

STATE OF NORTH DAKOTA

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# **Journal of the House**

OF THE

# **Forty-Sixth Session**

OF THE

# **Legislative Assembly**

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Begun and held at the State Capitol Building at Bismarck  
December 5, 6, 7, 1978 and  
January 3 to March 29, 1979 at 7:15 P.M.

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VERNON E. WAGNER  
Bismarck, N. D.  
Speaker of the House

ROY GILBREATH  
Bismarck, N. D.  
Chief Clerk

## HOUSE MEMBERS

MEMBER	<u>PHONE NO.</u> (R: RES.) (B: BUS.)	DISTRICT
Backes, Richard J. .... Glenburn, ND 58740	R: 362-7983	3. Renville, Pt. Ward
Benedict, Pauline M. .... Berthold, ND 58718	R: 453-7825	3. Renville, Pt. Ward
Berg, Gordon ..... Route 3 Devils Lake, ND 58301	R: 662-2515	15. Pt. Ramsey
Berge, Don ..... Route 1, Box 148 Litchville, ND 58461	R: 762-4881	24. Pt. Barnes
Berger, L. E. .... Box 799 West Fargo, ND 58078	R: 282-3520	13. Pt. Cass
Bjornson, Florenz ..... 307 Sixth Street West West Fargo, ND 58078	R: 282-4118	13. Pt. Cass
Black, Rosie ..... 1615 Rider Road Grand Forks, ND 58201	R: 775-7325	43. Pt. Grand Forks
Boyum, Kelley ..... 857 North Third Carrington, ND 58421	R: 652-2751	14. Foster, Wells
Brokaw, Jim ..... Forbes, ND 58439	R: 357-8431	28. LaMoure, Logan, Pt. Dickey
Christensen, Ralph M. .... P. O. Box 584 Watford City, ND 58554	R: 842-3247	36. Dunn, McKenzie, Pt. Mercer
Conmy, Pat. .... 301 West Thayer Avenue Bismarck, ND 58501	R: 255-0333 B: 223-4022	47. Pt. Burleigh
Crabtree, John D. .... Box 426 Ellendale, ND 58436	R: 349-4377 B: 349-3633	26. Sargent Pt. Dickey
Dick, Lawrence ..... Englevale, ND 58028	R: 683-5693	27. Ransom, Pt. Richland
Dietz, Dayle ..... 858 North Second Wahpeton, ND 58075	R: 642-6378	25. Pt. Richland



## HOUSE MEMBERS

MEMBER	<u>PHONE NO.</u> (R: RES.) (B: BUS.)	DISTRICT
Dotzenrod, Ralph C. .... Wyndmere, ND 58081	R: 439-2371 B: 439-2226	27. Ransom Pt. Richland
DuBord, Paul L. .... 1521 Eighth Avenue South Fargo, ND 58102	R: 235-7482	21. Pt. Cass
Eagles, Aloha. .... 1745 South Eighth Fargo, ND 58102	R: 232-2193	46. Pt. Cass
Erickson, LeRoy. .... DeLamere, ND 58022	R: 427-5812	26. Sargent, Pt. Dickey
Fleming, Charles F. .... Hamilton, ND 58238	R: 265-8216	11. Pembina, Pt. Walsh
Freborg, Layton. .... 300 S Street Underwood, ND 58576	R: 442-5271	8. McLean, Pt. Ward
Gackle, William. .... Kulm, ND 58456	R: 647-2281 B: 647-2463	28. LaMoure, Logan, Pt. Dickey
Gerl, James. .... 411 Seventh Avenue NW Mandan, ND 58554	R: 663-3338 B: 223-0784	34. Pt. Morton
Gorder, William E. .... 1345 Lawler Avenue Grafton, ND 58237	R: 352-2066	16. Pt. Walsh
Gunderson, Oben. .... McCanna, ND 58253	R: 397-5232	19. Pt. Grand Forks, Pt. Nelson, Pt. Walsh
Gunsch, Ronald E. .... Zap, ND 58580	R: 873-4713	33. Oliver Pt. Mercer, Pt. Morton
Hanson, Lyle L. .... 337 15th Avenue NE Jamestown, ND 58401	R: 252-4129	48. Pt. Barnes, Pt. Stutsman
Haugland, Brynhild. .... P. O. Box 1684 Minot, ND 58701	R: 838-7157	40. Pt. Ward and 50.
Hausauer, A. .... 1406 North 22nd Street Bismarck, ND 58501	R: 223-6802	49. Pt. Burleigh

## HOUSE MEMBERS

MEMBER	PHONE NO. (R. RES.) (B. BUS.)	DISTRICT
Hausauer, R. . . . . 85 Dakota Avenue Wahpeton, ND 58075	R: 642-5255 B: 642-5528	25. Pt. Richland
Hedstrom, Arvid E. . . . . Tolna, ND 58384	R: 262-4229	23. Griggs, Steele, Pt. Nelson, Pt. Ramsey
Herman, Jean E. . . . . 3638 Fairway Road Fargo, ND 58102	R: 232-6003	44. Pt. Cass
Hickle, Ralph . . . . . Center, ND 58530	R: 794-3173	33. Oliver, Pt. Mercer, Pt. Morton
Hoffner, Serenus . . . . . 1424 Atlanta Drive Bismarck, ND 58501	R: 258-0186	32. Pt. Burleigh
Houman, Carolyn . . . . . Westhope, ND 58793	R: 245-6182	6. Bottineau, Pt. McHenry
Hove, Howard . . . . . Fairdale, ND 58229		10. Cavalier, Pt. Towner
Jacobsen, Robert . . . . . Luverne, ND 58056	R: 769-2208	23. Griggs, Steele, Pt. Nelson, Pt. Ramsey
Jacobson, Irven . . . . . Alamo, ND 58830	R: 539-2310	2. Divide, Pt. Burke, Pt. Williams
Kelly, Tish . . . . . 404 South University Drive Fargo, ND 58102	R: 232-6929	21. Pt. Cass
Kennelly, James W. . . . . 819 13th Avenue North Fargo, ND 58102	R: 237-3204	45. Pt. Cass
Kermott, Marjorie . . . . . 200 Seventh Avenue SE Minot, ND 58701	R: 852-0628	5. Pt. Ward
Kingsbury, Harley R. . . . . Eastwood Grafton, ND 58237	R: 352-1771	16. Pt. Walsh
Kloubec, Richard . . . . . 1450 South Eighth Street Fargo, ND 58102	R: 232-3843 B: 237-5930	46. Pt. Cass

## HOUSE MEMBERS

MEMBER	PHONE NO. (R. RES.) (B. BUS.)	DISTRICT
Knudson, Kenneth ..... Box 264 Taylor, ND 58656	R: 974-3536	38. Adams, Hettinger, Pt. Stark
Koski, Roger ..... 1317 Eastwood Street Bismarck, ND 58501	R: 258-9735	32. Pt. Burleigh
Kretschmar, William E. .... Box A Venturia, ND 58489	R: 684-7321 B: 288-3536	30. Emmons, McIntosh
Kuchera, Tom ..... 525 South Sixth Street Grand Forks, ND 58201	R: 775-8798	18. Pt. Grand Forks
Lang, Theodore A. .... Sterling, ND 58572	R: 387-4589	31. Kidder, Sheridan, Pt. Burleigh
Langley, Byron ..... Warwick, ND 58381	R: 947-5400 B: 294-2891	12. Benson, Eddy
Lardy, William J. .... 920 13th Avenue West Dickinson, ND 58601	R: 225-5735	37. Pt. Stark
Larson, Frank ..... 1351 Chautauqua Boulevard Valley City, ND 58072	R: 845-2365 B: 845-2531	24. Pt. Barnes
Larson, Gordon ..... Rural Route 2 Jamestown, ND 58401	R: 489-3557	29. Pt. Stutsman
Larson, Herman ..... 206 SE Sixth, No. 10 Rugby, ND 58368	R: 776-2261	7. Pierce, Pt. McHenry
Lee, Fern ..... Towner, ND 58788	R: 537-5612	7. Pierce, Pt. McHenry
Leibhan, Joe ..... Esmond, ND 58332	R: 249-3538	12. Benson, Eddy
Lipsiea, Peter ..... Box 801 Mayville, ND 58257	R: 786-2901 B: 786-2614	20. Traill, Pt. Cass, Pt. Grand Forks
Maixner, Rick ..... Rural Route 3, Box 69A New England, ND 58647	R: 579-4181	39. Billings, Bowman, Golden Valley, Slope, Pt. Stark

