

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

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Bismarck, January 12, 1993

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

The prayer was offered by Chaplain Burnie Kunz, Medcenter One, Bismarck.

The roll was called and all members were present except Representatives Allmaras, Martin, and Wentz.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal (Rep. DeWitz, Chairman) has carefully reexamined the Journals of the Third Organizational Day and the First Legislative Day and recommends that they be corrected as follows and when so corrected, recommends that they be approved:

Page 23, line 10, replace "Svedjen" with "Svedjan"

Page 23, line 27, replace "Broadshaug" with "Brodshaug"

Page 37, line 47, replace "Kelsh" with "Kelsch"

REP. WARDNER MOVED that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2075, SB 2083, SB 2132, SB 2141, SB 2149, SB 2154, SB 2168, SB 2238.

MOTION

REP. FREIER MOVED that 500 copies of HCR 3012 be reprinted, which motion prevailed.

MOTION

REP. FREIER MOVED that the schedule of chaplains be printed in the Journal, which motion prevailed.

LEGISLATIVE CHAPLAINCY SCHEDULE
OF DATES FOR THE HOUSE OF REPRESENTATIVES
JANUARY

<u>Date</u>	<u>Church/Institution</u>
12	Chaplain Burnie Kunz Medcenter One, Bismarck
13	Pastor Bob Nordvall Charity Lutheran Church, Bismarck
14	Deacon Robert Olson St. Vincent Catholic Church, Crown Butte
15	Deacon Ed Johnson United Tribes Tech. College, Bismarck
18	Rev. Greg Odell Salvation Army Ext. Service, Bismarck
19	Father Marvin Klemmer Ascension Catholic Church, Bismarck
20	Rev. Jerry Wickre First United Methodist Church, Bismarck
21	Rev. Darrel Aleson St. Alexius Hospital, Bismarck
22	Reserved For House Chamber Member who may wish to give prayer.
25	Rev. Ray Martin First United Methodist Church, Mandan
26	Pastor Dale Emery United Methodist Church, Ashley
27	Father Hugo L. Blotsky St. Joseph Catholic Church, Mandan
28	Mr. Rob Nelson Roseglen and Makoti Lutheran Churches, Minot
29	Reserved For House Chamber Member who may wish to give prayer.

MOTION

REP. DORSO MOVED that HB 1092 be returned to the House floor from the **Industry, Business and Labor Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. DORSO REQUESTED the unanimous consent of the House to withdraw HB 1092. There being no objection, it was so ordered by the Speaker.

MOTION

REP. DORSO MOVED that HB 1190 be returned to the House floor from the **Industry, Business and Labor Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. DORSO REQUESTED the unanimous consent of the House to withdraw HB 1190. There being no objection, it was so ordered by the Speaker.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: HCR 3010.

SIXTH ORDER OF BUSINESS

HB 1105: REP. SOUKUP (Political Subdivisions Committee) MOVED that the amendments on HJ page 113 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SIXTH ORDER OF BUSINESS

HB 1114: REP. NICHOLAS (Agriculture Committee) MOVED that the amendments on HJ page 113 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act relating to the journal entry rule in determining the validity of enrolled measures; and to declare an emergency.

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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

Engrossed HB 1049 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act to create and enact a new section to chapter 23-09.3 of the North Dakota Century Code, relating to admission of individuals to basic care facilities; and to amend and reenact

