

**Organizational and Orientation Session
December 8, 9, 10, 1998**

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

* * * * *

Bismarck, December 8, 1998

The House convened at 9:00 a.m., with Speaker Timm presiding.

The prayer was offered by the Rev. Dave Baker, Church of the Nazarene, Mandan.

The roll was called and all members were present.

A quorum was declared by the Speaker.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER TIMM ANNOUNCED that the House would be on the Fourth order of business.

**COMMUNICATION FROM SECRETARY OF STATE ALVIN A. JAEGER
December 3, 1998**

According to the provisions of North Dakota Century Code §54-03-03, the Chief Clerk of the North Dakota House of Representatives, at the opening of each organizational session, shall make a correct roll of the members of the House of Representatives to whom Certificates of Election have been issued by the proper officers.

As provided for in NDCC §16.1-15-45, Certificates of Election are prepared by the Secretary of State and then signed by the Secretary of State, the Governor, and a member of the State Canvassing Board. Along with preparing Certificates of Election for statewide elected officials, NDCC §16.1-15-46 also instructs the Secretary of State to issue Certificates of Election to all members of the Legislative Assembly.

Therefore, in accordance with the above stated sections of law, this letter certifies the attached list of members of the House of Representatives as being duly elected. A copy of each member's Certificate of Election has also been included. These legislators were certified on November 18, 1998, by the State Canvassing Board as being duly elected to the North Dakota House of Representatives in the state's General Election held on November 3, 1998. The members from Legislative District's 28, 43, and 49 were certified on December 1 due to the recounts conducted in late November.

Each member certified as being elected has been mailed an Oath of Office SFN 11501 (1-98) to be executed by each legislator as required by Article IV, Section 7 and Article XI, Section 4, of the North Dakota Constitution. Once the Oath of Office has been executed, members have been instructed to file them with this office.

**Fifty-sixth Legislative Assembly
Newly Elected House Members**

<u>MEMBER</u>	<u>DISTRICT NUMBER</u>
Rex R. Byerly	1
Earl Rennerfeldt	1
Dorvan Solberg	2
Bob Stefonowicz	2
Janet Wentz	3
Andrew Maragos	3
Ronald Nichols	4
John M. Warner	4
Mike Timm	5
Elwood "Woody" Thorpe	5
Glen Froseth	6
Gerald O. Sveen	6
G. Jane Gunter	7
Jon Nelson	7
Jeff Delzer	8
Albert "Mick" Grosz	8
Merle Boucher	9
Doug Lemieux	9
David Monson	10

Robert (Bob) Nowatzki	10
Mary O. Ekstrom	11
Scot Kelsh	11
Dennis Johnson	12
Arlo E. Schmidt	12
Kim Koppelman	13
Laurel Thoreson	13
Duane DeKrey	14
Robin Weisz	14
Curtis E. "Curt" Brekke	15
Eugene Nicholas	15
William E. (Bill) Gorder	16
Gil Herbel	16
Roxanne Jensen	17
Ken Svedjan	17
Eliot Glassheim	18
Lonny B. Winrich	18
Tom Brusegaard	19
Ed Lloyd	19
Ole Aarsvold	20
Carol A. Niemeier	20
Rachael Disrud	21
Sally M. Sandvig	21
Wesley R. Belter	22
Jack Dalrymple	22
William (Bill) Devlin	23
Dale C. Severson	23
Ralph Metcalf	24
Phillip Mueller	24
Myron Koppang	25
Bruce A. Eckre	25
Michael Brandenburg	26
Pam Gulleason	26
Howard Grumbo	27
Robert Huether	27
Ray H. Wikenheiser	28
Deb Lundgren	28
Chet Pollert	29
April Fairfield	29
Ron Carlisle	30
Dale Henegar	30
James Boehm	31
Dennis Renner	31
Serenus Hoffner	32
Wanda Rose	32
Pat Galvin	33
John Mahoney	33
RaeAnn Kelsch	34
Todd Porter	34
Rodney Froelich	35
James Kerzman	35
C. B. (Buck) Haas	36
Shirley Meyer	36
Nancy Johnson	37
Francis J. Wald	37
Stacey Mickelson	38
Ben Tollefson	38
David "Skip" Drovdal	39
Keith Kempenich	39
Matthew M. (Matt) Klein	40
Clara Sue Price	40
Al Carlson	41
Bette Grande	41
Amy N. Kliniske	42
Jim Poolman	42
Darrell Nottestad	43
Lois Delmore	43
Byron Clark	44
Blair Thoreson	44
Rick Berg	45

LeRoy G. Bernstein	45
John Dorso	46
Kathy Hawken	46
George Keiser	47
Lawrence R. Klemin	47
Lyle Hanson	48
Joe Kroeber	48
Jon Martinson	49
Audrey Cleary	49

ROLL CALL

The roll was taken manually by the Acting Chief Clerk, Lance Hagen. There were 98 members present and pursuant to North Dakota Century Code 54-03-03, the Acting Chief Clerk of the House collected the Certificate of Election from each Representative.