## HOUSE MEMBERS

MEMBER	PHONE NO. (R. RES.) (B. BUS.)	DISTRICT
Marsden, Lawrence D. . . . . 413 Spruce Street Bottineau, ND 58318	R: 228-3046 B: 228-2288	6. Bottineau, Pt. McHenry
Martin, Clarence . . . . . Lefor, ND 58641	R: 225-2513	38. Adams, Hettinger, Pt. Stark
Martinson, Robert W. . . . . Box 2296 Bismarck, ND 58501	R: 223-7388 B: 223-0835	49. Pt. Burleigh
Matheny, Gordon . . . . . Emmet, ND 58534	R: 743-4470	8. McLean, Pt. Ward
Mattson, Douglas . . . . . 330 11th Street NW Minot, ND 58701	R: 852-4219	40. Pt. Ward and 50.
Meiers, Ruth . . . . . Box 56 Ross, ND 58776	R: 755-3344	4. Mountrail, Pt. Burke
Melby, Arthur . . . . . Route 2, Box 178 Harvey, ND 58341	R: 324-2881	14. Foster, Wells
Mertens, Charles F. . . . . 718 Seventh Street Devils Lake, ND 58301	R: 662-2556 B: 662-4325	15. Pt. Ramsey
Meyer, Walter A. . . . . Flasher, ND 58535	R: 597-3500	35. Grant, Sioux. Pt. Morton
Murphy, Jack . . . . . Kildeer, ND 58640	R: 764-5280	36. Dunn, McKenzie, Pt. Mercer
Mushik, Corliss . . . . . 608 Third Street NW Mandan, ND 58554	R: 663-3115 B: 223-5472	34. Pt. Morton
Nicholas, Eugene . . . . . 938 Fifth Avenue Cando, ND 58324	R: 968-3149 B: 656-3464	10. Cavalier, Pt. Towner
Olson, Alice . . . . . Cavalier, ND 58220	R: 265-4323	11. Pembina, Pt. Walsh
Opedahl, Olaf . . . . . Rural Route 2 Tioga, ND 58852	R: 664-2656	2. Divide, Pt. Burke, Pt. Williams
Peltier, Joe . . . . . Arthur, ND 58006	R: 967-8340	22. Pt. Barnes, Pt. Cass

## HOUSE MEMBERS

MEMBER	PHONE NO. (R. RES.) (B. BUS.)	DISTRICT
Peterson, Jim ..... 516 Eighth Street NW Minot, ND 58701	R: 839-3042 B: 852-2534	40. Pt. Ward and 50.
Pomeroy, Glen ..... 1720 Second Avenue North Grand Forks, ND 58201	R: 775-0060	42. Pt. Grand Forks
Reed, Burness ..... 211 Fenton Avenue Grand Forks, ND 58201	R: 775-7754	Pt. Grand Forks
Retzer, Elmer ..... Cleveland, ND 58424	R: 763-6442	29. Pt. Stutsman
Richard, Allen ..... Box 1398 Dunseith, ND 58329	R: 244-5771 B: 244-5437	9. Rolette, Pt. Towner
Richie, Craig M. .... 1241 Broadway Fargo, ND 58102	R: 235-8269 B: 235-5513	44. Pt. Cass
Riehl, Emil J. .... Box 50, Rural Route 1 Raleigh, ND 58564	R: 597-3798	35. Grant, Sioux, Pt. Morton
Rued, Royden D. .... Box 1666 Minot, ND 58701	R: 838-7110 B: 852-1277	40. Pt. Ward and 50.
Schindler, Orville ..... McClusky, ND 58463	R: 363-2323	31. Kidder, Sheridan, Pt. Burleigh
Scofield, Charles L. .... Box 1367 Williston, ND 58801	R: 572-5369 B: 572-3911	1. Pt. Williams
Solberg, Oscar ..... Rolla, ND 58367	R: 477-3565	9. Rolette, Pt. Towner
Stenehjem, Wayne K. .... 102 North 21st Street Grand Forks, ND 58201	R: 775-3604 B: 775-6281	42. Pt. Grand Forks
Strinden, Earl ..... 2812 Chestnut Street Grand Forks, ND 58201	R: 775-9166 B: 777-2611	18. Pt. Grand Forks
Swiontek, Steven J. .... 1209 Seventh Street North Fargo, ND 58102	R: 237-5694	45. Pt. Cass
Thompson, Kenneth ..... 287 Central Avenue North Beach, ND 58621	R: 872-4117	39. Billings, Bowman, Golden Valley, Slope, Pt. Stark

## HOUSE MEMBERS

MEMBER	PHONE NO. (R: RES) (B: BUS)	DISTRICT
Thorsgard, Enoch ..... Northwood, ND 58267	R: 587-6042	19. Pt. Grand Forks, Pt. Nelson Pt. Walsh
Timm, Mike ..... P.O. Box 29 Minot, ND 58701	R: 839-6492 B: 852-4184	5. Pt. Ward
Tinjum, Larry E. .... Powers Lake, ND 58773	R: 464-5777	4. Mountrail, Pt. Burke
Tweten, Malcolm ..... Buxton, ND 58218	R: 436-4074	20. Traill, Pt. Cass, Pt. Grand Forks
Unhjem, Michael ..... Box 495 Jamestown, ND 58401	R: 252-4631	48. Pt. Barnes, Pt. Stutsman
Vander Vorst, Wilbur ..... Hague, ND 58542	R: 336-7544	30. Emmons,
Vig, Elaine ..... 1618 Lewis Boulevard Grand Forks, ND 58201	R: 772-2882	17. Pt. Grand Forks
Wagner, Vernon E. .... Box 1198 Bismarck, ND 58501	R: 223-0935 B: 223-9475	47. Pt. Burleigh
Wald, Francis J. .... 246 Fourth Avenue West Dickinson, ND 58601	R: 225-6956 B: 225-9105	37. Pt. Stark
Walsh, J. Mikel ..... Route No. 1 Minot, ND 58701	R: 838-1788	41. Pt. Ward
Weber, Francis E. "Hank" ..... Casselton, ND 58012	R: 347-4163	22. Pt. Barnes, Pt. Cass
Wentz, Janet ..... 505 Eighth Avenue SE Minot, ND 58701	R: 838-0811	41. Pt. Ward
Wessman, Henry C. .... 908 25th Avenue South Grand Forks, ND 58201	R: 772-4944	43. Pt. Grand Forks
Winkjer, Dean ..... P.O. Box 1261 Williston, ND 58801	R: 572-2276 B: 572-6771	1. Pt. Williams

