

JOURNAL OF THE HOUSE - SPECIAL SESSION

Fifty-third Legislative Assembly

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Bismarck, June 30, 1994

The House convened at 8:00 a.m., with Speaker R. Berg presiding.

The prayer was offered by Representative A. Olson.

The roll was called and all members were present except Representatives Clayburgh, Glasheim, and Ring.

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 examined the Journal of the Seventy-seventh Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 2306, line 10, replace "HB 1002" with "SB 2021"

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

SIXTH ORDER OF BUSINESS

HB 1520: REP. TIMM (Finance and Taxation Committee) MOVED that the amendments on HJ page 2323 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bill was engrossed: HB 1520.

MOTION

REP. FREIER MOVED that the House waive the reading of the fiscal note to HB 1520, as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1520: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales tax exemption for materials used to construct an agricultural commodity processing facility; to amend and reenact sections 40-57.1-03, 40-57.1-06, 57-15-31, and subsection 4 of section 57-39.2-04.3 of the North Dakota Century Code and subsection 5 of section 57-39.2-04.3 of the North Dakota Century Code as amended by section 1 of chapter 565 of the 1993 Session Laws, relating to a property tax exemption or payments in lieu of taxes which may be granted for new industries and sales tax exemptions for manufacturing machinery and construction materials for agricultural commodity processing facilities; to repeal section 40-57.1-08 of the North Dakota Century Code, relating to limitations on industrial projects that may qualify for tax exemptions for new industries; to provide an effective date; and to provide an expiration date.

REQUEST

REP. AARSVOLD REQUESTED a Ruling by the Chair with regard to a potential conflict of interest on any vote taken on HB 1520 today.

Speaker R. Berg entertained a motion to allow all members to vote on HB 1520.

MOTION

REP. FREIER MOVED that all members be allowed to vote on HB 1520, which motion prevailed.

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; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gertholz; 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; Martin; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Glassheim; Ring

Engrossed HB 1520 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Employment Committee (Rep. Rydell, Chairman) submits the following names for the positions specified below:

SPECIAL SESSION
1993 HOUSE EMPLOYEES

	<u>Chief Clerk</u>	
Roy Gilbreath		Bismarck
	<u>Desk Reporter</u>	
Barbara Middaugh		Bismarck
	<u>Sergeant-at-Arms</u>	
Jerome Moszer		Bismarck
	<u>Secretary to the Majority Leader</u>	
Mavis Patchen		Bismarck
	<u>Secretary to the Minority Leader</u>	
Verlaine Gullickson		Mandan
	<u>Committee Clerks</u>	
Darlyne Clausnitzer		Bismarck
Janice Stein		Mandan
	<u>Chief Page</u>	
Gloria A. Olson		Bismarck
	<u>Information Desk Attendant</u>	
Peggy Puetz		Bismarck
	<u>Pages/Sergeants-at-Arms</u>	
Billie Brunsonan		Bismarck
Bernice Clark		Bismarck
Becky Haakenson		Bismarck
Brenda Huff		Mandan
Hella Keller		Bismarck

MOTIONS

REP. MARTINSON MOVED that we waive the reading of the report, which motion prevailed.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4078: A concurrent resolution designating Senate and House employees and fixing their compensation for the special session of the Fifty-third Legislative Assembly.

Was read the first time.

MOTION

REP. MARTINSON MOVED that the rules be suspended, that SCR 4078 not be referred to committee, be read in title only, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4078: A concurrent resolution designating Senate and House employees and fixing their compensation for the special session of the Fifty-third Legislative Assembly.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; 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; Martin; 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; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Glasheim; Ring

SCR 4078 was declared adopted on a recorded roll call vote.

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

MADAM PRESIDENT: The House has amended and subsequently passed: HB 1520.

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

MADAM PRESIDENT: The House has passed unchanged: SCR 4078.

MOTION

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

MOTION

REP. FREIER MOVED that the House stand adjourned until 8:30 a.m., Friday, July 1, 1994, which motion prevailed.

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

ROY GILBREATH, Chief Clerk