PRESENT: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Hennegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Wald

MOTION

REP. DORSO MOVED that a committee of two be appointed to escort the Honorable Associate Justice Carol Ronning Kapsner to the rostrum, which motion prevailed. Speaker Timm appointed Reps. DeKrey and R. Kelsch to such committee and Associate Justice Kapsner was escorted to the rostrum.

ASSOCIATE JUSTICE KAPSNER ADMINISTERED the Oath of Office to the members present.

Information packets were distributed to the members and the contents of the packets were explained by John D. Olsrud, Director of the Legislative Council.

MOTION

REP. DORSO MOVED that the House stand in recess until 10:45 a.m., which motion prevailed.

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

SPECIAL ORDER OF BUSINESS

SPEAKER TIMM ANNOUNCED that the House would be on a Special Order of Business.

MOTIONS

REP. NICHOLAS MOVED that the name of Lance Hagen be placed in nomination for the position of Chief Clerk of the House of Representatives, which motion prevailed.

REP. CARLSON MOVED that nominations for Chief Clerk cease, which motion prevailed.

REP. R. KELSCH MOVED that the name of Barbara Middaugh be placed in nomination for the position of Desk Reporter for the House of Representatives, which motion prevailed.

REP. NELSON MOVED that nominations for Desk Reporter cease, which motion prevailed.

REP. CARLISLE MOVED that the name of Jerome Moszer be placed in nomination for the position of Sergeant-at-Arms, which motion prevailed.

REP. HENEGAR MOVED that nominations for Sergeant-at-Arms cease, which motion prevailed.

REP. DORSO MOVED that House Rule 206 regarding Group A Employees be suspended and that a unanimous ballot be cast for Lance Hagen as Chief Clerk, Barbara Middaugh as Desk Reporter, and Jerome Moszer as Sergeant-at-Arms, which motion prevailed.

SPEAKER TIMM ADMINISTERED the Oath of Office to Chief Clerk Lance Hagen, Desk Reporter Barbara Middaugh, and Sergeant-at-Arms Jerome Moszer.

MOTIONS

REP. DALRYMPLE MOVED that the name of Frank Wald be placed in nomination for Speaker of the House, which motion prevailed.

REP. GALVIN SECONDED the motion that the name of Frank Wald be placed in nomination for Speaker of the House, which motion prevailed.

REP. MICKELSON MOVED that nominations cease, which motion prevailed.

The vote was taken and Rep. Frank Wald was elected Speaker of the House of Representatives.

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

SPEAKER TIMM APPOINTED Reps. N. Johnson and Poolman to such committee and Speaker Wald was escorted to the rostrum.

OATH OF OFFICE

SPEAKER TIMM ADMINISTERED the Oath of Office to Speaker-elect Wald.

SPEAKER WALD PRESENTED SPEAKER TIMM with a gavel as a memento of his term as Speaker.

MOTION

REP. DORSO MOVED that the House adopt as temporary rules the House and Joint Rules of the 55th Legislative Assembly as adopted on Thursday, December 5, 1996 and amended on Thursday, January 9, 1997, and Friday, January 10, 1997, and published in the 1997 Senate and House Rules and Committee Book, and as amended on January 27, 1997, which motion prevailed.

MOTION

REP. DORSO MOVED that the House amend subsections 4 and 5 of Temporary House Rule 361 as follows:

4. Seat number 86 is reserved for the Speaker.
5. Seat numbers 26, 27, 28, 29, 55, 56, 57, and 58 are reserved.
6. The Speaker may ~~also~~ permit extra seats on the floor of the House chamber to be utilized by members of the press, and may reserve certain seats for that purpose.
- ~~5-~~ 7. When two or more members have exactly the same seniority as determined pursuant to subsection 1, seating among those members must be in ascending numerical order based on the number of the district represented. When two or more members from the same district or multidistrict have equal seniority, the member or members of the party of the Speaker, if any, must be seated first; thereafter members must be listed in alphabetical order for seating purposes.

ANNOUNCEMENT

SPEAKER WALD ANNOUNCED that the House would be on the Fifteenth order of business. Seating of members will be handled according to House Rule 361.

