	Grand Forks, Traill	Malcolm S. Tweten	Buxton
22.	Cass	Gary J. Nelson	Casselton
24.	Barnes		
26.	Dickey, Sargent, Ransom	Jerome Kelsh	Fullerton
28.	Logan, LaMoure, Dickey, Barnes	Don Moore	Forbes
30.	Emmons, McIntosh, Burleigh, Logan	L. L. "Pete" Naaden	Braddock
32.	Burleigh	Bonnie Miller Heinrich	Bismarck
34.	Morton	Corliss Mushik	Mandan
36.	McKenzie, Dunn	Dean Meyer	Watford City
38.	Stark	Ray David	Dickinson
40.	Ward	Chester Reiten	Minot
&		Rolland W. Redlin	Minot
50.	Ward		
42.	Grand Forks	Wayne Stenehjelm	Grand Forks
43.	Grand Forks	R. V. Shea	Grand Forks
44.	Cass	Curtis N. Peterson	Fargo
46.	Cass	Jens J. Tennefos	Fargo
48.	Stutsman	David E. Nething	Jamestown
52.	Burleigh	Joseph A. Satrom	Bismarck
53.	Morton	Walter Meyer	Flasher

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 4th day of December, 1984.

BEN MEIER
Secretary of State
State of North Dakota

Secretary of the Senate
Forty-ninth Legislative Assembly
Bismarck, North Dakota 58505

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of the holdover Senators, elected at the general election in 1982, and duly qualified by the Forty-eighth Legislative Assembly.

Dist No. - Counties or Parts Thereof	Name	Address
1. Williams	Frank A. Wenstrom	Williston
3. Renville, Ward	Mrs. Darrell (Jerry) Meyer	Berthold
5. Ward	Hal Christensen	Minot
7. McHenry, Pierce	William "Bill" Parker	Rugby
9. Rolette	Phillip Berube	Rolla
11. Pembina, Walsh	F. Kent Vosper	Neche
13. Cass	Clayton A. Lodoen	West Fargo

15.	Ramsey	Floyd Stromme	Devils Lake
17.	Grand Forks	Raymon E. Holmberg	Grand Forks
&			
18.	Grand Forks		
19.	Grand Forks	Duane Mutch	Larimore
21.	Cass	Herschel Lashkowitz	Fargo
23.	Nelson, Griggs, Steele	Dan Wogsland	Hannaford
25.	Richland	Russell T. Thane	Wahpeton
27.	Ransom, Richland	James A. Dotzenrod	Wyndmere
29.	Stutsman	Art Todd	Jamestown
31.	Burleigh, Sheridan, Kidder	E. Gene Hilken	Wilton
33.	Mercer, Oliver	Jim Kusler	Beulah
35.	Grant, Hettinger, Sioux	Adam Krauter	Regent
37.	Stark	Gerald J. Waldera	Dickinson
39.	Adams, Bowman, Billings, Golden Valley, Slope	R. R. (Rick) Maixner	New England
41.	Ward	Jerome L. Walsh	Minot
45.	Cass	Thomas Matchie	Fargo
47.	Burleigh	Evan E. Lips	Bismarck
49.	Burleigh	John M. Olson	Bismarck
51.	Cass	Donald J. Kilander	Fargo

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 4th day of December, 1984.

BEN MEIER
Secretary of State
State of North Dakota

MOTION

SEN. NOTHING MOVED that Senator Earl M. Kelly from District 24 be provisionally seated pending the outcome of a recount in that district, which motion prevailed.

ROLL CALL

The roll was called and all Senate members were present.

A quorum was declared by the President.

OATH OF OFFICE

SEN. NOTHING MOVED that a committee of two be appointed to escort Associate Justice H. F. Gierke III of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the Oath of Office to the newly elected Senators, which motion prevailed.

THE PRESIDENT APPOINTED as such committee, Senators Lips and Dean Meyer. Associate Justice Gierke was escorted to the rostrum

and administered the Oath of Office to the newly elected Senators.

PRAYER

The prayer was offered by Rev. George A. Walker, Associate Superintendent, North Central District Association of the Evangelical Free Church of America.