section 23-09.3-01 of the North Dakota Century Code, relating to definitions concerning basic care facilities.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; Dewitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1031 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1039: A BILL for an Act to amend and reenact subsection 6 of section 65-01-02, sections 65-02-07, and 65-04-10 of the North Dakota Century Code and section 77 of chapter 714 of the 1991 Session Laws of North Dakota, relating to the workers compensation bureau and the effective date of the merger of the workers compensation bureau and job service North Dakota; and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 21, 22, 27, 28, 33, and 75 of chapter 714 of the 1991 Session Laws of North Dakota and the amendments to subsections 6 and 11 of section 65-01-02 of the North Dakota Century Code as provided by section 23 of chapter 714 of the 1991 Session Laws of North Dakota, relating to the references to the workers compensation bureau and job service North Dakota; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; Dewitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1039 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1041: A BILL for an Act to repeal chapter 41-06 of the North Dakota Century Code, relating to the Uniform Commercial Code - Bulk Transfers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1041 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1047, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1047: A BILL for an Act to transfer the administration of crime victims reparations program from the workers compensation bureau to the division of adult services of the department of corrections and rehabilitation; to amend and reenact subsection 5 of section 12.1-34-02, subsection 1 of section 27-20-51, sections 27-20-52, 28-22-19, and subdivision m of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the crime victims reparations program; and to repeal chapter 65-13 of the North Dakota Century Code, relating to the crime victims reparations program.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleston; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1047 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1068: A BILL for an Act to amend and reenact section 43-17-42 of the North Dakota Century Code, relating to employment of physicians by hospitals.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Clayburgh; Martin; Wentz

HB 1068 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to HB 1077, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act to create and enact four new sections to chapter 27-10 of the North Dakota Century Code, relating to contempt of court; to amend and reenact sections 10-15-35, 14-05-25.1, 14-06-03.1, 14-07.1-06, 14-08.1-05, 14-12.1-09, 14-17-09, 14-17-16, 27-09.1-07, 27-10-07, 27-10-08, 27-10-09, 27-10-10, 27-10-11, 27-10-13, 27-10-18, 27-10-19, 27-10-20, 27-10-23, 27-19-07, 27-20-55, 28-21-12.1, 29-10.1-39, 42-02-10, 42-02-11, 51-15-06.1, and subsection 7 of section 54-35-02 of the North Dakota Century Code, relating to contempt of court; and to repeal sections 12.1-10-01, 27-09.1-16, 27-10-03, 27-10-04, 27-10-05, 27-10-06, 27-10-12, 27-10-14, 27-10-15, 27-10-16, 27-10-17, 27-10-21, 27-10-22, 27-10-24, 27-10-25, 27-10-26, and 27-10-27 of the North Dakota Century Code, relating to contempt of court.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe;

Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1077 passed and the title was agreed to.

SECOND READING OF SENATE BILL

HB 1118: A BILL for an Act to repeal chapter 43-38 of the North Dakota Century Code, relating to electrologists and electronic hair removal technicians.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1118 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to amend and reenact section 57-51-19 of the North Dakota Century Code, relating to interest on overpayment of oil and gas gross production taxes; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.;

Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1125 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1176: A BILL for an Act to create and enact two new subsections to section 13-05-06 of the North Dakota Century Code, relating to department of banking and financial institutions' cease and desist authority and assessment of civil money penalties involving collection agency activity.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullerson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Ring; Wentz

HB 1176 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1221: A BILL for an Act to repeal section 54-06-02 of the North Dakota Century Code, relating to the place of residence of state officers; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullerson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem;

Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wilkie; Speaker R. Berg,

ABSENT AND NOT VOTING: Allmaras; Martin; Wentz

HB 1221 passed, the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3010.

MOTION

REP. FREIER MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. FREIER MOVED that the House be on the Fifth order of business and at the conclusion of that order, the House stand adjourned until 1:00 p.m., Wednesday, January 13, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1023: Finance and Taxation Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1023 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "fuel price risk management"

Page 1, line 2, remove "contracts and"

Page 1, remove lines 4 through 10

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1038: Human Services Committee (Rep. Rydell, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the Sixth order on the calendar.

Page 1, line 4, after "Dakotans" insert "; and to declare an emergency"

Page 1, after line 18, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1051: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1051 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1078: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1078 was placed on the Sixth order on the calendar.

Page 8, line 5, remove "finally"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1095: Human Services Committee (Rep. Rydell, Chairman) recommends DO PASS (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1095 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1107: Human Services Committee (Rep. Rydell, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1107 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1131: Judiciary Committee (Rep. Kretschmar, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1131 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1157: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1157 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1195: Human Services Committee (Rep. Rydell, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1195 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1216: Finance and Taxation Committee (Rep. Timm, Chairman) recommends DO NOT PASS (8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1216 was placed on the Eleventh order on the calendar.

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

ROY GILBREATH, Chief Clerk