

JOURNAL OF THE SENATE**Sixty-third Legislative Assembly**

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Bismarck, January 11, 2013

The Senate convened at 12:30 p.m., with President Wrigley presiding.

The prayer was offered by Reverend Larue Goetz, Revival Prayer Fellowship, Bismarck.

The roll was called and all members were present except Senators Dotzenrod, Grabinger, Grindberg, Holmberg, G. Lee, and J. Lee.

A quorum was declared by the President.

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort Commander Douglas V. Gordon to the rostrum.

The President appointed Sens. Lyson and Robinson, which motion prevailed.

**REMARKS OF COMMANDER DOUGLAS V. GORDON
UNITED STATES NAVY, COMMANDING OFFICER, USS NORTH DAKOTA**

Mr. President, members of the Senate, and friends of the USS North Dakota. Thank you so very much for allowing me to be here and take this opportunity to address this prestigious body. I know you are busy and have a lot of things to do but I'd like to tell you a few updates on the ship.

First of all, I have had the best support that I have ever had on board a submarine from the state of North Dakota. The support the state has given to the ship has been absolutely outstanding. My crew definitely understands that the state is behind the crew and behind the ship. This is demonstrated through several examples. The state has supported us through several of the ship's functions, they have sent care packages and Christmas cards to my sailors. They have sent welcome aboard packages to the newly reporting crew members and probably most of all is the opportunity, on five different occasions, to bring members of my crew out to the North Dakota to discuss the North Dakota and to spread the good word on the good ship.

I look forward to continuing the efforts and relationship that we have built with the state, and I can not wait to go to commissioning in 2014. The USS North Dakota will be the eleventh Virginia Class ship built and it will be the first Block Three Design ship. When she is delivered in March, 2014, she will be the most technologically capable submarine in the world. She'll be able to exceed depths of 800 feet at speeds of over 25 knots. And she will do this all without having to be refueled for the lifespan of 33 years.

The ship is physically constructed in four separate modules. The bow module contains the control room and the torpedo room. The second module is the habitability module, the third is the forward injury module and lastly the stern module.

The ship is currently about 80% complete. They are taking the last, the bow section, which will be moved into place next week and welded to the rest of the ship. When the welding is complete, the ship will be pressure hold complete and the ship will actually look like a real submarine from the outside. There is still a lot of work to be done on the inside. As they pair the modules together, there are a lot of electrical cabling and mechanical systems that have to be connected across those modules. The ship is on track to be finished in March of 2014, just sixty months after beginning construction.

The crew is the lifeblood of the ship and I have some of the best crew members on board the ship that I remember having ever served on board a ship. I have 123 of my crew members that have currently reported, and over the next three or four months the rest of them will report to bring my whole compliment to 135 sailors. They really are great sailors. Some

examples are: I have had the opportunity, over the last year, to advance 45 individuals, I've conducted 15 re-enlistments, and my crew has amassed almost 1000 hours of community service. They have come from a vast variety of experience. I have about 76 sailors on board that have served on a previous submarine before and of those 15 have served on a Virginia Class.

My number one priority for the ship and the crew is to train the crew and be ready to take them to sea in January, 2014 on sea trials. In order to do this we have to train the sailors. To do this we have classroom and computer based training. Ultimately we would like to send them to sea on another submarine, preferably a Virginia Class so they get some experience standing watch on board on the ship.

The last thing I would like to leave you with is the schedule ahead for the ship. It is a very busy schedule for us and I will give you a highlight of some of the things we are going to encounter over the next year and a half. The ship will be pressure hold complete in the first week of February, we will have been doing land based steaming testing. Float off will occur in September of this year which is the first time the ship will hit the water. Shortly after that, the Christening Ceremony will take place, and I hope to see some of you there. Next will be initial criticality, the first time we take the reactor critical. As you can imagine, that is a big deal for us and will happen sometime around October. Habitability will take place in November, and we will be able to eat and sleep on board. Sea trials will take place in January of 2014 and we will go out for a week and a half and put the ship through its paces. Finally, delivery, in March of 2014. Our last big ceremony for us is the Commissioning Ceremony and will happen around June of 2014 at a location and date to be determined.

