

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

* * * * *

Bismarck, January 14, 2003

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

The prayer was offered by Pastor Konrad Ziesing, River of Life Assembly of God, Minot.

The roll was called and all members were present except Representatives Bernstein and Monson.

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 1113 be adopted, which motion prevailed.

HB 1113, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. R. Kelsch, Carlisle, Delmore, Haas, Hanson and Sen. Kringstad introduced:

HCR 3007: A concurrent resolution designating House and Senate employment positions and fixing compensation.

Was read the first time.

MOTION

REP. BERG MOVED that the rules be suspended, that HCR 3007 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. R. Kelsch, Carlisle, Delmore, Haas, Hanson and Sen. Kringstad introduced:

HOUSE CONCURRENT RESOLUTION NO. 3007

A concurrent resolution designating House and Senate employment positions and fixing compensation.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That for the Fifty-eighth Legislative Assembly, the following positions are designated as employee positions of the House and Senate and are to be paid the wages indicated:

| HOUSE | | |
|---|--|-------|
| Chief Clerk | | \$114 |
| Assistant chief clerk | | 100 |
| Journal reporter | | 111 |
| Calendar clerk | | 100 |
| Bill clerk | | 95 |
| Sergeant-at-arms | | 88 |
| Administrative assistant to majority leader | | 104 |
| Staff assistant to majority leader | | 88 |
| Administrative assistant to minority leader | | 104 |
| Staff assistant to minority leader | | 88 |
| Administrative assistant to Speaker | | 88 |
| Chief committee clerk | | 104 |
| Appropriations Committee clerk | | 104 |
| Assistant Appropriations Committee clerk | | 100 |
| Committee clerk for three-day committee | | 100 |
| Committee clerk for two-day committee | | 92 |
| Assistant committee clerk | | 82 |
| Deputy sergeant-at-arms | | 73 |
| Chief page and bill book clerk | | 81 |
| Legislative assistant | | 68 |
| SENATE | | |
| Secretary of the Senate | | \$114 |
| Assistant secretary of the Senate | | 100 |
| Journal reporter | | 111 |

| | |
|---|-----|
| Calendar clerk | 100 |
| Bill clerk | 95 |
| Sergeant-at-arms | 88 |
| Administrative assistant to majority leader | 104 |
| Staff assistant to majority leader | 88 |
| Administrative assistant to minority leader | 104 |
| Staff assistant to minority leader | 88 |
| Chief committee clerk | 104 |
| Appropriations Committee clerk | 104 |
| Assistant Appropriations Committee clerk | 100 |
| Committee clerk for three-day committee | 100 |
| Committee clerk for two-day committee | 92 |
| Assistant committee clerk | 82 |
| Payroll clerk | 84 |
| Deputy sergeant-at-arms | 73 |
| Chief page and bill book clerk | 81 |
| Legislative assistant | 68 |

BE IT FURTHER RESOLVED, that each employee of the Fifty-eighth Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that each majority leader and each minority leader is entitled to two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

BE IT FURTHER RESOLVED, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3007: A concurrent resolution designating House and Senate employment positions and fixing compensation.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; 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; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Wentz

ABSENT AND NOT VOTING: Bernstein; Monson

HCR 3007 was declared adopted on a recorded roll call vote.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your procedural **Employment Committee (Rep. R. Kelsch, Chairman)**