## MEMBERS OF THE HOUSE, 1979

Dist. No. Name	Home Address	Occupation	Marital Status	Where Born	Birth Date	Member during Session of
1. Dean Winkler	Williston	Lawyer	Married	North Dakota	1923	1973, 75, 77, 79
1. Charles L. Scofield	Williston	Broadcaster	Married	Montana	1925	1973, 75, 77, 79
2. Irvén Jacobson	Alamo	Farmer	Married	North Dakota	1920	1971, 73, 75, 77, 79
2. Olaf Opedahl	Tioga	Farmer	Single	North Dakota	1912	1963, 65, 67, 69, 71, 73, 75, 77, 79
3. Richard J. Backes	Glenburn	Farmer	Married	North Dakota	1925	1961, 63, 65, 67, 69, 71, 73, 75, 77, 79
3. Pauline M. Benedict	Berthold	Housewife	Widow	North Dakota	1911	1977, 79
4. Larry E. Tinjum	Powers Lake	Farmer-Rancher	Married	North Dakota	1947	1973, 75, 77, 79
4. Ruth Meiers	Ross	Housewife	Married	North Dakota	1925	1975, 77, 79
5. Marjorie Kermott	Minot	Inact. Reg. Nurse	Widow	Indiana	1913	1973, 75, 77, 79
5. Mike Timm	Minot	Businessman	Married	North Dakota	1937	1973, 75, 77, 79
6. Lawrence D. Marsden	Boffineau	Businessman	Married	North Dakota	1924	1973, 75, 77, 79
6. Carolyn Houmann	Westhope	Farmwife	Married	North Dakota	1935	1979
7. Herman O. Larson	Rugby	Ref. teacher	Married	North Dakota	1919	1979
7. Fern E. Lee	Towner	Editorial Ass't.	Married	North Dakota	1909	1967, 71, 73, 75, 77, 79
8. Gordon Matheny	Emmet	Farmer-Rancher	Married	North Dakota	1914	1969, 73, 75, 79
8. Layton W. Freborg	Underwood	Gen. Contractor	Married	North Dakota	1933	1973, 75, 79
9. Oscar Solberg	Rolla	Farmer	Married	North Dakota	1911	1949, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79
9. Allen Richard	Dunseith	Farmer	Married	North Dakota	1947	1977, 79
10. Eugene Nicholas	Cando	Farmer	Married	North Dakota	1945	1975, 77, 79
10. Howard J. Hove	Fairdale	Businessman	Married	North Dakota	1925	1979
11. Charles F. Fleming	Hamilton	Farmer	Married	North Dakota	1945	1971, 73, 75, 77, 79
11. Alice Olson	Cavalier	Housewife	Married	Manitoba	1928	1973, 75, 77, 79
12. Byron Langley	Warwick	Farmer-Rancher	Married	North Dakota	1926	1973, 75, 77, 79
12. Joe B. Leibhan	Esmond	Farmer	Married	North Dakota	1925	1967, 69, 73, 75, 79
13. L.E. Berger	West Fargo	Educator	Married	North Dakota	1907	1975, 77, 79
13. Florenz Bjornson	West Fargo	Housewife	Widow	South Dakota	1917	1979
14. Kelly P. Boyum	Carrington	Attorney	Married	North Dakota	1948	1979
14. Arthur Melby	Harvey	Ret. Farmer	Married	North Dakota	1918	1979
15. Charles F. Mertens	Devils Lake	Dairy Farmer	Married	North Dakota	1933	1971, 73, 75, 77, 79
15. Gordon Berg	Devils Lake	Ret. Farmer	Married	North Dakota	1927	1977, 79
16. Harley R. Kingsbury	Grafton	Farmer	Married	North Dakota	1913	1967, 69, 71, 73, 79
16. William E. Gorder	Grafton	Farmer-Realtor	Married	North Dakota	1929	1979
17. Elaine Vig	Grand Forks	Homemaker	Married	North Dakota	1920	1979

## MEMBERS OF THE HOUSE, 1979 — (Continued)

Dist. No.	Name	Home Address	Occupation	Marital Status	Where Born	Birth Date	Member during Session of
17.	Burness J. Reed	Grand Forks	Homemaker	Married	North Dakota	1930	1977, 79
18.	Earl S. Strinden	Grand Forks	Developer	Married	North Dakota	1931	1967, 69, 71, 73, 75, 77, 79
18.	Thomas J. Kuchera	Grand Forks	Lawyer	Married	North Dakota	1929	1977, 79
19.	Oben Gunderson, Jr.	McCanna	Farmer	Married	North Dakota	1927	1971, 73, 75, 77, 79
19.	Enoch Thorsgard	Northwood	Farmer	Married	North Dakota	1917	1969, 71, 73, 75, 77, 79
20.	Malcolm S. Tweten	Buxton	Farmer	Married	North Dakota	1925	1973, 75, 77, 79
20.	Peter Lipsiea	Mayville	Restaurant owner	Single	North Dakota	1954	1977, 79
21.	Paul L. DuBord	Fargo	Electrician	Widower	North Dakota	1920	1977, 79
21.	Patricia (Tish) Kelly	Fargo	Housewife	Married	Oklahoma	1932	1975, 77, 79
22.	Francis E. "Hank" Weber	Casselton	Farmer	Married	North Dakota	1924	1963, 65 (Senate), 67, 69, 71, 73, 75, 77, 79
22.	Joe Peltier	Arthur	Elevator Mgr.	Married	North Dakota	1929	1979
23.	Robert J. Jacobsen	Luverne	Farmer	Married	North Dakota	1925	1979
23.	Arvfd E. Hedstrom	Tolna	Barber	Married	North Dakota	1928	1979
24.	Frank Larson	Valley City	Consultant	Married	North Dakota	1929	1979
24.	Don Berge	Litchville	Farmer	Single	North Dakota	1949	1979
25.	LeRoy Hausauer	Wahpeton	Motel Owner	Married	Minnesota	1920	1971, 73, 75, 77, 79
25.	Dayle Dietz	Wahpeton	Coordin. Dist. Ed.	Married	Minnesota	1928	1979
26.	John D. Crabtree	Ellendale	Ins. Rl. Est.	Married	North Dakota	1918	1977, 79
26.	LeRoy Erickson	Delamere	Farmer	Married	North Dakota	1926	1967, 73, 75, 77, 79
27.	Ralph Dotzenrod	Wyndmere	Implement Dealer	Married	Minnesota	1909	1971, 73, 75, 77, 79
27.	Lawrence Dick	Englevale	Farmer	Married	Nebraska	1905	1955, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 79
28.	William F. Gackle	Kulm	Farmer	Married	North Dakota	1927	1963, 67, 69, 71, 73, 75, 77, 79
28.	Jim Brokaw	Forbes	Rancher	Married	South Dakota		1979
29.	Gordon Larson	Jamesstown	Farmer	Single	North Dakota	1917	1967, 69, 71, 73, 75, 77, 79
29.	Eimer Retzer	Cleveland	Farmer	Married	North Dakota	1931	1979
30.	William E. Kretschmar	Venturia	Attorney	Single	Minnesota	1933	1973, 75, 77, 79
30.	Wilber VanderVorst	Hague	Farmer-Rancher	Widower	North Dakota	1917	1973, 75, 77, 79
31.	Theodore (Ted) Lang	Sterling	Farmer	Married	North Dakota	1911	1965, 67, 69, 71, 73, 75, 77, 79
31.	Orville Schindler	McClusky	Farmer	Married	North Dakota	1924	1973, 75, 77, 79
32.	Serenus Hoffner	Bismarck	Teacher/Coach	Married	North Dakota	1946	1979
32.	Roger Koski	Bismarck	Sales Represent.	Married	North Dakota	1954	1979
33.	Ronald E. Gunsch	Zap	Farmer-Rancher	Married	North Dakota	1940	1977, 79
33.	Ralph Hickle	Center	Farmer	Married	North Dakota	1904	1965, 67, 69, 71, 73, 75, 77, 79
34.	James Gerl	Mandan	Pet. Refining Op.	Married	Illinois	1937	1971, 77, 79

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## MEMBERS OF THE HOUSE, 1979 — (Continued)

Dist. No.	Name	Home Address	Occupation	Marital Status	Where Born	Birth Date	Member during Session of
34.	Corliss Mushik	Mandan	Housewife	Married	North Dakota	1922	1971, 75, 77, 79
35.	Walter A. Meyer	Flasher	Rancher	Married	North Dakota	1933	1975, 77, 79
35.	Emil J. Riehl	Raleigh	Farmer	Married	North Dakota	1925	1977, 79
36.	Ralph M. Christensen	Waford City	Businessman	Married	North Dakota	1911	1973, 75, 77, 79
36.	J. R. Murphy	Killdeer	Rancher	Married	North Dakota	1912	1971, 73, 75, 77, 79
37.	William J. Lardy	Dickinson	Educator	Married	North Dakota	1941	1977, 79
37.	Francis J. Wald	Dickinson	Ins. Rl. Estate	Married	North Dakota	1935	1979
38.	Kenneth Knudson	Taylor	Farmer	Single	North Dakota	1927	1967, 69, 71, 73, 75, 77, 79
38.	Clarence Martin	Lefor	Farmer-Rancher	Married	North Dakota	1929	1975, 77, 79
39.	R. R. (Rick) Maixner	New England	Farmer	Married	North Dakota	1945	1977, 79
39.	Kenneth N. Thompson	Beach	Farmer	Single	Montana	1937	1979
40/ 50	Brynhild Haugland	Minot	Farmer	Single	North Dakota	1905	1939, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79
40/ 50	Doug Mattson	Minot	Laborer	Single	North Dakota	1955	1979
40/ 50	James A. Peterson	Minot	Contractor	Married	North Dakota	1935	1967, 69, 71, 73, 75, 77, 79
40/ 50	Roy R. Rued	Minot	Ins. Agent	Married	North Dakota	1926	1973, 75, 77, 79
41.	J. Mikel Walsh	Minot	Farmer	Single	North Dakota	1952	1977, 79
41.	Janet Wentz	Minot	Secur. Represent.	Married	North Dakota	1937	1975, 77, 79
42.	Wayne Stenehjem	Grand Forks	Attorney	Married	North Dakota	1953	1977, 79
42.	Glen Pomeroy	Grand Forks	Educator	Single	North Dakota	1956	1979
43.	Henry C. Wessman	Grand Forks	Therapist	Married	Minnesota	1937	1979
43.	Rosie Black	Grand Forks	Sales Represent.	Married	Ohio	1952	1977, 79
44.	Jean Herman	Fargo	Housewife	Married	Minnesota	1924	1977, 79
44.	Craig M. Richie	Fargo	Attorney	Single	Ohio	1948	1977, 79
45.	Steven J. Swiontek	Fargo	Gate City S/L	Married	North Dakota	1954	1977, 79
45.	James W. Kennelly	Fargo	Retired	Married	Wisconsin	1910	1979
46.	Aloha Eagles	Fargo	Housewife	Married	Minnesota	1916	1967, 69, 71, 73, 75, 77, 79
46.	Richard W. Kloubec	Fargo	Businessman	Married	North Dakota	1931	1973, 79
47.	Pat A. Conmy	Bismarck	Attorney	Married	North Dakota	1934	1977, 79
47.	Vernon E. Wagner	Bismarck	ND Medical Ass'n.	Single	North Dakota	1926	1963, 65, 67, 69, 71, 73, 75, 77, 79
48.	Lyle L. Hanson	Jamestown	Educator	Married	North Dakota	1935	1979
48.	Michael Unhjem	Jamestown	Attorney	Married	North Dakota	1953	1975, 77, 79
49.	Alvin Hausauer	Bismarck	Farmer	Married	North Dakota	1927	1971, 73, 75, 77, 79
49.	R. "Bob" Marfinson	Bismarck	Salesman	Single	North Dakota	1946	1973, 75, 77, 79