HOUSE SEATING SENIORITY TABLE AS SPECIFIED BY HOUSE RULE 361 (1999 session not included)

<u>Name (District)</u>	<u>Sessions Served</u>	<u>Total Legislative Years</u>	<u>Total House Years</u>
Dorso, John (46)	1985-87-89-91-93-95-97	14	14
Hawken, Kathy (46)	1997	2	2
Boucher, Merle (9)	1991-93-95-97	8	8
Lemieux, Doug (9)		0	0
Monson, David (10)	1993-95-97	6	6
Gulleson, Pam (26)	1993-95-97	6	6
Timm, Mike (5)	1973-75-77-79-81-83-85-	24	24

	89-91-93-95-97		
Berg, Rick (45)	1985-87-89-91-93-95-97	14	14
Bernstein, LeRoy G. (45)	1989-91-93-95-97	10	10
Wald, Francis J. (37)	1979-81-85-87-89-91-93-95-97	18	18
Johnson, Nancy (37)		0	0
Wentz, Janet (3)	1975-77-79-81-83-85-87-89-91-93-95-97	24	24
Maragos, Andrew G. (3)	1993-95-97	6	6
Nicholas, Eugene (15)	1975-77-79-81-83-85-87-89-91-93-95-97	24	24
Brekke, Curtis E. (15)		0	0
Hanson, Lyle (48)	1979-81-83-85-87-89-91-93-95-97	20	20
Kroeber, Joe (48)	1991-93-95	6	6
Gorder, William E. (16)	1979-81-83-91-93-95-97	14	14
Herbel, Gil (16)		0	0
Belter, Wesley R. (22)	1985-87-89-91-93-95-97	14	14
Dalrymple, Jack (22)	1985-87-89-91-93-95-97	14	14
Tollefson, Ben (38)	1985-87-89-91-93-95-97	14	14
Mickelson, Stacey L. (38)	1995-97	4	4
Hoffner, Serenus (32)	1979-81-83-85-87-89	12	12
Rose, Wanda (32)	1997	2	2
Nowatzki, Robert E. (10)	1983-85-87-89-91	10	10
Aarsvold, Ole (20)	1989-91-93-95-97	10	10
Niemeier, Carol A. (20)	1997	2	2
Huether, Robert (27)	1989-91-93-95-97	10	10
Grumbo, Howard (27)	1991-93-95-97	8	8
Byerly, Rex R. (1)	1991-93-95-97	8	8
Rennerfeldt, Earl (1)	1991-93-95-97	8	8
Nichols, Ronald (4)	1991-93-95-97	8	8
Warner, John M. (4)	1997	2	2
Grosz, Mick (8)	1991-93-95-97	8	8
Delzer, Jeff (8)	1991-95-97	6	6
Svedjan, Ken (17)	1991-93-95-97	8	8
Jensen, Roxanne (17)	1989-91-97	6	6
Glassheim, Eliot (18)	1975-93-95-97	8	8
Winrich, Lonny B. (18)		0	0
Carlisle, Ron (30)	1991-93-95-97	8	8
Henegar, Dale L. (30)	1991-93-95-97	8	8
Boehm, James (31)	1991-93-95-97	8	8
Renner, Dennis J. (31)	1997	2	2
Mahoney, John (33)	1991-93-95-97	8	8
Kelsch, RaeAnn (34)	1991-93-95-97	8	8
Porter, Todd (34)		0	0
Kerzman, James A. (35)	1991-93-95-97	8	8
Froelich, Rod (35)		0	0
Price, Clara Sue (40)	1991-93-95-97	8	8
Klein, Matthew M. (40)	1993-95-97	6	6
Thorpe, Elwood (5)	1991-93-97	6	6
Froseth, Glen (6)	1993-95-97	6	6
Sveen, Gerald O. (6)	1993-95-97	6	6
Johnson, Dennis (12)	1993-95-97	6	6
DeKrey, Duane (14)	(Senate 1991)-95-97	6	4
Weisz, Robin (14)	1997	2	2
Drovdal, David (39)	1993-95-97	6	6
Kempnich, Keith A. (39)	1993-95-97	6	6
Carlson, Al (41)	1993-95-97	6	6
Grande, Bette (41)	1997	2	2
Poolman, Jim (42)	1993-95-97	6	6
Kliniske, Amy N. (42)	1995-97	4	4
Keiser, George J. (47)	1993-95-97	6	6
Klemin, Lawrence R. (47)		0	0
Gunter, G. Jane (7)	1995-97	4	4
Nelson, Jon O. (7)	1997	2	2
Schmidt, Arlo E. (12)	1995-97	4	4
Koppelman, Kim (13)	1995-97	4	4
Thoreson, Laurel (13)	1995-97	4	4
Lloyd, Edward H. (19)	1995-97	4	4
Brusegaard, Thomas T. (19)	1997	2	2

