

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, January 9, 1997

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

The prayer was offered by Representative Clark.

The roll was called and all members were present except Representatives Henegar, Lloyd, Martinson, and Renner.

A quorum was declared by the Speaker.

MOTION

REP. CARLSON MOVED that House Rule 501 as adopted during the Organizational Session be amended as follows, which motion prevailed.

Page 19, line 11, after the word "chairman." insert The Speaker by virtue of office, is a member of the committee and is the vice chairman of the committee.

Page 19, line 11, delete four and insert three

SECOND READING OF HOUSE BILL

HB 1104: A BILL for an Act to amend and reenact subdivision h of subsection 1 of section 57-38-01.2, subsection 5 of section 57-38-04, and subsection 2 of section 57-38-60 of the North Dakota Century Code, relating to allocation and apportionment of nonresident income and employer income tax withholding return requirements; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gertholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Mahoney; Maragos; Martin; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Acting Speaker Timm

ABSENT AND NOT VOTING: Henegar; Lloyd; Martinson; Renner

HB 1104 passed and the title was agreed to.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Friday, January 10, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1065: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1065 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1066: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1066 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1070: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1070 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1077: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1077 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1091: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1091 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1124: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1124 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "confidentiality of state contractor or vendor" with "access to"

Page 1, line 3, after "numbers" insert "; and to declare an emergency"

Page 1, line 7, replace "**Contractor and vendor**" with "**Access to**" and remove "**confidential**"

Page 1, line 8, after "card" insert "or account" and replace "state" with "public entity, elected official, or appointed official uses or has available for making electronic or other deposits, transfers, or payments is not an open record."

Page 1, replace lines 9 and 10 with:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1128: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1128 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

Reps. Rennerfeldt, Monson, Aarsvold and Sens. Kinnoin, Urlacher, Thane introduced:

HB 1185: A BILL for an Act to amend and reenact sections 4-10.4-03, 4-10.4-08, and 4-10.4-12 of the North Dakota Century Code, relating to the state barley council and the tax assessment on barley production.

Was read the first time and referred to the **Agriculture Committee**.

Reps. Belter, Nelson and Sens. G. Nelson, Wanzek introduced:

HB 1186: A BILL for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to commercial movement of fertilizer spreaders.

Was read the first time and referred to the **Transportation Committee**.

Reps. Byerly, Wald, Skarphol and Sens. Goetz, Naaden introduced:

HB 1187: A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to state agency lease arrangements.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Byerly introduced:

HB 1188: A BILL for an Act to amend and reenact subsection 10 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for agricultural fair associations; and to provide an effective date.

Was read the first time and referred to the **Agriculture Committee**.

Reps. Soukup, Carlisle, Coats and Sens. Nalewaja, W. Stenehjem introduced:

HB 1189: A BILL for an Act to amend and reenact section 8-10-11 of the North Dakota Century Code, relating to the interruption of telecommunications in certain emergencies; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Nottestad, Torgerson, Aarsvold and Sen. W. Stenehjem introduced:

HB 1190: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to hunting by nonresident and foreign exchange students; and to amend and reenact sections 20.1-03-07 and 20.1-03-07.1 of the North Dakota Century Code, relating to hunting by nonresidents and nonresident waterfowl hunting licenses.

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

Reps. Skarphol, Oban, Carlson, Freier and Sen. Robinson introduced:

HB 1191: A BILL for an Act to create and enact section 28-32-03.4 of the North Dakota Century Code, relating to authority of the committee on administrative rules to call up existing administrative rules for review; to amend and reenact subsection 1 of section 28-32-03.3 of the North Dakota Century Code, relating to authority of the committee on administrative rules to void or object to administrative rules; and to provide an effective date.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Skarphol, Monson, Byerly and Sen. B. Stenehjem introduced:

HB 1192: A BILL for an Act to amend and reenact subsection 9 of section 39-06.1-06 and section 39-21-41.5 of the North Dakota Century Code, relating to safety belt violations.

Was read the first time and referred to the **Transportation Committee**.

Reps. Skarphol, Wald, Price and Sen. Andrist introduced:

HB 1193: A BILL for an Act to create and enact a new section to chapter 34-02 of the North Dakota Century Code, relating to references by employers.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

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

ROY GILBREATH, Chief Clerk