Almighty God, we come before You on this the opening day of the organizational session of the Senate of our great state. We seek Your direction to this Senate as they work through the agenda of this day. We pray that as these men and women fulfill the responsibilities of their office, they shall not forget that they not only represent the people of our state who elected them, but also, as we read in the Holy Scriptures, they are Your ministers for the good of the people. Thank You for the privilege given to these Senators to serve You, our great state, the people who elected them, and may each of them be faithful to the responsibilities given them. In all things we pray, with thanksgiving, in the name of our Savior Jesus Christ. Amen.

Mr. John Olsrud, Director of the Legislative Council, explained the legislators' packets and other materials that were distributed to the desks of the Senate members.

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 1:30 p.m., which motion prevailed.

The Senate reconvened at 1:30 p.m., pursuant to recess taken, President Sands presiding.

MOTIONS

SEN. NETHING MOVED that the name of Leo Leidholm of McLean County be placed in nomination for the office of Secretary of the Senate.

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

ROLL CALL

The question being on the selection of Leo Leidholm as Secretary of the Senate, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjelm; Streibel;

Stromme; Tallackson; Tennefos; Thane; Todd; Tweten;
Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kelly

Leo Leidholm was declared elected Secretary of the Senate. President Sands then administered the Oath of Office to the Secretary of the Senate.

SEN. NETHING MOVED that the name of Doris McMahon of Burleigh County be placed in nomination for the office of Desk Reporter of the Senate.

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

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David;
Dotzenrod; Freborg; Heigaard; Heinrich; Hilken;
Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler;
Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie;
Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch;
Naaden; Nelson; Nething; Olson; Parker; Peterson;
Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel;
Stromme; Tallackson; Tennefos; Thane; Todd; Tweten;
Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kelly

Doris McMahon was declared elected Desk Reporter of the Senate. President Sands then administered the Oath of Office to the Desk Reporter.

SEN. NETHING MOVED that the name of Olger Sandven of Benson County be placed in nomination for the office of Sergeant-at-Arms of the Senate.

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

ROLL CALL

The question being on the selection of Olger Sandven as Sergeant-at-Arms of the Senate, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kelly

Olger Sandven was declared elected Sergeant-at-Arms of the Senate. President Sands then administered the Oath of Office to the Sergeant-at-Arms.

ELECTION OF PRESIDENT PRO TEM

SEN. WRIGHT: Mr. President, I move Senator Chester Reiten to the position of President Pro Tem of the Senate.

Mr. President, Senator Chester Reiten has been a member of the North Dakota state Senate since the 1973 Session. He has served on the Industry, Business, and Labor Committee since coming to the Senate and has been chairman of the committee for the past four sessions. Senator Reiten has also been Mayor of the city of Minot for thirteen years. He also serves as Chairman of the Board of the Trinity Hospital at Minot. Senator Reiten is in the radio and television business. He currently is president and owner of four television stations in the central and western portion of the state of North Dakota. Before becoming involved in the broadcasting business, Senator Reiten was a county agent in Wells County, North Dakota. Mr. President, as I said before, it gives me great pleasure in placing the Honorable Senator Reiten as President Pro Tem of the North Dakota Senate this Forty-ninth Session.

SEN. MATCHIE: Mr. President, I would like to move the nomination of Senator Herschel Lashkowitz from our party for the position of President Pro Tem of the North Dakota Senate.

Mr. President, Senator Lashkowitz is known to you all, perhaps better than most of us. He is a good lawyer, a thorough politician, and a great human being. Senator Lashkowitz has been involved in major politics in North Dakota since the 1950's. He is a long-time leader in city government, and he has been involved in the North Dakota Senate since the mid-60's. Senator Lashkowitz is, I think, a person of government. He knows its complexities, and he is good at the process, but more than this, this Senator simply works well with all kinds of people--people of

different parties, regions, and ages. I don't think there is anybody in North Dakota that doesn't know or who wouldn't want to shake hands with Herschel Lashkowitz, and so I nominate him as a person of wisdom, insight, and a good friend.

MOTION

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

ROLL CALL

The question being on the nomination of President Pro Tem, the roll was called and there were 28 VOTES FOR REITEN, 24 VOTES FOR LASHKOWITZ, 1 ABSENT AND NOT VOTING.