Sandvig, Sally M. (21)	1995-97	4	4
Galvin, Pat (33)	1995-97	4	4
Nottestad, Darrell D. (43)	1995-97	4	4
Delmore, Lois (43)	1995-97	4	4
Cleary, Audrey (49)	1991-93	4	4
Kelsh, Scot (11)	1997	2	2
Ekstrom, Mary (11)		0	0
Devlin, William R. (23)	1997	2	2
Severson, Dale C. (23)		0	0
Brandenburg, Michael D. (26)	1997	2	2
Fairfield, April (29)	1997	2	2
Meyer, Shirley (36)		1	0
Solberg, Dorvan (2)		0	0
Stefonowicz, Bob (2)		0	0
Disrud, Rachael (21)		0	0
Metcalfe, Ralph (24)		0	0
Mueller, Phillip (24)		0	0
Koppang, Myron (25)		0	0
Eckre, Bruce A. (25)		0	0
Wikenheiser, Ray H. (28)		0	0
Lundgren, Deb (28)		0	0
Pollert, Chet (29)		0	0
Haas, C. B. (36)		0	0
Clark, Byron (44)		0	0
Thoreson, Blair (44)		0	0
Martinson, Jon (49)		0	0

ANNOUNCEMENT

SPEAKER WALD ANNOUNCED that the House Journal would also show the House Seniority Table.

1999 HOUSE SENIORITY TABLE (1999 session not included)

<u>Name (District)</u>	<u>Sessions Served</u>	<u>Total House Sessions</u>	<u>Total Legislative Sessions</u>
Wentz, Janet (3)	1975-77-79-81-83-85-87-89-91-93-95-97	12	12
Timm, Mike (5)	1973-75-77-79-81-83-85-89-91-93-95-97	12	12
Nicholas, Eugene (15)	1975-77-79-81-83-85-87-89-91-93-95-97	12	12
Hanson, Lyle (48)	1979-81-83-85-87-89-91-93-95-97	10	10
Wald, Francis J. (37)	1979-81-85-87-89-91-93-95-97	9	9
Gorder, William E. (16)	1979-81-83-91-93-95-97	7	7
Belter, Wesley R. (22)	1985-87-89-91-93-95-97	7	7
Dalrymple, Jack (22)	1985-87-89-91-93-95-97	7	7
Tollefson, Ben (38)	1985-87-89-91-93-95-97	7	7
Berg, Rick (45)	1985-87-89-91-93-95-97	7	7
Dorso, John (46)	1985-87-89-91-93-95-97	7	7
Hoffner, Serenus (32)	1979-81-83-85-87-89	6	6
Nowatzki, Robert E. (10)	1983-85-87-89-91	5	5
Aarsvold, Ole (20)	1989-91-93-95-97	5	5
Huether, Robert (27)	1989-91-93-95-97	5	5
Bernstein, LeRoy G. (45)	1989-91-93-95-97	5	5
Byerly, Rex R. (1)	1991-93-95-97	4	4
Rennerfeldt, Earl (1)	1991-93-95-97	4	4
Nichols, Ronald (4)	1991-93-95-97	4	4
Grosz, Mick (8)	1991-93-95-97	4	4
Boucher, Merle (9)	1991-93-95-97	4	4
Svedjan, Ken (17)	1991-93-95-97	4	4
Glassheim, Eliot (18)	1975-93-95-97	4	4
Grumbo, Howard (27)	1991-93-95-97	4	4
Carlisle, Ron (30)	1991-93-95-97	4	4
Henegar, Dale L. (30)	1991-93-95-97	4	4
Boehm, James (31)	1991-93-95-97	4	4

