

**Organizational and Orientation Session
December 6, 7, 8, 2004**

JOURNAL OF THE HOUSE

Fifty-ninth Legislative Assembly

* * * * *

Bismarck, December 6, 2004

The House convened at 1:00 p.m., with Speaker Klein presiding.

The prayer was offered by Ms. Lydia Sage-Chase.

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

A quorum was declared by the Speaker.

ANNOUNCEMENT BY THE SPEAKER

ACTING SPEAKER TIMM ANNOUNCED that there would be certification from the Secretary of State.

COMMUNICATION FROM SECRETARY OF STATE ALVIN A. JAEGER

In accordance with North Dakota Century Code Section 54-03-03, I certify that the attached is a true and correct listing of Representatives elected in the General Election, which was held on November 2, 2004, and to whom Certificates of Election were issued after the State Canvassing Board certified the results on November 18, 2004.

The Certificates of Election were prepared by the Secretary of State and signed by the Governor, Secretary of State, and the Clerk of the Supreme Court as prescribed in North Dakota Century Code Sections 16.1-15-45 and 16.1-15-46.

In addition, in accordance with Section 4, Article XI, of the North Dakota Constitution, an Oath of Office (or affirmation) form was provided to each Representative, with instructions to execute it before a Notary Public and file it with the Secretary of State before they assume the duties of their office.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of North Dakota at the Capitol in the City of Bismarck on this date.

59th Legislative Assembly

Representative Elected - Special Election, November 2, 2004

According to North Dakota Century Code Section 16.1-13-10(1), when elected to an unexpired term, a legislator assumes the duties of his or her new position when they are elected and qualified, which is upon receiving their Certificate of Election and filing his or her Oath of Office. The Certificates of Election for the following Representatives were mailed on November 22, 2004, and their respective Oaths were filed as noted below.

| <u>REPRESENTATIVE</u> | <u>DISTRICT NUMBER</u> |
|--|------------------------|
| Kari Lee Conrad (Oath of Office filed December 1, 2004) | 3 |
| Donald W. Vigesaa (Oath of Office filed December 6, 2004) | 23 |
| John Wall (Oath of Office filed November 29, 2004) | 25 |

**59th Legislative Assembly
Members of the House of Representatives
Elected - General Election
November 2, 2004**

| <u>REPRESENTATIVE</u> | <u>DISTRICT NUMBER</u> |
|-----------------------|------------------------|
| Bob Skarphol | 2 |
| Dorvan Solberg | 2 |
| Dawn Charging | 4 |
| Kenton Onstad | 4 |
| Glen Froseth | 6 |
| Bob Hunsakor | 6 |
| Jeff Delzer | 8 |
| Dwight Wrangham | 8 |

| | |
|------------------------|----|
| Chuck Damschen | 10 |
| David Monson | 10 |
| Lyle Hanson | 12 |
| Joe Kroeber | 12 |
| Duane DeKrey | 14 |
| Robin Weisz | 14 |
| Gil Herbel | 16 |
| Joyce Kingsbury | 16 |
| Eliot Glassheim | 18 |
| Mark S. Owens | 18 |
| Ole Aarsvold | 20 |
| Lee Kaldor | 20 |
| Wesley R. Belter | 22 |
| Vonnie Pietsch | 22 |
| Ralph Metcalf | 24 |
| Phillip Mueller | 24 |
| Bill Amerman | 26 |
| Pam Gulleason | 26 |
| Michael D. Brandenburg | 28 |
| William E. Kretschmar | 28 |
| Ron Carlisle | 30 |
| Dave Weiler | 30 |
| Mark A. Dosch | 32 |
| Lisa Meier | 32 |
| RaeAnn G. Kelsch | 34 |
| Todd Porter | 34 |
| C. B. Haas | 36 |
| Shirley Meyer | 36 |
| Larry Bellew | 38 |
| Dan J. Ruby | 38 |
| Matthew M. Klein | 40 |
| Clara Sue Price | 40 |
| Donald D. Dietrich | 42 |
| Stacey Horter | 42 |
| Donald L. Clark | 44 |
| Blair Thoreson | 44 |
| Kathy Hawken | 46 |
| Jim Kasper | 46 |

COMMUNICATION FROM SECRETARY OF STATE ALVIN A. JAEGER

December 6, 2004

I certify that the attached is a true and correct listing of Representatives whose terms in office do not expire until midnight on November 30, 2006.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of North Dakota at the Capitol in the City of Bismarck on this date.