Thank you all very much for allowing me to address you and have a great day.

MOTION

SEN. KLEIN MOVED that SB 2103 be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2103 was rereferred.

MOTION

SEN. KLEIN MOVED that SB 2114 be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2114 was rereferred.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Dever and Rep. Martinson introduced:

SCR 4004: A concurrent resolution designating Senate and House employment positions and fixing compensation.

Was read the first time.

MOTION

SEN. KLEIN MOVED that the rules be suspended, that SCR 4004 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote.

Sen. Dever and Rep. Martinson introduced:

SENATE CONCURRENT RESOLUTION NO. 4004

A concurrent resolution designating Senate and House employment positions and fixing compensation.

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

That for the Sixty-third Legislative Assembly, the following positions are designated as employee positions of the Senate and House and are to be paid the daily wages indicated:

SENATE

Secretary of the Senate	\$171
Assistant secretary of the Senate	151
Journal reporter	167
Calendar clerk	151
Bill clerk	144
Recording clerk	144
Sergeant-at-arms	134
Administrative assistant to majority leader	157
Staff assistant to majority leader	157
Administrative assistant to minority leader	157
Staff assistant to minority leader	157
Chief committee clerk	157
Appropriations Committee clerk	157
Assistant Appropriations Committee clerk	151
Committee clerk for three-day committee	151
Committee clerk for two-day committee	140
Assistant committee clerk	140
Deputy sergeant-at-arms	110
Chief page and bill book clerk	122
Legislative assistant	104

HOUSE

Chief clerk	171
Assistant chief clerk	151
Journal reporter	167
Calendar clerk	151
Bill clerk	144
Recording clerk	144
Sergeant-at-arms	134
Administrative assistant to majority leader	157
Staff assistant to majority leader	157
Administrative assistant to minority leader	157
Staff assistant to minority leader	157

Administrative assistant to Speaker	157
Chief committee clerk	157
Appropriations Committee clerk	157
Assistant Appropriations Committee clerk	151
Committee clerk for three-day committee	151
Committee clerk for two-day committee	140
Assistant committee clerk	140
Deputy sergeant-at-arms	110
Chief page and bill book clerk	122
Legislative assistant	104

BE IT FURTHER RESOLVED, that each employee of the Sixty-third Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that each majority and each minority leader is entitled to one administrative assistant and two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

BE IT FURTHER RESOLVED, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4004: A concurrent resolution designating Senate and House employment positions and fixing compensation.

REQUEST

SEN. DEVER REQUESTED a recorded roll call vote on the adoption of SCR 4004, which request was granted on a voice vote.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson Jr.; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Heckaman; Hogue; Kilzer; Klein; Krebsbach; Laffen; Larsen; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Dotzenrod; Grabinger; Grindberg; Holmberg; Lee, G.; Lee, J.

SCR 4004 was declared adopted on a recorded roll call vote.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Employment (Sen. Dever, Chairman)**