VOTES FOR REITEN: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Ingstad; Kilander; Lashkowitz; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

VOTES FOR LASHKOWITZ: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Reiten; Satrom; Shea; Stromme; Tallackson; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Kelly

Senator Reiten was elected President Pro Tem.

SEN. LASHKOWITZ: Mr. President, members of the Chamber, I want to acknowledge my gratitude to the fine gesture of support from the members of the Senate. It was a tough, grueling struggle. It kept me on the edge of my chair. Thank goodness the suspense is over. But really the wisdom of the Senate shown through traditionally, and I want to congratulate not only the distinguished winner but also the Senate for its choice of the very highly respected and great Mayor of Minot. I am sure that Chester Reiten will make an excellent President Pro Tem so it pleases me to offer a motion that Senator Reiten be named President Pro Tem by unanimous vote of this body.

SEN. NETHING: Mr. President, I move that a committee of two be appointed to escort the Honorable President Pro Tem to the rostrum. The motion prevailed, and the President appointed as such committee, Senators Wright and Lashkowitz.

President Pro Tem Reiten was escorted to the rostrum and the President administered the Oath of Office.

PRESIDENT PRO TEM REITEN: I want to thank my distinguished colleague from the 21st district for those very kind words. When called upon to serve as President Pro Tem of the Senate I shall try my best to perform the duties in a manner to do honor to this body. Thank you very much.

ADOPTION OF TEMPORARY RULES

SEN. NETHING MOVED that the Senate and Joint Legislative Rules of the Forty-eighth Legislative Assembly, with amendments, be adopted as the temporary rules of the Senate for the Forty-ninth Legislative Assembly, which motion prevailed.

SELECTION OF SENATE SEATS

PRESIDENT SANDS ANNOUNCED that Senate seats will be selected and preference would be given to those with the greatest seniority as follows:

1985

MEMBERS OF SENATE (1985 Session not included)

REPUBLICAN

1985

MEMBERS OF SENATE

SENATE SENIORITY TABLE:

NAME	SESSIONS SERVED	TOTAL SENATE SESSIONS	TOTAL LEGISLATIVE SESSIONS
Lips, Evan E.	1961-63-65-67-69-71-73- 75-77-79-81-83	12	12
Mutch, Duane	1959-61-63-65-67-69-71- 73-75-79-81-83	12	12
Wenstrom, Frank A.	1957-59-67-69-71-73-75- 77-79-81-83	11	11
Nething, David E.	1967-69-71-73-75-77-79- 81-83	9	9
Thane, Russell T.	1971-73-75-77-79-81-83	7	7
Naaden, Pete	1973-75-77-79-81-83	6	6
Reiten, Chester	1973-75-77-79-81-83	6	6
Wright, Stanley	1973-75-77-79-81-83	6	6
Christensen, Hal	(House 1973)-75-77-79- 81-83	5	6
Peterson, Curtis N.	1973-77-79-81-83	5	5
Vosper, F. Kent	1975-77-79-81-83	5	5
Lodoen, Clayton A.	(House 1973)-77-79-81- 83	4	5
Tennefos, Jens J.	(House 1975)-77-79-81- 83	4	5
Holmberg, Ray	1977-79-81-83	4	4
Nelson, Gary J.	1977-79-81-83	4	4

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Streibel, Bryce	(House 1957-59-63-65-67-69-71-73)-81-83	2	10
Tweten, Malcolm S.	(House 1973-75-77-79) 81-83	2	6
Stenehjem, Wayne	(House 1977-79)-81-83	2	4
Moore, Don	(House 1971)-81-83	2	3
Adams, Mark	1981-83	2	2
Bakewell, Bruce	1981-83	2	2
Parker, William C.	1981-83	2	2
Kelly, Earl M.	1965-67	2	2
David, Ray	1983	1	1
Kilander, Donald J.	1983	1	1
Olson, John M.	1983	1	1
Todd, Art	1983	1	1
Freborg, Layton W.	(House 1973-75-79-81)	0	4
Ingstad, Jack		0	

DEMOCRAT

1985

MEMBERS OF SENATE

(1985 Session not included)

SENATE SENIORITY TABLE:

