

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, January 5, 1989

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

The prayer was offered by Rev. Forrest Erickson, Pastor, Grace Lutheran Brethren Church, Bismarck.

Heavenly Father, we come before you today with thanksgiving in our hearts for the blessings of a nation and of a state where we may govern ourselves in freedom. We ask that you will grant our lawmakers wisdom and divine guidance as they face many difficult issues. Grant them hearts that are truly sensitive to your will so that their decisions will reflect righteousness and justice. Grant them good health and clear minds so that they may be able to carry on to completion the tasks set before them. And give to them and give to us all the desire and determination to conduct our lives in such a way that all who see and hear us may be moved to give glory and honor to you.

Now, Father, we commit this day to you, asking for your grace and strength. In the name of Jesus Christ I pray. Amen.

The roll was called and all Senators were present.

A quorum was declared by the President.

CORRECTION and REVISION of the JOURNAL (Sen. Axtman, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the First Day and finds it to be correct.

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

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Transportation (Sen. Hilken, Chairman) to which was referred SB 2132 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SB 2132 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources (Sen. Krauter, Chairman) to which was referred SCR 4004 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SCR 4004 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. MAIXNER MOVED that SB 2206 be returned to the Senate floor from the Committee on Industry, Business and Labor and be rereferred to the Committee

on Agriculture, which motion prevailed. Pursuant to Sen. Maixner's motion, SB 2206 was rereferred.

SEN. SATROM MOVED that SB 2069 be returned to the Senate floor from the Committee on Finance and Taxation and be rereferred to the Committee on Political Subdivisions, which motion prevailed. Pursuant to Sen. Satrom's motion, SB 2069 was rereferred.

SEN. KELSH MOVED that SB 2048, SB 2049, SB 2050, and SB 2053 be returned to the Senate floor from the Committee on Human Services and Veterans Affairs and be rereferred to the Committee on Judiciary, which motion prevailed. Pursuant to Sen. Kelsh's motion, SB 2048, SB 2049, SB 2050, and SB 2053 were rereferred.

FIRST READING OF SENATE BILLS

Sens. Todd, Nelson, Tennesos and Reps. D. Larson, Goetz, Marks introduced:

SB 2265: A BILL for an Act to amend and reenact section 20.1-01-17 of the North Dakota Century Code, relating to posting of lands to prohibit hunting.

Was read the first time and referred to the Committee on Natural Resources.

Sens. Yockim, Hanson and Reps. Nelson, Gerhardt introduced:

SB 2266: A BILL for an Act to amend and reenact section 15-27.2-05 of the North Dakota Century Code, relating to the effective date of annexations of school districts.

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

Sens. Stenehjem, Freborg, Mushik and Rep. Kretschmar introduced:

SB 2267: A BILL for an Act to amend and reenact section 16.1-03-12 of the North Dakota Century Code, relating to election of delegates to state party conventions.

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

Sens. Olson, Lips, Heinrich and Reps. Martinson, Hoffner introduced:

SB 2268: A BILL for an Act to authorize the director of institutions to sell and convey certain land owned by the state of North Dakota to Burleigh County for use as fairgrounds.

Was read the first time and referred to the Committee on State and Federal Government.

Sen. Stenehjem introduced:

SB 2269: A BILL for an Act to amend and reenact section 44-03-04 of the North Dakota Century Code, relating to residency requirements of deputy clerks of district courts.

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

Sens. Langley, Olson and Reps. Flaagan, Timm, V. Thompson introduced:

SB 2270: A BILL for an Act to create and enact a new section to chapter 24-02 of the North Dakota Century Code, relating to formation, composition, and duties of the special road advisory committee; and to amend and reenact section 24-02-37 of the North Dakota Century Code, relating to investment of the state highway fund and the use of income generated for roads benefiting recreational, tourist, and historical areas.

Was read the first time and referred to the Committee on Transportation.

Sens. Langley, Nething and Reps. Dorso, Oban introduced:

SB 2271: A BILL for an Act to amend and reenact section 26.1-25-04.1 of the North Dakota Century Code, relating to premium reductions for accident prevention course completion.

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

Sens. Mutch, Freborg and Rep. Shide introduced:

SB 2272: A BILL for an Act to create and enact a new section to chapter 19-02, a new section to chapter 19-02.1, a new section to chapter 19-08, and a new section to chapter 19-17 of the North Dakota Century Code, relating to the sale and use of home-prepared foods.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

Sens. Waldera, Wogsland, Thane and Reps. Kelly, Wentz, Haugland introduced:

SB 2273: A BILL for an Act providing an appropriation to pay for the expenses of the constitutional celebration committee.

Was read the first time and referred to the Committee on Appropriations.

Sens. Redlin, O'Connell introduced:

SB 2274: A BILL for an Act to create and enact a new section to chapter 63-01.1 of the North Dakota Century Code, relating to a noxious weed control fee; and to provide for a continuing appropriation.

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

Sen. Moore introduced:

SB 2275: A BILL for an Act to amend and reenact section 15-34.2-07.1 of the North Dakota Century Code, relating to school district fuel purchases by negotiation.

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

Sens. Krauter, Kelsh and Reps. O'Shea, Martin introduced:

SB 2276: A BILL for an Act to amend and reenact section 38-09-15.1 of the North Dakota Century Code, relating to the sale of private mineral interests at public offerings for state mineral leases.

Was read the first time and referred to the Committee on Natural Resources.

POINT OF PERSONAL PRIVILEGE

SEN. KRAUTER: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President, ladies and gentlemen of the Senate. I want to take this opportunity to give special recognition to the New England-Regent-New England St. Mary's football team. On November 12, 1988, they captured the state Class "B" Nine-man Football Championship.

The capable coaching of Mike Schatz and assistant coaches Jeff Horner, Rick Gordon, and Shawn Flaherty, along with the team efforts and combined performance of all team members, obtained for them a season record of 12 wins and no losses. The championship playoff between Page, Hope, Clifford, and Galesburg again proved the team performance of New England-Regent-New England St. Mary's with a final score of 36 to 33. Star players of the team were Todd Sheldon, Gregg Klein, Shorty Klein, Robert Candrian, and Marc Wolf of Regent; Eric Ehlis of New England; and Damon Reitz from St. Mary's.

Named to the all-state team was Todd Sheldon. Receiving honorable mention to the all-state team were Gregg Klein and Eric Ehlis. Named outstanding all-state, nine-man football Coach for the Year was Coach Schatz.

Congratulations, state Class "B" football champs.

THE SENATE RECOGNIZED THE PRESENCE OF:

Jeanne Naaden, daughter of Sen. Naaden
Stephanie Schultz, daughter of a former state senator
The gallery contingent from Walsh County

MOTION

SEN. HEIGAARD MOVED that the Senate be on the Ninth order of business, and at the conclusion of the Ninth order, the Senate stand in recess until 2:00 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 1:00 p.m., on Friday, January 6, 1989, which motion prevailed.

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

PATRICIA CONRAD, Secretary