2003 HOUSE EMPLOYEES:

| | | |
|-------------------|---|-------------|
| | <u>Chief Clerk</u> | |
| Brad Fay | | Bismarck |
| | <u>Journal Reporter</u> | |
| Judy Hoffman | | Bismarck |
| | <u>Assistant Chief Clerk</u> | |
| Gary Yantzer | | Bismarck |
| | <u>Sergeant-at-Arms</u> | |
| Jerry Moszer | | Bismarck |
| | <u>Bill Clerk</u> | |
| Carl Strum | | Beach |
| | <u>Calendar Clerk</u> | |
| Buell Reich | | Bismarck |
| | <u>Administrative Assistant to Majority Leader</u> | |
| Lorrie Giese | | Bismarck |
| | <u>Administrative Assistant to Speaker</u> | |
| Rachael Disrud | | Fargo |
| | <u>Staff Assistant to Majority Leader</u> | |
| Tom Nelson | | Casselton |
| | <u>Administrative Assistant to Minority Leader</u> | |
| Carol Siegert | | Hunter |
| | <u>Staff Assistant to Minority Leader</u> | |
| Natalie Lindquist | | Bismarck |
| Pat Heidt | | Bismarck |
| | <u>Chief Committee Clerk</u> | |
| Pam Dever | | Bismarck |
| | <u>Appropriations Committee Clerk</u> | |
| Chris Nyhus | | Jamestown |
| | <u>Assistant Appropriations Committee Clerks</u> | |
| Celeste Keller | | Bismarck |
| Cecily Cook | | Bismarck |
| Kelly Schmidt | | Mandan |
| | <u>Committee Clerks</u> | |
| Sharon Renfrow | | Bismarck |
| Linda Fiechtner | | Lincoln |
| Judith Hammer | | Bismarck |
| Janice Stein | | Mandan |
| Dawn Penrose | | Bismarck |
| Eric Moen | | Fargo |
| Mickie Schmidt | | Mandan |
| Edward Ellefson | | Bismarck |
| Vern Zink | | Bismarck |
| Jody Reinke | | Center |
| | <u>Assistant Committee Clerk</u> | |
| Elizabeth Leier | | Kintyre |
| | <u>Deputy Sergeant-at-Arms</u> | |
| Peggy Puetz | | Bismarck |
| | <u>Assistant Sergeant-at-Arms</u> | |
| Pete Schafer | | Bismarck |
| John Clement | | Bismarck |
| Bernie Meyer | | Mandan |
| | <u>Chief Page and Bill Room Clerk</u> | |
| Karen Karls | | Bismarck |
| | <u>Legislative Assistant/Desk Page</u> | |
| Mary Sahli | | Bismarck |
| | <u>Legislative Assistants/Page and Bill Book Clerks</u> | |
| Steven Alt | | New Leipzig |
| Jeanne Bailey | | Bismarck |
| Jason Skager | | Center |
| Brenda Huff | | Bismarck |
| Dan Schulz | | Bismarck |
| | <u>Payroll Clerk</u> | |
| Georgia Clement | | Bismarck |
| | <u>Information Desk Attendant</u> | |
| Peg Iszler | | Bismarck |
| | <u>Parking Lot Attendant</u> | |
| Dan Brynjolfson | | Bismarck |

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

SECOND READING OF HOUSE BILL

HB 1075: A BILL for an Act to amend and reenact section 54-44.6-01 of the North Dakota Century Code, relating to the statewide forms management program.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; 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; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Wentz

ABSENT AND NOT VOTING: Bernstein; Monson

HB 1075, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1121: A BILL for an Act to amend and reenact section 23-09-02 of the North Dakota Century Code, relating to enforcement of food and lodging regulations.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; 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; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Wentz

ABSENT AND NOT VOTING: Bernstein; Monson

HB 1121, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to amend and reenact section 49-21-22.2 of the North Dakota Century Code, relating to the regulatory reform review commission; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 90 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Maragos

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; 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; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Wentz

ABSENT AND NOT VOTING: Bernstein; Monson; Weisz

HB 1053 lost.

SECOND READING OF HOUSE BILL

HB 1076: A BILL for an Act to amend and reenact section 54-44.1-07 of the North Dakota Century Code, relating to the date by which appropriation and budget-related legislation must be submitted to the legislative council.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; 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; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Wentz

ABSENT AND NOT VOTING: Bernstein; Monson

HB 1076 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1093: A BILL for an Act to amend and reenact sections 54-06-30 and 54-06-31 of the North Dakota Century Code, relating to state employee bonus programs for performance and recruitment and retention programs; to provide an effective date; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; 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; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Wentz

ABSENT AND NOT VOTING: Bernstein; Monson

HB 1093 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 23-07-07.5 and section 23-07.7-01 of the North Dakota Century Code, relating to sexual offenses; and to repeal section 12.1-20-10 of the North Dakota Century Code, relating to unlawful cohabitation.

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 60 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Boe; Boehning; Boucher; Brusegaard; Clark; DeKrey; Delmore; Devlin; Drovdal; Eckre; Ekstrom; Froelich; Glassheim; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Hunskor; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemm; Kreidt; Kroeber; Maragos; Martinson; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Sandvig; Schmidt; Severson; Svedjan; Thorpe; Tieman; Timm; Uglen; Warner; Wieland; Williams; Winrich; Zaiser; Acting Speaker Wentz

NAYS: Bellew; Belter; Carlisle; Carlson; Delzer; Dosch; Froseth; Galvin; Grande; Herbel; Iverson; Johnson, D.; Kasper; Kempenich; Kerzman; Klein, F.; Klein, M.; Koppelman; Kretschmar; Meier; Rennerfeldt; Ruby; Sitte; Skarphol; Solberg; Thoreson; Wald; Warnke; Weiler; Weisz; Wikenheiser; Wrangham

ABSENT AND NOT VOTING: Bernstein; Monson

HB 1175 passed and the title was agreed to.

