

JOURNAL OF THE SENATE

SPECIAL SESSION OF THE FIFTY-SECOND LEGISLATIVE ASSEMBLY

* * * * *

Bismarck, November 6, 1991.

The Senate convened at 9:00 a.m., with President Pro Tem Dotzenrod presiding.

The prayer was offered by Senator Mathern.

The roll was called and all members were present except Senators Goetz, Krauter, Moore, Satrom, Wogsland, and Yockim.

A quorum was declared by the President Pro Tem.

REQUEST

SEN. HEIGAARD REQUESTED that the record show that the absent members, Sens. Goetz, Krauter, Moore, Satrom, Wogsland, and Yockim are in attendance at the meeting of the Joint Committee on Legislative Redistricting, which request was granted.

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

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the First Day of Special Session and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1772, line 53, after "policies" insert "; and to provide an effective date"

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

MOTION

SEN. WOGSLAND MOVED that the Senate stand at recess until 1:00 p.m., which motion prevailed.

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

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

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Second Day of Special Session and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1780, line 21, replace "Technical Corrections" with "Committee on Legislative Redistricting."

Page 1780, delete line 22

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

MOTION

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

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your select committee (Sen. Lindaas, Chairman) appointed to consider the nomination for the office of the Director of the Office of Administrative Hearings do advise and consent to the appointment of:

Allen Hoberg

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

ROLL CALL

The question being "will the Senate advise and consent to the nomination of Allen Hoberg, as Director of the Office of Administrative Hearings", the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

ABSENT AND NOT VOTING: Langley

The Senate advises and consents to the nomination of Allen Hoberg as Director of the Office of Administrative Hearings.

MOTION

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

REPORT OF STANDING COMMITTEE

HB 1615: Joint Technical Corrections Committee (Sen. Mathern, Cochairman) recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1615 was placed on the Fourteenth order on the calendar.

SECOND READING OF HOUSE BILL

HB 1615: A BILL for an Act to amend and reenact subdivision a of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to exemption of farm structures from ad valorem taxation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 47 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kinnoin; Krauter; Krebsbach; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Hanson, O.; Kelsh; Meyer; Moore; O'Connell

ABSENT AND NOT VOTING: Langley

HB 1615 passed and the title was agreed to.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has passed unchanged: SB 2600, SB 2601, SB 2602, SB 2603.

MOTION

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

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

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
MR. SPEAKER: The Senate has passed unchanged: HB 1615.

MOTION

SEN. WOGSLAND MOVED that the Senate stand at recess until 4:35 p.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills (Sen. Wogsland, Chairman) has examined a concurrent resolution establishing a comprehensive statewide water development program and directing the Legislative Council to continue to investigate and recommend a program or programs for funding and financing this comprehensive statewide water development program.

It shall be numbered SCR 4075.

Your Committee on Delayed Bills cast a vote of 3 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING in favor of accepting this resolution.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Redlin, Traynor introduced:

(Approved by the Committee on Delayed Bills)

SCR 4075: A concurrent resolution establishing a comprehensive statewide water development program and directing the Legislative Council to continue to investigate and recommend a program or programs for funding and financing this comprehensive statewide water development program.

Was read the first time and referred to the Joint Technical Corrections Committee.

MOTION

SEN. WOGSLAND MOVED that the Senate be on the Twelfth order of business, and at the conclusion of the Twelfth order, the Senate stand adjourned until 9:00 a.m., Thursday, November 7, 1991, which motion prevailed.

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

MARION HOUN, Secretary