**59th Legislative Assembly
Members of the North Dakota House of Representatives
Terms expiring November 30, 2006**

| <u>REPRESENTATIVE</u> | <u>DISTRICT NUMBER</u> |
|-----------------------|------------------------|
| Mike Norland | 1 |
| Earl Rennerfeldt | 1 |
| Andrew G. Maragos | 3 |
| Elwood Thorpe | 5 |
| Mike Timm | 5 |
| Jon O. Nelson | 7 |
| Arlo E. Schmidt | 7 |
| Tracy Boe | 9 |
| Merle Boucher | 9 |
| Mary Ekstrom | 11 |
| Scot Kelsh | 11 |
| Kim Koppelman | 13 |
| Alon C. Wieland | 13 |
| Dennis Johnson | 15 |
| Eugene Nicholas | 15 |
| Louise Potter | 17 |
| Ken Svedjan | 17 |
| Tom Brusegaard | 19 |
| Gerald Uglem | 19 |

| | |
|----------------------|----|
| Sally Sandvig | 21 |
| Steven L. Zaiser | 21 |
| William R. Devlin | 23 |
| Clark Williams | 25 |
| Randy Boehning | 27 |
| Ronald A. Iverson | 27 |
| Craig Headland | 29 |
| Chet Pollert | 29 |
| Rod Froelich | 31 |
| James Kerzman | 31 |
| Pat Galvin | 33 |
| Gary Kreidt | 33 |
| Bob Martinson | 35 |
| Margaret Sitte | 35 |
| Nancy Johnson | 37 |
| Francis J. Wald | 37 |
| David Drovdal | 39 |
| Keith Kempenich | 39 |
| Al Carlson | 41 |
| Bette B. Grande | 41 |
| Lois Delmore | 43 |
| Darrell D. Nottestad | 43 |
| Rick Berg | 45 |
| LeRoy G. Bernstein | 45 |
| George J. Keiser | 47 |
| Lawrence R. Klemin | 47 |

MOTION

REP. BELTER MOVED moved that a committee of two be appointed to escort Justice Dale V. Sandstrom to the rostrum, which motion prevailed. Acting Speaker Timm appointed Reps. DeKrey and Delmore to such committee and Justice Sandstrom was escorted to the rostrum.

OATH OF OFFICE

JUSTICE SANDSTROM ADMINISTERED the Oath of Office to the members present.

DISTRIBUTION OF LEGISLATORS' MATERIAL

Jay E. Buringrud, Assistant Director of the Legislative Council, explained the contents of the packets handed out to the members of the House.

MOTION

REP. MONSON MOVED that the House stand in recess until 2:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Acting Speaker Timm presiding.

MOTION

REP. R. KELSCH MOVED the nomination of Brad Fay for the office of Chief Clerk of the House of Representatives, which motion prevailed.

REP. CARLISLE MOVED that nominations cease, that the rules be suspended, and that a unanimous ballot be cast for Brad Fay as Chief Clerk, which motion prevailed.

REP. MARTINSON MOVED the nomination of Judy Hoffman for the office of Journal Reporter for the House of Representatives, which motion prevailed.

REP. PORTER MOVED that nominations cease, that the rules be suspended, and that a unanimous ballot be cast for Judy Hoffman as Journal Reporter, which motion prevailed.

REP. MARTINSON MOVED the nomination of Jerry Moszer for the office of Sergeant-at-Arms, which motion prevailed.

REP. PORTER MOVED that nominations cease, that the rules be suspended, and that a unanimous ballot be cast for Jerry Moszer as Sergeant-at-Arms, which motion prevailed.

REP. HERBEL MOVED the nomination of Matt Klein for the office of Speaker of the House, which motion prevailed.

REP. PRICE SECONDED the motion that nominated Matt Klein for the office of Speaker of the House, which motion prevailed.

REP. CARLISLE MOVED that nominations cease, that the rules be suspended, and that a unanimous ballot be cast for Matt Klein as Speaker of the House, which motion prevailed.

REP. HERBEL MOVED that a committee of two be appointed to escort the newly elected Speaker to the rostrum.

MOTION

REP. HERBEL MOVED that a committee of two be appointed to escort the newly elected Speaker to the rostrum, which motion prevailed.

ACTING SPEAKER APPOINTED Reps. Price and Maragos to such committee and Speaker Klein was escorted to the rostrum.

OATH OF OFFICE

ACTING SPEAKER TIMM ADMINISTERED the Oath of Office to Speaker elect Klein.

REP. KRETSCHMAR MOVED that the House adopt as temporary rules the House and Joint Rules of the 58th Legislative Assembly as adopted on Wednesday, December 4, 2002, and amended on Thursday, January 23, 2003.

ANNOUNCEMENT

SPEAKER KLEIN ANNOUNCED that the House will be on the 15th Order of business. Seating of members will be handled according to House Rule 362.