2013 SENATE EMPLOYEES

	<u>Secretary of the Senate</u>	
William Horton		Bismarck
	<u>Assistant Secretary of the Senate</u>	
Jane Schaible		Bismarck
	<u>Journal Reporter</u>	
Shanda Morgan		McKenzie
	<u>Calendar Clerk</u>	
Joe Wolf		Bismarck
	<u>Bill Clerk</u>	
Rachel Haidle		Bismarck
	<u>Recording Clerk</u>	
Brock Schmeling		Mandan
	<u>Sergeant-at-Arms</u>	
Arnold (Chip) Thomas		Bismarck
	<u>Deputy Sergeant-at-Arms</u>	
Jack Eiseman		Bismarck
	<u>Assistant Sergeants-at-Arms</u>	
Marsha Lembke		Bismarck
Jared Pfliger		Mandan
	<u>Administrative Assistant to the Majority Leader</u>	
Renaë Doan		McKenzie
	<u>Staff Assistant to the Majority Leader</u>	
Ryan Fraase		Buffalo
	<u>Administrative Assistant to the Minority Leader</u>	
Kathy Wachter		Bismarck
	<u>Staff Assistant to the Minority Leader</u>	
Shane Zhart		Bismarck
	<u>Communications Director (both houses)</u>	
Allison Kelly		Bismarck
	<u>Chief Committee Clerk</u>	
Pauline Ziegler		Bismarck
	<u>Assistant Committee Clerk</u>	
Mary Monson		Osnabrock
	<u>Appropriations Committee Clerk</u>	
Alice Delzer		Mandan
	<u>Assistant Appropriations Committee Clerk</u>	
Rose Laning		Bismarck
	<u>Committee Clerks</u>	
Kari Herrick		Mandan
Carie Winings		Bismarck
Doris Perez		Bismarck
Angela Rittmiller		Bismarck
Tiffany Grossman		Bismarck
Jody Hauge		Mandan
Mary Jo Wocken		Bismarck
Diane Davis		Bismarck
Veronica Sparling		Bismarck
Eva Liebelt		Bismarck
	<u>Chief Page and Bill Book Clerk</u>	
Linda Lang		Mandan

	<u>Desk Page</u>	
Cody Schuh		Bismarck
	<u>Pages and Bill Book Clerks</u>	
Erin Flanagan		Bismarck
Carlin Kirmis		Bismarck
Wanda Baar-Hoechst		Bismarck
	<u>Supply Room Coordinator</u>	
Julie McBride		Bismarck
	<u>Information Kiosk</u>	
Audrey Grafsgaard		Bismarck
	<u>Parking Lot Attendant</u>	
Ron Feist		McKenzie

SEN. DEVER MOVED that the report be adopted, which motion prevailed on a voice vote.

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 4004.

MOTION

SEN. KLEIN MOVED that the absent members be excused, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fifth and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, January 14, 2013, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2039: Transportation Committee (Sen. Oehlke, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2039 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2040: Transportation Committee (Sen. Oehlke, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2040 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2056: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2056 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2057: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2057 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2062: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2062 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2065: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2065 was placed on the Sixth order on the calendar.

Page 1, line 11, remove the overstrike over "œ"

Page 1, line 11, remove ", or to a provider."

Page 1, line 12, replace "including an emergency department treating the subject" with ".A health care record may be released to the subject of the document, the subject's agent, or the subject's health care provider"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2069: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2069 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2070: Agriculture Committee (Sen. Miller, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2070 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2071: Agriculture Committee (Sen. Miller, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2071 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2072: Agriculture Committee (Sen. Miller, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2072 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. J. Lee, Krebsbach, Murphy, Sinner and Reps. Louser, Gruchalla introduced:

SB 2147: A BILL for an Act to amend and reenact sections 5-01-01, 5-01-16, and 5-03-06 of the North Dakota Century Code, relating to direct shipment of alcoholic beverages from out of state; and to provide a penalty.

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

Sens. J. Lee, Dever, Mathern and Reps. Hawken, Silbernagel, Delmore introduced:

SB 2148: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to North Dakota foster care scholarships.

Was read the first time and referred to the **Human Services Committee**.

Sens. J. Lee, Grindberg, Klein, Robinson and Reps. Hawken, Delmore introduced:

SB 2149: A BILL for an Act to amend and reenact subsection 4 of section 54-10-01 of the North Dakota Century Code, relating to powers and duties of the state auditor.

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

Sens. Andrist, Sitte, Heckaman and Reps. K. Koppelman, Schatz, Thoreson introduced:

SB 2150: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to restriction of per diem compensation for members of boards and commissions established by statute; and to provide an effective date.

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

Sens. J. Lee, Carlisle, O'Connell and Reps. B. Koppelman, Streyle, Delmore introduced:

SB 2151: A BILL for an Act to provide for regulation of scrap metal purchases by scrap metal dealers; and to provide a penalty.

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

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

William R. Horton, Secretary