MOTION

REP. BELTER MOVED that HB 1144 be returned to the House floor from the **Finance and Taxation Committee** for the purpose of withdrawal, which motion prevailed.

MOTION

REP. BERG MOVED that HB 1268 be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1268 was rereferred.

FIRST READING OF HOUSE BILLS

Reps. Thoreson, Carlisle, Iverson and Sens. Mathern, Schobinger introduced:

HB 1338: A BILL for an Act to amend and reenact sections 57-23-08, 57-23-09, and 57-55-12 of the North Dakota Century Code, relating to refund of penalties and interest on any abated property taxes or mobile home taxes.

Was read the first time and referred to the **Political Subdivisions Committee**.

Reps. Kempenich, Wald and Sens. Dever, Erbele introduced:

HB 1339: A BILL for an Act to establish an electricity transmission constraint resolution board. Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Kempenich, Drovdal, Wikenheiser and Sen. Erbele introduced:

HB 1340: A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to termination of wind energy development leases; and to amend and reenact sections 47-16-36 and 47-16-38 of the North Dakota Century Code, relating to termination of leases.

Was read the first time and referred to the **Natural Resources Committee**.

Reps. Skarphol, Rennerfeldt, Wald and Sens. Lyson, Wardner introduced:

HB 1341: A BILL for an Act to amend and reenact sections 15-05-10 and 38-09-18 of the North Dakota Century Code, relating to royalty exemptions for oil and gas produced on public lands.

Was read the first time and referred to the **Natural Resources Committee**.

Reps. Schmidt, Amerman, Delmore, Potter and Sen. Tallackson introduced:

HB 1342: A BILL for an Act to amend and reenact section 57-38-34.3 of the North Dakota Century Code, relating to replacing optional contributions to the nongame wildlife fund on income tax forms with optional contributions to the silver-haired education association; to provide a continuing appropriation; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Hanson, Porter and Sen. Fischer introduced:

HB 1343: A BILL for an Act to amend and reenact section 20.1-05-03 of the North Dakota Century Code, relating to unlawfully taking big game animals; and to provide a penalty. Was read the first time and referred to the **Natural Resources Committee**.

Reps. Hanson, Carlson, Porter and Sen. Fischer introduced:

HB 1344: A BILL for an Act to create and enact a new section to chapter 20.1-04 of the North Dakota Century Code, relating to the importation and release of game birds. Was read the first time and referred to the **Natural Resources Committee**.

Reps. Carlson, Delmore, Maragos and Sens. Dever, J. Lee, Wardner introduced:

HB 1345: A BILL for an Act to create and enact a new subsection to section 54-21.3-03 of the North Dakota Century Code, relating to the state building code. Was read the first time and referred to the **Industry, Business and Labor Committee**.

REPORT OF STANDING COMMITTEE

HB 1024: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1024 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1055: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1055 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1094, as amended, Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1094, as amended, was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections" with "section" and remove "and 23-17.5-12"

Page 1, line 2, remove "; and to provide a"

Page 1, line 3, remove "continuing appropriation"

Page 2, remove lines 1 through 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1105: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1105 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1106: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1106 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1059: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1059 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 1-08-09 of the North Dakota Century Code, relating to the service of process on election day.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 1-08-09 of the North Dakota Century Code is amended and reenacted as follows:

1-08-09. ~~No~~ Service of civil process ~~served~~ on election day. During the day on which any general or special election ~~shall be~~ is held in this state, or in any district, county, city, or precinct ~~therein,~~ no civil process may not be served on any person

entitled to vote at ~~such~~ the election within one hundred feet [30.48 meters] from any entrance leading into a polling place."

Renumber accordingly

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: HCR 3007.

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 2056, SB 2066, SB 2091, SB 2099, SB 2104, SB 2108.

MOTION

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

MOTION

REP. BERG MOVED that the House be on the Fifth, Eighth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, January 15, 2003, which motion prevailed.

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

BRADLEY C. FAY, Chief Clerk