HOUSE SEATING SENIORITY TABLE AS SPECIFIED BY HOUSE RULE 362 (2005 session not included)

| <u>Name (District)</u> | <u>Sessions Served</u> | <u>Total House Sessions</u> | <u>Total Legislative Sessions</u> |
|-----------------------------|--|-------------------------------------|---|
| Timm, Mike (5) | 1973-75-77-79-81-83-85-89-91-93-95-97-99-01-03 | 15 | 15 |
| Nicholas, Eugene (15) | 1975-77-79-81-83-85-87-89-91-93-95-97-99-01-03 | 15 | 15 |
| Kretschmar, William E. (28) | 1973-75-77-79-81-83-85-87-89-91-93-95-97-01-03 | 15 | 15 |
| Martinson, Bob (35) | 1973-75-77-79-81-83-85-87-89-91-93-95-97-01-03 | 15 | 15 |
| Hanson, Lyle (12) | 1979-81-83-85-87-89-91-93-95-97-99-01-03 | 13 | 13 |
| Wald, Francis J. (37) | 1979-81-85-87-89-91-93-95-97-99-01-03 | 12 | 12 |
| Belter, Wesley R. (22) | 1985-87-89-91-93-95-97-99-01-03 | 10 | 10 |
| Berg, Rick (45) | 1985-87-89-91-93-95-97-99-01-03 | 10 | 10 |
| Aarsvold, Ole (20) | 1989-91-93-95-97-99-01-03 | 8 | 8 |
| Bernstein, LeRoy G. (45) | 1989-91-93-95-97-99-01-03 | 8 | 8 |
| Rennerfeldt, Earl (1) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Boucher, Merle (9) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Svedjan, Ken (17) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Glassheim, Eliot (18) | 1975-93-95-97-99-01-03 | 7 | 7 |
| Carlisle, Ron (30) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Kerzman, James (31) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Kelsch, RaeAnn G. (34) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Price, Clara Sue (40) | 1991-93-95-97-99-01-03 | 7 | 7 |
| Maragos, Andrew G. (3) | 1993-95-97-99-01-03 | 6 | 6 |
| Thorpe, Elwood (5) | 1991-93-97-99-01-03 | 6 | 6 |
| Froseth, Glen (6) | 1993-95-97-99-01-03 | 6 | 6 |
| Delzer, Jeff (8) | 1991-95-97-99-01-03 | 6 | 6 |
| Monson, David (10) | 1993-95-97-99-01-03 | 6 | 6 |
| Kroeber, Joe (12) | 1991-93-95-99-01-03 | 6 | 6 |
| DeKrey, Duane (14) | (Senate 1991)-95-97-99-01-03 | 5 | 6 |
| Johnson, Dennis (15) | 1993-95-97-99-01-03 | 6 | 6 |
| Gulleson, Pam (26) | 1993-95-97-99-01-03 | 6 | 6 |
| Drovdal, David (39) | 1993-95-97-99-01-03 | 6 | 6 |
| Kempenich, Keith (39) | 1993-95-97-99-01-03 | 6 | 6 |
| Klein, Matthew M. (40) | 1993-95-97-99-01-03 | 6 | 6 |