## SENATE MEMBERS

MEMBER	PHONE NO. (R. RES.) (B. BUS.)	DISTRICT
Albers, Robert E. .... Hazen, ND 58545	R: 748-2715	33. Oliver, Pt. Mercer,
Barth, Francis R ..... Solen, ND 58570	R: 445-7318	35. Grant, Sioux, Pt. Morton
Berube, Phillip ..... 315 Main Avenue East Rolla, ND 58367	R: 477-5242	9. Rolette, Pt. Towner
Christensen, Hal ..... 307 Eighth Street NW Minot, ND 58701	R: 839-3323 B: 852-3789	5. Pt. Ward
Cussons, James ..... 1242 Burrell Avenue Cooperstown, ND 58425	R: 797-3124	23. Griggs, Steele, Pt. Nelson, Pt. Ramsey
Erdman, Walter C. .... 1202 Bennett Street Bottineau, ND 58318	R: 228-3247	6. Bottineau, Pt. McHenry
Farrington, Steve ..... 4 Advent Avenue Harvey, ND 58341	R: 324-2424 B: 324-4646	14. Foster, Wells
Fritzell, Stella. .... 1120 Cottonwood Grand Forks, ND 58201	R: 772-1014	43. Pt. Grand Forks
Goodman, Chuck ..... Box G Grand Forks, ND 58201	R: 775-5072 B: 772-8181	18. Pt. Grand Forks
Hanson, Donald W. .... 2513 - 9½ Street North Fargo, ND 58102	R: 232-8424 B: 293-6303	45. Pt. Cass
Hoffner, S. F. "Buckshot" ..... Esmond, ND 58332	R: 249-3474	12. Benson, Eddy
Holmberg, Raymon E. .... 1701 Riverside Drive Grand Forks, ND 58201	R: 775-9656 B: 775-3176	17. Pt. Grand Forks
Iszler, Harry ..... Streeter, ND 58483	R: 424-3630	31. Kidder, Sheridan,
Jacobson, J. Garvin ..... Alexander, ND 58831	R: 828-3498	36. Dunn, McKenzie, Pt. Mercer
Jones, Kent ..... Webster, ND 58382	R: 395-4436	15. Pt. Ramsey
Krauter, Adam ..... Regent, ND 58650	R: 563-4335	38. Adams, Hettinger,
Lashkowitz, Herschel ..... Box 2621 Fargo, ND 58102	R: 235-9164	21. Pt. Cass

## SENATE MEMBERS

MEMBER	PHONE NO. (R: RES.) (B: BUS.)	DISTRICT
Lee, Shirley W. .... Turtle Lake, ND 58575	R: 448-2360 B: 448-2317	8. McLean, Pt. Ward
Lips, Evan E. .... 203 West Owens Avenue Bismarck, ND 58501	R: 223-8765 B: 223-6465	47. Pt. Burleigh
Lodoen, Clayton A. .... 522 Fourth Avenue West West Fargo, ND 58078	R: 282-3564 B: 282-4425	13. Pt. Cass
Melland, Robert B. .... P. O. Box 112 Jamestown, ND 58401	R: 252-3136 B: 252-1240	29. Pt. Stutsman
Miller Heinrich, Bonnie L. .... 1606 East Bowen Avenue Bismarck, ND 58501	R: 223-1583	32. Pt. Burleigh
Mutch, Duane .... 711 Terry Avenue Larimore, ND 58251	R: 343-2360	19. Pt. Grand Forks, Pt. Nelson, Pt. Walsh
Naaden, L. L. "Pete" .... Braddock, ND 58524	R: 332-6374	30. Emmons, McIntosh
Nelson, Gary J. .... Box 337 Casselton, ND 58012	R: 347-4319 B: 282-4001	22. Pt. Barnes, Pt. Cass
Nething, David E. .... P. O. Box 1059 Jamestown, ND 58401	R: 252-3353 B: 252-7385	48. Pt. Barnes, Pt. Stutsman
Olin, Jack .... 1050 12th Avenue West Dickinson, ND 58601	R: 225-8533	37. Pt. Stark
Orange, Charles E. "Chuck" .... 1701 University Avenue Grand Forks, ND 58201	R: 775-4910	42. Pt. Grand Forks
Peterson, Curtis N. 149 South Woodcrest Drive Fargo, ND 58102	B: 235-3304	44. Pt. Cass
Rait, George .... Noonan, ND 58765	R: 925-6149	2. Divide, Pt. Burke, Pt. Williams
Redlin, Rolland .... 1005 21st NW Minot, ND 58701	R: 838-4791 B: 852-3711	40. Pt. Ward and 50.
Reiten, Chester .... 2021 Ida Mae Court Minot, ND 58701	R: 852-4491 852-2104	40. Pt. Ward and 50.

## SENATE MEMBERS

MEMBER	PHONE NO. (R. RES.) (B. BUS.)	DISTRICT
Roen, Leland..... 105 Second Avenue SW..... Bowman, ND 58623	R: 523-3169 B: 523-5461	39. Billings, Bowman, Golden Valley, Slope, Pt. Stark
Sandness, Claire A. .... LaMoure, ND 58458	R: 883-5876	28. LaMoure, Logan, Pt. Dickey
Sands, Ernest M. .... Velva, ND 58790	R: 338-3552 B: 338-3551	7. Pierce, Pt. McHenry
Schirado, Lester J. .... 203 ½ First Avenue NW Mandan, ND 58554	R: 663-9243 B: 663-7469	34. Pt. Morton
Shablow, Frank ..... 207 12th Avenue Langdon, ND 58249	R: 256-2529	10. Cavalier, Pt. Towner
Smykowski, James..... Cayuga, ND 58013	R: 538-4466	26. Sargent, Pt. Dickey
Solberg, I. E. "Esky"..... 925 North Sixth Street Bismarck, ND 58501	R: 223-1778	49. Pt. Burleigh
Sorum, Marvin E. .... 701 First Avenue NE Kenmare, ND 58746	R: 385-4450	3. Renville, Pt. Ward
Strand, Gilman A. .... Portland, ND 58274	R: 786-3598	20. Traill, Pt. Cass, Pt. Grand Forks
Strinden, Theron L. .... Litchville, ND 58461	R: 762-4475 B: 762-3605	24. Pt. Barnes
Tallackson, Harvey D. .... Box 288 Grafton, ND 58237	R: 284-6033 B: 352-0871	16. Pt. Walsh
Tennefos, Jens J. .... 714 19th Avenue South..... Fargo, ND 58102	R: 235-2758 B: 235-6661	46. Pt. Cass
Thane, Russell T. .... Route 1, Box 142 Wahpeton, ND 58075	R: 642-8134	25. Pt. Richland
Vosper, F. Kent ..... Neche, ND 58265	R: 886-7712	11. Pembina, Pt. Walsh
Walsh, Jerome L. .... Route 1 Minot, ND 58701	R: 838-1788	41. Pt. Ward
Wenstrom, Frank A. .... P.O. Box 187 Williston, ND 58801	R: 572-5783	1. Pt. Williams
Wright, Stanley ..... Box 97 Stanley, ND 58784	R: 628-2628 B: 628-2236	4. Mountrail, Pt. Burke