Mahoney, John (33)	1991-93-95-97	4	4
Kelsch, RaeAnn (34)	1991-93-95-97	4	4
Kerzman, James A. (35)	1991-93-95-97	4	4
Price, Clara Sue (40)	1991-93-95-97	4	4
Maragos, Andrew G. (3)	1993-95-97	3	3
Thorpe, Elwood (5)	1991-93-97	3	3
Froseth, Glen (6)	1993-95-97	3	3
Sveen, Gerald O. (6)	1993-95-97	3	3
Delzer, Jeff (8)	1991-95-97	3	3
Monson, David (10)	1993-95-97	3	3
Johnson, Dennis (12)	1993-95-97	3	3
DeKrey, Duane (14)	(Senate 1991)-95-97	2	3
Jensen, Roxanne (17)	1989-91-97	3	3
Gulleson, Pam (26)	1993-95-97	3	3
Drovdal, David (39)	1993-95-97	3	3
Kempenich, Keith A. (39)	1993-95-97	3	3
Klein, Matthew M. (40)	1993-95-97	3	3
Carlson, Al (41)	1993-95-97	3	3
Poolman, Jim (42)	1993-95-97	3	3
Keiser, George J. (47)	1993-95-97	3	3
Kroeber, Joe (48)	1991-93-95	3	3
Gunter, G. Jane (7)	1995-97	2	2
Schmidt, Arlo E. (12)	1995-97	2	2
Koppelman, Kim (13)	1995-97	2	2
Thoreson, Laurel (13)	1995-97	2	2
Lloyd, Edward H. (19)	1995-97	2	2
Sandvig, Sally M. (21)	1995-97	2	2
Galvin, Pat (33)	1995-97	2	2
Mickelson, Stacey L. (38)	1995-97	2	2
Kliniske, Amy N. (42)	1995-97	2	2
Nottestad, Darrell D. (43)	1995-97	2	2
Delmore, Lois (43)	1995-97	2	2
Cleary, Audrey (49)	1991-93	2	2
Warner, John M. (4)	1997	1	1
Nelson, Jon O. (7)	1997	1	1
Kelsh, Scot (11)	1997	1	1
Weisz, Robin (14)	1997	1	1
Brusegaard, Thomas T. (19)	1997	1	1
Niemeier, Carol A. (20)	1997	1	1
Devlin, William R. (23)	1997	1	1
Brandenburg, Michael D. (26)	1997	1	1
Fairfield, April (29)	1997	1	1
Renner, Dennis J. (31)	1997	1	1
Rose, Wanda (32)	1997	1	1
Grande, Bette (41)	1997	1	1
Hawken, Kathy (46)	1997	1	1
Solberg, Dorvan (2)		0	0
Stefonowicz, Bob (2)		0	0
Lemieux, Doug (9)		0	0
Ekstrom, Mary (11)		0	0
Brekke, Curtis E. (15)		0	0
Herbel, Gil (16)		0	0
Winrich, Lonny B. (18)		0	0
Disrud, Rachael (21)		0	0
Severson, Dale C. (23)		0	0
Metcalf, Ralph (24)		0	0
Mueller, Phillip (24)		0	0
Koppang, Myron (25)		0	0
Eckre, Bruce A. (25)		0	0
Wikenheiser, Ray H. (28)		0	0
Lundgren, Deb (28)		0	0
Pollert, Chet (29)		0	0
Porter, Todd (34)		0	0
Froelich, Rod (35)		0	0
Haas, C. B. (36)		0	0
Meyer, Shirley (36)		0	0
Johnson, Nancy (37)		0	0
Clark, Byron (44)		0	0
Thoreson, Blair (44)		0	0

Klemin, Lawrence R. (47)	0	0
Martinson, Jon (49)	0	0

APPOINTMENTS TO PROCEDURAL COMMITTEES

SPEAKER WALD ANNOUNCED the following appointments to Procedural Committees:

Committee on Committees

Rep. Dorso, Chairman	Rep. Boucher
Rep. Timm	Rep. Gulleeson
Rep. R. Kelsch	Rep. Hanson
Rep. Belter	

Delayed Bills Committee

Rep. Dorso, Chairman	Rep. Boucher
Rep. Monson	Rep. Gulleeson
Rep. Devlin	

Committee on Arrangements for House Committee Rooms

Rep. Byerly, Chairman
Rep. Price
Rep. Brusegaard

Employment Committee

Rep. R. Kelsch, Chairperson	Rep. Hanson
Rep. Carlisle	Rep. Sandvig
Rep. Boehm	

Committee on Correction and Revision of the Journal

Rep. DeKrey, Chairman	Rep. Aarsvold
Rep. L. Thoreson	Rep. Glassheim
Rep. Pollert	

Rules Committee

Rep. Dorso, Chairman	Rep. Nowatzki
Rep. Monson	Rep. Mahoney
Rep. Devlin	
Rep. Timm	
Rep. Kerzman	

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, which motion prevailed.

SPEAKER WALD APPOINTED Reps. Wentz, Svedjan, and Keiser to such committee.

ANNOUNCEMENTS BY THE SPEAKER

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

SPEAKER WALD 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 House stand adjourned until 9:00 a.m., Wednesday, December 9, 1998, which motion prevailed.

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

LANCE HAGEN, Chief Clerk