| | | | |
|------------------------------|---------------------|---|---|
| Carlson, Al (41) | 1993-95-97-99-01-03 | 6 | 6 |
| Keiser, George J. (47) | 1993-95-97-99-01-03 | 6 | 6 |
| Skarphol, Bob (2) | 1993-95-97-01-03 | 5 | 5 |
| Schmidt, Arlo E. (7) | 1995-97-99-01-03 | 5 | 5 |
| Koppelman, Kim (13) | 1995-97-99-01-03 | 5 | 5 |
| Sandvig, Sally M. (21) | 1995-97-99-01-03 | 5 | 5 |
| Galvin, Pat (33) | 1995-97-99-01-03 | 5 | 5 |
| Nottestad, Darrell D. (43) | 1995-97-99-01-03 | 5 | 5 |
| Delmore, Lois (43) | 1995-97-99-01-03 | 5 | 5 |
| Nelson, Jon O. (7) | 1997-99-01-03 | 4 | 4 |
| Kelsh, Scot (11) | 1997-99-01-03 | 4 | 4 |
| Weisz, Robin (14) | 1997-99-01-03 | 4 | 4 |
| Brusegaard, Thomas (19) | 1997-99-01-03 | 4 | 4 |
| Kaldor, Lee (20) | 1989-91-93-95 | 4 | 4 |
| Devlin, William R. (23) | 1997-99-01-03 | 4 | 4 |
| Williams, Clark (25) | 1983-85-87-03 | 4 | 4 |
| Grande, Bette B. (41) | 1997-99-01-03 | 4 | 4 |
| Hawken, Kathy (46) | 1997-99-01-03 | 4 | 4 |
| Solberg, Dorvan (2) | 1999-01-03 | 3 | 3 |
| Ekstrom, Mary (11) | 1999-01-03 | 3 | 3 |
| Herbel, Gil (16) | 1999-01-03 | 3 | 3 |
| Metcalf, Ralph (24) | 1999-01-03 | 3 | 3 |
| Mueller, Phillip (24) | 1999-01-03 | 3 | 3 |
| Brandenburg, Michael D. (28) | 1997-99-01 | 3 | 3 |
| Pollert, Chet (29) | 1999-01-03 | 3 | 3 |
| Froelich, Rod (31) | 1999-01-03 | 3 | 3 |
| Porter, Todd (34) | 1999-01-03 | 3 | 3 |
| Haas, C. B. (36) | 1999-01-03 | 3 | 3 |
| Johnson, Nancy (37) | 1999-01-03 | 3 | 3 |
| Thoreson, Blair (44) | 1999-01-03 | 3 | 3 |
| Klemin, Lawrence R. (47) | 1999-01-03 | 3 | 3 |
| Onstad, Kenton (4) | 2001-03 | 2 | 2 |
| Hunskor, Bob (6) | 2001-03 | 2 | 2 |
| Wrangham, Dwight (8) | 2001-03 | 2 | 2 |
| Kingsbury, Joyce (16) | 2001-03 | 2 | 2 |
| Weiler, Dave (30) | 2001-03 | 2 | 2 |
| Dosch, Mark A. (32) | 2001-03 | 2 | 2 |
| Meier, Lisa (32) | 2001-03 | 2 | 2 |
| Bellew, Larry (38) | 2001-03 | 2 | 2 |
| Ruby, Dan J. (38) | 2001-03 | 2 | 2 |
| Kasper, Jim (46) | 2001-03 | 2 | 2 |
| Norland, Mike (1) | 2003 | 1 | 1 |
| Boe, Tracy (9) | 2003 | 1 | 1 |
| Wieland, Alon C. (13) | 2003 | 1 | 1 |
| Potter, Louise (17) | 2003 | 1 | 1 |
| Uglen, Gerald (19) | 2003 | 1 | 1 |
| Zaiser, Steven L. (21) | 2003 | 1 | 1 |
| Pietsch, Vonnie (22) | 2003 | 1 | 1 |
| Amerman, Bill (26) | 2003 | 1 | 1 |
| Boehning, Randy (27) | 2003 | 1 | 1 |
| Iverson, Ronald A. (27) | 2003 | 1 | 1 |
| Headland, Craig (29) | 2003 | 1 | 1 |
| Kreidt, Gary (33) | 2003 | 1 | 1 |
| Sitte, Margaret (35) | 2003 | 1 | 1 |
| Meyer, Shirley (36) | 1999 | 1 | 1 |
| Conrad, Kari (3) | | 0 | 0 |
| Charging, Dawn (4) | | 0 | 0 |
| Damschen, Chuck (10) | | 0 | 0 |
| Owens, Mark S. (18) | | 0 | 0 |
| Vigesaa, Don (23) | | 0 | 0 |
| Wall, John (25) | | 0 | 0 |
| Dietrich, Donald D. (42) | | 0 | 0 |
| Horter, Stacey (42) | | 0 | 0 |
| Clark, Donald L. (44) | | 0 | 0 |

APPOINTMENT TO PROCEDURAL COMMITTEES

SPEAKER KLEIN ANNOUNCED the following appointments to procedural committees.

Committee on Committees Representatives Berg, Klein, Monson, Svedjan, Price, Carlson, Wrangham, Solberg, S. Kelsh, Kroeber.

Delayed Bills Committee Representatives Berg, Svedjan, Monson, Boucher, S. Kelsh.

Committee on Arrangements for House Committee Rooms Representatives Price, Carlisle, Ekstrom.

Employment Committee Representatives R. Kelsch, Carlisle, Wrangham, Hanson, Williams.

Committee on Correction and Revision of the Journal Representatives Kretschmar, Galvin, Glassheim, Aarsvold, Mueller.

Rules Committee Representatives Kretschmar, Berg, Devlin, Monson, Delmore, Metcalf, Onstad.

Inaugural Planning Committee Representatives L. Meier, DeKrey, Potter.

MOTION

REP. MONSON MOVED that a committee of three be appointed to notify the Governor and the Senate that the House is organized and ready to transact business.

SPEAKER KLEIN APPOINTED Reps. Wald, Kroeber, and Nicholas to such committee.

ANNOUNCEMENT

SPEAKER KLEIN ANNOUNCED that a committee of three had been received from the Senate announcing that the Senate is organized and ready to transact business.

SPEAKER KLEIN ANNOUNCED that the committee to notify the Governor and the Senate that the House is organized and ready to transact business, had completed its business and was discharged.

MOTION

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

REP. MONSON MOVED that the House stand adjourned until 9:00 a.m., Tuesday, December 7, 2004, which motion prevailed.

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

Bradley C. Fay, Chief Clerk