## HOUSE PAYROLL (DAILY WAGES)

Chief Clerk .....	\$70.00
Assistant Chief Clerk .....	57.50
Desk Reporter .....	65.00
Bill Clerk .....	52.50
Chief Stenographer & Payroll Clerk .....	52.50
Appropriations Committee Clerk .....	52.50
Sergeant-at-Arms .....	52.50
Deputy Sergeant-at-Arms .....	42.50
Chief Page .....	45.00
<b>(DAILY WAGES)</b>	
Secretary to Speaker .....	\$52.50
Secretary to Majority Floor Leader .....	52.50
Secretary to Minority Floor Leader .....	52.50
Calendar Clerk .....	45.00
Chief Committee Clerk .....	52.50
Committee Clerks (9) .....	47.50
Assistant Committee Clerks (2) .....	45.00
Assistant Appropriations Committee Clerk .....	45.00
Proofreaders (2) .....	42.50
Assistant Sergeant-at-Arms (5) .....	40.00
Stenographers (5) .....	42.50
Typists (2) .....	42.50
Desk Pages (2) .....	40.00
Bill Book Clerks and Pages (15) .....	40.00
Chief Journal and Bill Room Clerk .....	47.50
Journal and Bill Room Clerks (6) .....	40.00
Telephone Page .....	40.00
Telephone Attendants (3) .....	40.00
Information Desk Attendant .....	40.00
Parking Lot Attendant .....	40.00
Custodians (40) .....	28.00

## HOUSE EMPLOYEES

Name:	Position:	Home:
Roy Gilbreath .....	Chief Clerk .....	Bismarck
Del Wawers .....	Assistant Chief Clerk .....	Fairmount
Barbara King .....	Desk Reporter .....	Williston
Gladys Derrick .....	Bill Clerk .....	Bismarck
Theola Stetson .....	Chief Steno/Payroll Clerk .....	Dickinson
Robert Kniefel .....	Sergeant-at-Arms .....	Bismarck
Jack Whereatt .....	Deputy Sergeant-at-Arms .....	Bismarck
Phyllis Connolly .....	Ass't Sergeant-at-Arms .....	Dunn Center
Edgar Beyers .....	Ass't. Sergeant-at-Arms .....	Bismarck
Tim Dwyer .....	Ass't. Sergeant-at-Arms .....	Alexander
David Hillesland .....	Ass't. Sergeant-at-Arms .....	Grand Forks
Mark Zimmerman .....	Ass't. Sergeant-at-Arms .....	Elgin
Craig Sinclair .....	Calendar Clerk .....	Fargo
Betty Perkins .....	Appropriations Committee Clerk .....	Bismarck
Kathleen Steidler .....	Ass't. Approp. Committee Clerk .....	Bismarck
Lela Knudsen .....	Chief Committee Clerk (Jud) .....	Bismarck
Jan Thon .....	Committee Clerk (Trans) .....	Bismarck
Roberta Rose .....	Committee Clerk (Fin/Tx) .....	Bismarck
Dorothy Johnson .....	Committee Clerk (St./Fed) .....	Bismarck
Helen Soma .....	Committee Clerk (S.S./Vet. Af.) .....	Bismarck
Mary LaDuke .....	Committee Clerk (Ed.) .....	Bismarck
Roberta Nelson .....	Committee Clerk (Natl. Res.) .....	Bismarck

## HOUSE EMPLOYEES

Name:	Position:	Home:
Barbara Middaugh	Committee Clerk (I.B.L.)	Bismarck
Amy Morris	Committee Clerk (Agric)	Bismarck
Fran Gronberg	Committee Clerk (Pol. Sub)	Bismarck
Betty Mitzel	Ass't. Committee Clerk	Bismarck
Maude Grambs	Ass't. Committee Clerk	Bismarck
Dotty Neils	Secretary to Speaker	Bismarck
Mavis Patchen	Secretary to Majority Fl. Ldr	Bismarck
Arlene Haunson	Secretary to Minority Fl. Ldr	Dickinson
Eunice Anderson	Information Desk Attendant	Bismarck
Jerry Patchen	Chief Page & Bill Book Clk	Bismarck
Becky Huelskamp	Desk Page	Bismarck
Janna Tjaden	Desk Page	Bismarck
Reneae Doan	Page & Bill Book Clerk	McKenzie
Laurie Jensen	Page & Bill Book Clerk	Bismarck
Sandy Gehrke	Page & Bill Book Clerk	Bismarck
Kristi Rud	Page & Bill Book Clerk	Enderlin
Debra Rud	Page & Bill Book Clerk	Fargo
Cindy Wright	Page & Bill Book Clerk	Watford City
Dorothy Duhr	Page & Bill Book Clerk	Hensler
Steve Weiler	Page & Bill Book Clerk	Grand Forks
Marsha Huffman	Page & Bill Book Clerk	Bismarck
Lance Hagen	Page & Bill Book Clerk	Ellendale
Dennis Bier	Page & Bill Book Clerk	Hazleton
Brad Scott	Page & Bill Book Clerk	Rolette
Rita Wolberg	Page & Bill Book Clerk	Bismarck
Dave Harter	Page & Bill Book Clerk	Bismarck
Georgia Seil	Page & Bill Book Clerk	Pleasant Lake
Mary Gaugler	Page & Bill Book Clerk	Bismarck
Sue Feland	Stenographer	Bismarck
Myrtle Sloan	Stenographer	Bismarck
Ardith Lippert	Stenographer	Bismarck
Barbara Stickland	Stenographer	Bismarck
Nancy Turnbow	Stenographer	Bismarck
Judy Hoffman	Typist	Bismarck
Alma Opp	Typist	Bismarck
Sue Mollison	Telephone Page	Bismarck
Julie Stromberg	Telephone Attendant	Bismarck
Susie Thompson	Telephone Attendant	Bismarck
Pat Ness	Telephone Attendant	Bismarck
Al Larson	Chief Journal & Bill Room Clk	Bismarck
Evelyn Sholts	Bill Room Clerk	Bismarck
Selmer Severinson	Bill Room Clerk	Jamestown
Vida Mae Peterson	Bill Room Clerk	Bismarck
Hazel Ludeman	Journal Room Clerk	Bismarck
Neal Schlosser	Journal Room Clerk	Edgeley
Chuck Zander	Journal Room Clerk	Mandan
Hilda Knittle	Journal Proofreader	Bismarck
Jon Nelson	Journal Room Clerk	Bismarck
Earl Boyd	Parking Lot Attendant	Rock Lake
Gene Reynolds	Custodian	Bismarck
Arnold Schmitt	Custodian	Bismarck
Wayne LaCoe	Custodian	Bismarck
Melvin Nelson	Custodian	Bismarck

# Organizational and Orientation Session December 5, 6, 7, 1978

## Journal of the House

### Forty-sixth Legislative Assembly

#### FIRST DAY

Bismarck, December 5, 1978

At the hour of nine o'clock A.M. on the fifth day of December, 1978, being the day and hour designated by law for the convening of the organizational session of the legislative assembly of the State of North Dakota, the members elect of the House of Representatives assembled in the House Chamber of the State Capitol building at Bismarck, North Dakota, and were called to order by the Speaker of the 1977 legislative session, Rep. Oscar Solberg.

Speaker Solberg announced the House would be on the Fourth Order of Business.

#### COMMUNICATIONS

The list of the qualified members as certified by the Secretary of State was read by the 1977 Chief Clerk, Roy Gilbreath, as follows:

Chief Clerk of the House of Representatives  
Forty-Sixth Legislative Assembly  
Bismarck, ND 58505

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of those duly elected as members of the House of Representatives of the Forty-Sixth Legislative Assembly of the state of North Dakota.

