

## JOURNAL OF THE HOUSE

## Fifty-eighth Legislative Assembly

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Bismarck, January 17, 2003

The House convened at 12:15 p.m., with Speaker Wentz presiding.

The prayer was offered by Rev. Troy Shirley of Campus Crusade for Christ, Bismarck.

The roll was called and all members were present except Representative Tieman.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**REP. BERG MOVED** that the amendments on the Sixth order of business to HB 1083 and HB 1124 be adopted, which motion prevailed.

HB 1083 and HB 1124, as amended, were placed on the Eleventh order of business on the calendar.

## REQUEST

**REP. BERG REQUESTED** the unanimous consent of the House to withdraw HB 1131. There being no objection, it was so ordered by the Speaker.

## MOTION

**REP. BERG MOVED** that HCR 3003 be removed from the 11th order on the calendar and be placed on the consent calendar, which motion prevailed.

## SECOND READING OF HOUSE BILL

**HB 1094:** A BILL for an Act to amend and reenact section 23-17.5-02 of the North Dakota Century Code, relating to health care cooperative agreements.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 92 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Svedjan

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Tieman

HB 1094, as amended, lost.

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## SECOND READING OF HOUSE BILL

**HB 1084:** A BILL for an Act to amend and reenact section 50-11-07 of the North Dakota Century Code, relating to the denial or revocation of a foster care license.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Tieman

HB 1084, as amended, passed and the title was agreed to.

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**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: HB 1059, HB 1127, HB 1183, HB 1068, HB 1070, HB 1080, HB 1081, HB 1085, HB 1107, HB 1125, HB 1126.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2034, SB 2158, SB 2159, SB 2040, SB 2075, SB 2100, SB 2101, SB 2102, SB 2119, SB 2152, SB 2156.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on January 13, 2003: HCR 3009.

**REPORT OF STANDING COMMITTEE**

**HB 1030: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1030 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; to provide an appropriation; and to declare an emergency"

Page 1, line 5, replace "consider studying" with "study"

Page 1, line 8, replace "If the study is selected by the legislative council, the" with "The"

Page 1, remove lines 13 through 19

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1031: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1031 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1062: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1062 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1066: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1066 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1067: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1067 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1113, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1113 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1151: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1151 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1157: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1158: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1158 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1167: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1167 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1174: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1174 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1212: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1212 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3002: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3002 was placed on the Sixth order on the calendar.

Page 1, line 1, after "study" insert "the total amount of tax-exempt property by county;"

Page 1, line 3, replace the comma with a semicolon and after "these" insert "tax-exempt"

Page 1, line 18, after "study" insert "the total amount of tax-exempt property by county;"

Page 1, line 20, replace the comma with a semicolon and after "these" insert "tax-exempt"

Renumber accordingly

**MOTION**

**REP. MONSON MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, January 20, 2003, which motion prevailed.

The House stood adjourned pursuant to Representative Monson's motion.

**BRADLEY C. FAY, Chief Clerk**

