

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

Bismarck, January 12, 2007

The House convened at 12:00 p.m., with Speaker Delzer presiding.

The prayer was offered by Rep. Koppelman, District 13, West Fargo.

The roll was called and all members were present except Representative Gulleson.

A quorum was declared by the Speaker.

ANNOUNCEMENT BY THE SPEAKER

RULES OF DECORUM

1. No food is permitted on the floor of the House when the House is convened.
2. Photographs and video camera taping are not permitted while the House is in session. This includes the taking of pictures with cell phones. Members of the press are the only exception.
3. No one is permitted to sleep or rest in a prone position on the seats which line both sides of Memorial Hall between the House and Senate Chambers.
4. Every member must vote if they are in the House Chamber during a roll call vote.
5. When a roll call vote is taken, every member not at their seat shall call out their name and vote in a voice loud enough for the Speaker to hear. The majority and minority leader and their assistants are exempt from the provisions of this rule.
6. During debate, members are to be attentive and quiet. Noise behind the rail shall be held to a minimum.
7. No member shall have more than one guest seated with the member during floor debate. Each member has one guest pass.
8. No one is permitted to visit or lean over the back railing while the House is in session.
9. The Sergeant-at-Arms shall clear the floor of the House Chamber in front of the railing of all persons, except legislators, legislative employees, legislative guests, former members of the Legislative Assembly, and members of the press, during the time period commencing one hour before the House convenes on any legislative day until the House recesses for that calendar day.
10. Tour groups are not allowed at the front desk area.
11. Legislators and employees shall be suitably attired. Men must wear a sport coat and tie at all times when on the House floor.
12. When a legislator is speaking, the Seargeant-at-Arms will not allow guests to enter that section.
13. When the Speaker is putting the question, no member shall walk out or across the floor of the House.
14. When a member is speaking, no person shall pass between the person speaking and the chair.
15. A member desiring to speak shall turn on the speak light, rise and respectfully address the Speaker. The member shall remain in place before preceeding to speak until recognized by the chair.
16. Visitors sitting in the lower tier of seats in the House balcony shall not touch, lean over, place objects on, or put their feet on the brass railings.

17. While the House is convened, no person shall read newspapers or other large publications in a conspicuous manner.
18. All persons shall wear identification badges while in the House Chamber or in the employ of the House.
19. All materials placed on desks must be authorized by a House member or individually addressed and mailed to each member.
20. House Rule 306: No member may speak more than twice on the same subject nor more than once until every member who wishes to speak has spoken. Exceptions to this rule are: the person carrying the bill, committee chairman, floor leaders or bill sponsor.
21. Cell phones **must** be turned **off/muted** while the House is in session. Taking pictures with a cell phone is prohibited.

MOTION

REP. MONSON MOVED that HB 1093, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1093 was rereferred.

MOTION

REP. MONSON MOVED that HB 1226 be returned to the House floor from the **Political Subdivisions Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1226 was rereferred.

MOTION

REP. MONSON MOVED that HB 1340 be returned to the House floor from the **Industry, Business and Labor Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1340 was rereferred.

MOTION

REP. BERG MOVED that the rules be suspended after action taken on the Sixth order, HB 1040 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER DELZER DEEMED approval of the amendments to HB 1029, HB 1040 and HB 1122.

HB 1029, HB 1040 and HB 1122, as amended, were placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1040: A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to disorderly conduct at a funeral; to provide a penalty; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Gulleason

HB 1040 passed, the title was agreed to, and the emergency clause was declared carried.