Dist.	County	Name	Address
1.	Pt. Williams	Charles Scofield	Williston
		Dean Winkjer	Williston
2.	Divide Pt. Williams, & Pt. Burke	Irven Jacobson	Alamo
		Olaf Opedahl	Tioga
3.	Renville, Pt. Ward	Richard J. Backes	Glenburn
		Pauline M. Benedict	Berthold
4.	Pt. Burke, Mountrail	Ruth Meiers	Ross
		Larry E. Tinjum	Powers Lake
5.	Pt. Ward	Marjorie Kermott	Minot
		Mike Timm	Minot

Dist.	County	Name	Address
6.	Bottineau & Pt. McHenry	Carolyn Houmann	Westhope
		Lawrence Marsden	Bottineau
7.	Pierce & Pt. McHenry	Herman Larson	Rugby
		Fern E. Lee	Towner
8.	McLean & Pt. Ward	Layton Freborg	Underwood
		Gordon Matheny	Emmet
9.	Rolette & Pt. Towner	Allen Richard	Dunseith
		Oscar Solberg	Rolla
10.	Cavalier & Pt. Towner	Howard Hove	Fairdale
		Eugene Nicholas	Cando
11.	Pembina & Pt. Walsh	Alice Olson	Cavalier
		Charles F. Fleming	Hamilton
12.	Benson, Eddy	Joe B. Leibhan	Esmond
		Byron J. Langley	Warwick
13.	Pt. Cass	Florenz Bjornson	West Fargo
		L. E. Berger	West Fargo
14.	Foster, Wells	Kelley Boyum	Carrington
		Arthur Melby	Harvey
15.	Pt. Ramsey	Charles Mertens	Devils Lake
		Gordon Berg	Devils Lake
16.	Pt. Walsh	William E. (Bill) Gorder	Grafton
		Harley R. Kingsbury	Grafton
17.	Pt. Grand Forks	Burness Reed	Grand Forks
		Elaine E. Vig	Grand Forks
18.	Pt. Grand Forks	Thomas Kuchera	Grand Forks
		Earl Strinden	Grand Forks
19.	Pt. Grand Forks, Pt. Nelson, Pt. Walsh	Oben Gunderson	McCanna
		Enoch Thorsgard	Northwood
20.	Trails, Pt. Cass, Pt. Grand Forks	Peter Lipsiea	Portland
		Malcolm S. Tweten	Buxton
21.	Pt. Cass	Paul L. DuBord	Fargo
		Tish Kelly	Fargo
22.	Pt. Cass, Pt. Barnes	Joe Peltier	Arthur
		Francis E. (Hank) Weber	Leonard
23.	Griggs, Steele, Pt. Nelson, Pt. Ramsey	Robert J. Jacobsen	Luverne
		Arvid Hedstrom	Tolna
24.	Pt. Barnes	Don Berge	Litchville
		Frank Larson	Valley City
25.	Pt. Richland	Roy Hausauer	Wahpeton
		Dayle Dietz	Wahpeton
26.	Pt. Dickey, Sargent	John D. Crabtree	Ellendale
		LeRoy Erickson	DeLamere
27.	Ransom, Pt. Richland	Lawrence Dick	Englevale
		Ralph C. Dotzenrod	Wyndmere
28.	LaMoure, Logan, Pt. Dickey	William Gackle	Kulm
		Jim Brokaw	Forbes
29.	Pt. Stutsman	Gordon Larson	Jamestown
		Elmer Retzer	Cleveland



Dist. County	Name	Address
30. Emmons, McIntosh	William E. Kretschmar	Venturia
	Wilbur VanderVorst	Hague
31. Kidder, Sheridan, Pt. Burleigh	Theodore A. (Ted) Lang	Sterling
	Orville Schindler	McClusky
32. Pt. Burleigh	Serenus Hoffner	Bismarck
	Roger A. Koski	Bismarck
33. Pt. Mercer, Oliver, Pt. Morton	Ronald Gunsch	Zap
	Ralph Hickle	Center
34. Pt. Morton	James Gerl	Mandan
	Corliss Mushik	Mandan
35. Grant, Sioux, Pt. Morton	Walter A. Meyer	Flasher
	Emil J. Riehl	Raleigh
36. Dunn, McKenzie & Pt. Mercer	Ralph M. Christensen	Watford City
	J.R. (Jack) Murphy	Killdeer
37. Pt. Stark	Francis Wald	Dickinson
	Bill Lardy	Dickinson
38. Adams, Hettinger Pt. Stark	Kenneth Knudson	Taylor
	Clarence Martin	Lefor
39. Billings, Bowman, Golden Valley, Slope, Pt. Stark	Kenneth Thompson	Beach
	R. R. (Rick) Maixner	New England
40 & 50. Combined Pt. Ward,	Brynhild Haugland	Minot
	Doug Mattson	Minot
	James A. Peterson	Minot
	Roy Rued	Minot
41. Pt. Ward	Janet M. Wentz	Minot
	J. Mikel Walsh	Minot
42. Pt. Grand Forks	Wayne Stenehjerm	Grand Forks
	Glenn Pomeroy	Grand Forks
43. Pt. Grand Forks	Rosie Black	Grand Forks
	H. C. (Bud) Wessman	Grand Forks
44. Pt. Cass	Jean E. Herman	Fargo
	Craig M. Richie	Fargo
45. Pt. Cass	James W. Kennelly	Fargo
	Steven J. Swiontek	Fargo
46. Pt. Cass	Aloha Eagles	Fargo
	Richard W. Kloubec	Fargo
47. Pt. Burleigh	Patrick A. Conmy	Bismarck
	Vernon E. Wagner	Bismarck
48. Pt. Stutsman, Pt. Barnes	Lyle Hanson	Jamestown
	Michael Unhjem	Jamestown
49. Pt. Burleigh	Alvin Hausauer	Bismarck
	Robert W. Martinson	Bismarck
50. & 40 Combined		

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 1st day of December, 1978.

BEN MEIER  
Secretary of State  
State of North Dakota

GREAT SEAL

## ROLL CALL

The roll was called, and there were 99 members present and 1 absent, as follows:

## Present:

Backes	Hanson	Larson, G.	Richie
Benedict	Haugland	Larson, H.	Riehl
Berg	Hausauer, A.	Lee	Rued
Berge	Hausauer, R.	Leibhan	Schindler
Berger	Hedstrom	Lipsiea	Scofield
Bjornson	Herman	Maixner	Solberg
Black	Hickle	Marsden	Stenehjem
Boyum	Hoffner	Martin	Strinden
Brokaw	Houmann	Martinson	Swiontek
Christensen	Hove	Matheny	Thompson
Conmy	Jacobsen	Mattson	Thorsgard
Crabtree	Jacobson	Meiers	Timm
Dick	Kelly	Melby	Tinjum
Dietz	Kennelly	Mertens	Tweten
Dotzenrod	Kermott	Meyer	Unhjem
DuBord	Kingsbury	Murphy	VanderVorst
Eagles	Kloubec	Mushik	Vig
Erickson	Knudson	Nicholas	Wagner
Fleming	Koski	Olson	Wald
Freborg	Kretschmar	Opedahl	Walsh
Gackle	Kuchera	Peltier	Weber
Gerl	Lang	Pomeroy	Wentz
Gorder	Langley	Reed	Wessman
Gunderson	Lardy	Retzer	Winkjer
Gunsch	Larson, F.	Richard	

## Absent:

Peterson

Rep. Strinden moved that the absent member be excused, which motion prevailed.

Rep. Strinden moved that the Acting Speaker appoint a committee of two to escort Chief Justice Ralph Erickstad to the rostrum. The motion prevailed, and Reps. Mertens and Eagles were so appointed.

Chief Justice Erickstad was escorted to the rostrum and administered the Oath of Office to the members present.

Prayer was offered by Rev. Robert Lynne, Pastor, Good Shepherd Lutheran Church, Bismarck.

Informational packets then were distributed to the members, with the materials therein being explained by Mr. John Graham, Director of the Legislative Council.

Rep. Strinden moved that the House stand recessed until 1:30 p.m., which motion prevailed.

The House reconvened at 1:30 p.m., with Acting Speaker Solberg presiding.

Rep. Lang moved the nomination of Roy Gilbreath for Chief Clerk. Rep. Schindler moved that nominations cease, which motion prevailed.

## ROLL CALL

The question being on the election of Roy Gilbreath as Chief Clerk of the House of Representatives. The roll was called and there were 98 ayes, 0 nays, 2 absent and not voting.