NAME	SESSIONS SERVED	TOTAL SENATE SESSIONS	TOTAL LEGISLATIVE SESSIONS
Berube, Phillip	1953-55-57-59-61-63-65-67-69-71-73-75-77-79-81-83	16	16
Redlin, Rolland W.	1959-61-63-73-75-77-79-81-83	9	9
Lashkowitz, Herschel	1965-75-77-79-81-83	6	6
Walsh, Jerome L.	(House 1971)-75-77-79-81-83	5	6
Tallackson, Harvey D.	1977-79-81-83	4	4
Dotzenrod, James A.	1979-81-83	3	3
Heinrich, Bonnie	1977-79-[Nov. 81]-83	3	3
Krauter, Adam	1977-79-83	3	3
Stromme, Floyd	1981-83	2	2
Maixner, Rick	(House 1977-79)-83	1	3
Matchie, Thomas	(House 1977-81)-83	1	3
Heigaard, William S.	(House 1981)-[Nov. 81]-83	1	2
Hilken, E. Gene	1983	1	1
Kusler, Jim	1983	1	1
Meyer, Dean	1983	1	1
Meyer, Jerry	1983	1	1
Satrom, Joseph A.	1983	1	1
Waldera, Jerry	1983	1	1

Wogsland, Dan	1983	1	1
Mushik, Corliss	(House 1971-75-77-79 81-83)	0	6
Meyer, Walter A.	(House 1975-77-79-81-83)	0	5
Langley, Byron	(House 1973-75-77-79)	0	4
Kelsh, Jerome		0	
Shea, R. V.		0	

PROCEDURAL COMMITTEES

SEN. NOTHING MOVED that a committee of three be appointed to notify the Governor and the House that the Senate is organized and ready to transact business, which motion prevailed. The President appointed as such committee, Senators Tennesfos, Bakewell, and Langley.

SEN. NOTHING MOVED that a committee of seven be appointed to form, with the Majority Leader, the **Committee on Committees**, which motion prevailed. The President appointed as such committee, Senators Nelson, Naaden, Lodoen, Reiten, Heigaard, Matchie, and Heinrich.

SEN. NOTHING MOVED that a committee of five be appointed to act as a **Committee on Delayed Bills**, which motion prevailed. The President appointed as such committee, Senators Tennesfos, Mutch, Nelson, Kusler, and Tallackson.

SEN. NOTHING MOVED that a committee of three be appointed to act as a **Committee on Arrangements for Senate Committee Rooms**, which motion prevailed. The President appointed as such committee, Senators Thane, Todd, and Wogsland.

SEN. NOTHING MOVED that a committee of five be appointed to act as a **Committee on Employment**, which motion prevailed. The President appointed as such committee, Senators Naaden, Nelson, Reiten, W. Meyer, and Satrom.

SEN. NOTHING MOVED that a committee of three be appointed to act as a **Committee on Correction and Revision of the Journal**, which motion prevailed. The President appointed as such committee, Senators David, Kelly, and J. Meyer.

SEN. NOTHING MOVED that a committee of five be appointed to act as a **Committee on Enrollment and Engrossment**, which motion prevailed. The President appointed as such committee, Senators Bakewell, Tweten, Ingstad, Krauter, and Shea.

SEN. NOTHING MOVED that a committee of nine be appointed to act as a **Committee on Senate and Joint Rules**, which motion prevailed. The President appointed as such committee, Senators Streibel, Nething, Nelson, Reiten, Naaden, Lashkowitz, Maixner, Redlin, and Waldera.

SEN. NOTHING MOVED that a committee of three be appointed to act as a **Committee on Photography**, which motion prevailed. The

President appointed as such committee, Senators Parker, Freborg, and Kelsh.

SEN. NOTHING MOVED that a committee of three be appointed to act with a like committee from the House, as an **Inaugural Planning Committee**, which motion prevailed. The President appointed as such committee, Senators Adams, Kilander, and Hilken.

SEN. TENNEFOS ANNOUNCED that the committee appointed to notify the Governor and the House that the Senate is organized and ready to transact business has completed its task and requested that the committee be discharged, which request was granted.

The Committee from the House was received and informed the Senate that the House is organized and ready to transact business.

SEN. NOTHING MOVED that the Senate adjourn until 9:00 a.m., Wednesday, December 5, 1984, which motion prevailed.

LEO LEIDHOLM, Secretary