Those voting for Gilbreath were:

Backes	Hanson	Larson, G.	Richard
Benedict	Haugland	Larson, H.	Richie
Berg	Hausauer, A.	Lee	Riehl
Berge	Hausauer, R.	Leibhan	Rued
Berger	Hedstrom	Lipsiea	Schindler
Bjornson	Herman	Maixner	Scofield
Black	Hickle	Marsden	Solberg
Boyum	Hoffner	Martin	Stenehjem
Brokaw	Houmann	Martinson	Strinden
Christensen	Hove	Matheny	Swiontek
Conmy	Jacobsen	Mattson	Thompson
Crabtree	Jacobson	Meiers	Thorsgard
Dick	Kelly	Melby	Timm
Dietz	Kennelly	Mertens	Tinjum
Dotzenrod	Kermott	Meyer	Tweten
DuBord	Kingsbury	Murphy	Unhjem
Eagles	Kloubec	Mushik	VanderVorst
Erickson	Knudson	Nicholas	Vig
Fleming	Koski	Olson	Wagner
Freborg	Kretschmar	Opedahl	Wald
Gackle	Kuchera	Peltier	Weber
Gerl	Lang	Pomeroy	Wentz
Gorder	Langley	Reed	Wessman
Gunderson	Lardy	Retzer	Winkjer
Gunsch	Larson, F.		

Absent and not voting were:

Peterson                  Walsh

Acting Speaker Solberg administered the oath of office to Chief Clerk Roy Gilbreath.

Nominations then were opened for Desk Reporter. Rep. Scofield nominated Barbara King. Rep. Winkjer moved that nominations cease, which motion prevailed.

#### ROLL CALL

The question being on the election of Barbara King as Desk Reporter, the roll was called and there were 99 ayes, 0 nays, 1 absent and not voting. Those voting for Barbara King were:

Backes	Hanson	Larson, G.	Richie
Benedict	Haugland	Larson, H.	Riehl
Berg	Hausauer, A.	Lee	Rued
Berge	Hausauer, R.	Leibhan	Schindler
Berger	Hedstrom	Lipsiea	Scofield
Bjornson	Herman	Maixner	Solberg
Black	Hickle	Marsden	Stenehjem
Boyum	Hoffner	Martin	Strinden
Brokaw	Houmann	Martinson	Swiontek
Christensen	Hove	Matheny	Thompson
Conmy	Jacobsen	Mattson	Thorsgard
Crabtree	Jacobson	Meiers	Timm
Dick	Kelly	Melby	Tinjum
Dietz	Kennelly	Mertens	Tweten
Dotzenrod	Kermott	Meyer	Unhjem
DuBord	Kingsbury	Murphy	VanderVorst
Eagles	Kloubec	Mushik	Vig
Erickson	Knudson	Nicholas	Wagner

Fleming	Koski	Olson	Wald
Freborg	Kretschmar	Opedahl	Walsh
Gackle	Kuchera	Peltier	Weber
Gerl	Lang	Pomeroy	Wentz
Gorder	Langley	Reed	Wessman
Gunderson	Lardy	Retzer	Winkjer
Gunsch	Larson, F.	Richard	

Absent and not voting were:

Peterson

Acting Speaker Solberg administered the Oath of Office to Desk Reporter Barbara King.

Nominations then were opened for Sergeant-at-Arms. Rep. Wagner nominated Robert Kniefel. Rep. A. Hausauer moved that nominations cease, which motion prevailed.

#### ROLL CALL

The question being on the election of Robert Kniefel as Sergeant-at-Arms, the roll was called and there were 99 ayes, 0 nays, 1 absent and not voting.

Those voting for Robert Kniefel were:

Backes	Hanson	Larson, G.	Richie
Benedict	Haugland	Larson, H.	Riehl
Berg	Hausauer, A.	Lee	Rued
Berge	Hausauer, R.	Leibhan	Schindler
Berger	Hedstrom	Lipsia	Scofield
Bjornson	Herman	Maixner	Solberg
Black	Hickle	Marsden	Stenehjem
Boyum	Hoffner	Martin	Strinden
Brokaw	Houmann	Martinson	Swiontek
Christensen	Hove	Matheny	Thompson
Conmy	Jacobsen	Mattson	Thorsgard
Crabtree	Jacobson	Meiers	Timm
Dick	Kelly	Melby	Tinjum
Dietz	Kennelly	Mertens	Tweten
Dotzenrod	Kermott	Meyer	Unhjem
DuBord	Kingsbury	Murphy	VanderVorst
Eagles	Kloubec	Mushik	Vig
Erickson	Knudson	Nicholas	Wagner
Fleming	Koski	Olson	Wald
Freborg	Kretschmar	Opedahl	Walsh
Gackle	Kuchera	Peltier	Weber
Gerl	Lang	Pomeroy	Wentz
Gorder	Langley	Reed	Wessman
Gunderson	Lardy	Retzer	Winkjer
Gunsch	Larson, F.	Richard	

Absent and not voting were:

Peterson

Acting Speaker Solberg administered the oath of office to Sergeant-at-Arms Kniefel.

Nominations then were opened for Speaker of the House.

Rep. Conmy:

"Mr. Speaker and Members of the Assembly:

"I stand here with mixed emotions. My regret is in that when we follow

this procedure, we lose the services of a fair, fine and true gentleman, Oscar Solberg. As you are all aware, last session we were truly a house divided, and in order to make the Assembly function and to serve the people of the State of North Dakota, it took a good deal of tact, patience and diplomacy of those in positions of authority in this body.

"I am pleased to nominate as Speaker for this session my good friend and running mate Vern Wagner. He has served as chairman of the House Appropriations Committee during the last session. He has the tact, diplomacy and finesse that is necessary to make the House function.

"Vern is starting his seventeenth year as a Legislator, and I believe he is a proper successor to Rep. Solberg."

Rep. Martinson:

"Mr. Speaker, Members of the Assembly:

"It is indeed an honor for me to second the nomination of Vern Wagner as Speaker of the House.

"He has been a friend of mine for a long time, and he has been a tremendous help to me over the past years. The only regret I have in seeing him move on as Speaker, after sitting beside him the last three sessions, I shall miss his counsel, but I must advise him that as soon as he moves on, I will try and take over his aisle seat."

Rep. Berger: "I wish to place the name of Rep. Tish Kelly in nomination for Speaker of the House for the 1979 Legislative Session.

"I do so for a number of reasons. I have been a long time advocate and supporter of having women in positions of leadership. This attitude came about from having women as chairmen of the school board during my tenure as superintendent of schools at West Fargo.

"In scanning the history of the North Dakota Legislature, I find that only once have we had a woman as Speaker of the House, when Minnie Craig served back in the Twenties, almost half a century ago.

"Tish Kelly comes to us with extensive experience in government. She served as an assistant to Senator Wayne Morse of Oregon in the United States Senate and in a similar position for Rep. Jeffrey Cohalan in the United States House of Representatives.

"Tish has a deep understanding of the human family having lived in several parts of the world because her father was a career military man.

"During the last session she was one of two women appointed by the Chief Justice of the North Dakota Supreme Court to the Judicial Planning Committee.

"Tish has been a competent legislator, and as our speaker she would lead us with grace, dignity and intelligence.

"In this year of political surprises, let us give the public one more. Let us elect a woman from the minority to be our leader."

Rep. Meiers:

"Mr. Speaker and Members of the Assembly:

"It is an honor to second the nomination of Tish Kelly as Speaker of the House of Representatives.

"Representative Kelly has good judgment, a keen intellectual mind. As a result, she has the support and respect of all of the Democrats and the Republicans as well, and she would serve very capably in the position of Speaker of the House of Representatives."

Rep. Strinden moved that nominations cease, which motion prevailed.

#### ROLL CALL

The question being on the election of Speaker of the House, the roll was called and there were 69 for Wagner, 29 for Kelly, 1 absent and 1 Pass.

Those voting for Wagner were:

Berge	Hausauer, R.	Larson, H.	Rued
Bjornson	Hedstrom	Lee	Schindler
Black	Herman	Leibhan	Scotfield
Boyum	Hickle	Lipsiea	Stenehjem
Christensen	Houmann	Marsden	Strinden
Conmy	Hove	Martin	Swiontek
Crabtree	Jacobsen	Martinson	Thompson
Dick	Kennelly	Matheny	Thorsgard
Dietz	Kermott	Mattson	Timm
Eagles	Kingsbury	Melby	Tweten
Erickson	Kloubec	Murphy	Unhjem
Freborg	Knudson	Nicholas	VanderVorst
Gackle	Kretschmar	Olson	Vig
Gorder	Kuchera	Peltier	Wald
Gunderson	Lang	Reed	Wentz
Gunsch	Larson, F.	Retzer	Wessman
Haugland	Larson, G.	Richie	Winkjer
Hausauer, A.			

Those voting for Kelly were:

Backes	Gerl	Lardy	Pomeroy
Benedict	Hanson	Maixner	Richard
Berg	Hoffner	Meiers	Riehl
Berger	Jacobson	Mertens	Solberg
Brokaw	Kelly	Meyer	Tinjum
Dotzenrod	Koski	Mushik	Walsh
DuBord	Langley	Opedahll	Weber
Fleming			

Those pass were:

Wagner

Absent and not voting were:

Peterson

Rep. Kelly:

"Mr. Speaker:

"I want to thank all my colleagues in the Democratic caucus for their support. It is a singular honor to be nominated for the Speakership, and one this Assembly has not bestowed on a woman for many years.

"I know Rep. Wagner will be an excellent speaker. Last Session I served on the Appropriations Committee under his Chairmanship. He was always fair-minded in his dealings with all the Committee members. If I had to lose, and I knew it was pre-ordained, there is no one I would rather have in this responsible position. At this time, I would like to move that a unanimous ballot be cast for the next Speaker, Rep. Vern Wagner."

The motion of Rep. Kelly prevailed, and a unanimous ballot was cast for Rep. Wagner as Speaker of the House of Representatives.

Rep. Strinden moved that a committee of two be appointed to escort the newly elected Speaker to the rostrum, which motion prevailed. Acting Speaker Solberg appointed Reps. Conmy and Martinson. Speaker Wagner then was escorted to the rostrum.

Rep. Strinden moved that a committee of two be appointed to escort Chief Justice Erickstad to the rostrum to administer the oath of office to the new Speaker. Reps. Mertens and Eagles were so appointed, Chief Justice Erickstad was escorted to the rostrum, and the oath of office was

administered to the new Speaker.

Speaker Wagner addressed the House.

Speaker Wagner:

"Thank you for giving me this great honor. Particularly I wish to thank the members of my caucus for supporting me.

"I accept the office of Speaker with mixed emotions. I know that I will miss the Committee work and the floor debates, but it will bring a new dimension to my legislative experience which can only be gained by acting as the presiding officer.

"It has been my privilege to have served under eight speakers - from both political parties. While these Speakers had different political philosophies, different personalities, and different methods of working, one quality was alike for all of them. That was **fairness**.

"I pledge to you that I will, to the best of my ability, continue the tradition of fairness in carrying out the duties of Speaker as prescribed by the rules of the House. Our system of government is structured so the majority will prevail, but it also guarantees the minority the **right** to be heard. At no time will that right be denied.

"The Speaker is also charged with the responsibility of making committee assignments. Every effort will be made to assign each member to the committee requested. This is not possible in all cases. Where it is not possible to honor the preferences, consideration will be given to seniority and prior service on the committee.

"We have a large number of new members. We welcome you. The North Dakota Legislative Assembly is a dynamic institution because of the influx of new members and new ideas. Do not be reluctant to introduce new ideas, but a word of caution, do not be too disappointed if the majority does not immediately accept your ideas. Change is an evolutionary process. The seed of an idea planted today may not bear fruit for many years to come.

"The Constitution grants us 80 legislative days to complete our work. It is my hope that we will not require the entire time allotted. Our goal should be 60 legislative days. If additional days are required we can use them.

"Nearly every Speaker in the past has made a statement declaring the current Legislative Assembly is one of the most significant in the history of the state. I will not repeat that statement.

"However, this session will be very significant in one respect. There are not many of us in this assembly who have served during a session when funds were short, when a vote for a tax increase was necessary to fund the programs adopted by the members of the assembly.

"The state of North Dakota has been fortunate during the last decade. Tax revenues have been adequate to fund programs, and generally a surplus of funds was available.

"The voters have now sent a message. They wanted their taxes reduced, and along with it, a halt to the expansion of government.

"It is always easy to say yes to a good cause. To say no is often difficult. We must now say **no** to many new programs, no matter how strong some advocates may be.

"This legislature must be very discriminating. The necessary programs should be adequately funded, while new unnecessary programs should be denied. And, yes, in certain instances currently operating programs may have to be eliminated.

"To fail to do this will put future legislatures in very difficult positions.

"During the last session we began a program of deficit financing. This will be accelerated during the current session. While it is not a great problem at this time, we must look to the future. An excessive deficit will require a tax increase in two years, and our major tax revenue source will require a 2/3 majority to change.

"Let a yes vote on a spending program be a reminder that it may also be a yes vote for a tax increase in the future.

"The people of North Dakota have given us a great responsibility. I know that you will accept that responsibility. I look forward to an enjoyable and productive session.

"Two years ago at this time we faced a very unique problem. We were equally divided between Republicans and Democrats.

"Organization of the House seemed to be an impossible task to accomplish. However, reasonable people working together can solve any problem. A compromise was worked out.

"The compromise provided that our good friend, Oscar Solberg, was to be Speaker. None of us regretted that decision. Oscar performed the duties of the office superbly. He ruled the House in a firm and fair manner. He made us all proud to serve with him.

"On behalf of the members of the 45th Legislative Assembly I present you this gavel. May it always serve as a reminder of one of your great moments in history."

Rep. Solberg: "Thank you, Vern, for those kind words, and thanks to all of you. I am going to use this gavel once more.

"I certainly appreciate this gift. It will become one of my prized mementos, and I shall remember the many pleasant and a few trying days when I served as Speaker of the 45th Legislative Assembly.

"Thank you all."

Rep. Strinden:

"Mr. Speaker:

"Before you leave the rostrum, Speaker Solberg, as you officially end your duties as Speaker of the House, please allow me on behalf of the Republican members of the House to express a most sincere appreciation to you for the very fine manner in which you performed your duties as the presiding officer of the House of Representatives.

"The 45th Legislative Assembly was unique in that for only the second time in the history of our great state the House was divided evenly between members of the Republican and Democrat caucuses.

"Some outsiders have magnified the differences which were a part of the session. But, Speaker Solberg and members of this Assembly, under the circumstances it was a remarkably smooth and efficient session. A key to the success of the last session was most certainly the choosing of a presiding officer who had the trust and respect of every house member.

"Speaker Solberg, you are in the true sense of the word a gentleman, a most kind and considerate individual.

"On behalf of all Republicans of the House, thank you for your distinguished and outstanding service as Speaker of the House during the 45th Legislative Session."

Rep. Strinden moved that the House adopt as temporary Rules, the Rules of the Forty-fifth Legislative Assembly with the House Organizational Agreement deleted as shown on pages 43 through 47 of the 1977 House Rules, which motion prevailed.



Committee from the Senate was received, which committee announced the Senate was now organized and ready to do business.

Speaker Wagner announced that the House would be on the sixteenth order of business, and seating of the members would be handled with preference given to those with the greatest seniority after the former speakers and officers for the session had been seated with their delegations.

SEATING ORDER

1. Former Speaker Solberg and District 9 delegation.
2. Present Speaker Wagner and District 47 delegation.
3. Majority Floor Leader Strinden and 18th District delegation.
4. Minority Floor Leader Backes and District 3 delegation.
5. Assistant Majority Floor Leader Kretschmar and District 30 delegation.
6. Assistant Minority Floor Leader Mushik and District 34 delegation.

Speaker Wagner announced that at the request of Rep. Haugland, Seat No. 83 was reserved for Rep. Peterson, who was not able to be present.

All others are seated by District according to the seniority of the senior member of that district, beginning with the seniority chart provided by the Legislative Council (except the Districts previously seated with officers) as follows:

1979  
MEMBERS OF HOUSE OF REPRESENTATIVES  
(1979 Session not included)

House Seniority Table:

Name	Sessions Served	Total
Haugland, Brynhild	1939-41-43-45-47-49-51-53-55-57-59-61-63-65-67-69-71-73-75-77	20
Solberg, Oscar	1949-51-53-55-59-61-63-65-67-69-71-73-75-77	14
Dick, Lawrence	1955-57-59-61-63-65-67-69-71-73-75	11
Backes, Richard	1961-63-65-67-69-71-73-75-77	9
Opedahl, Olaf	1963-65-67-69-71-73-75-77	8
Wagner, Vernon	1963-65-67-69-71-73-75-77	8
Weber, Francis	1963-(Senate 1965)-67-69-71-73-75-77	8
Gackle, William	1963-67-69-71-73-75-77	7
Hickle, Ralph	1965-67-69-71-73-75-77	7
Lang, Theodore	1965-67-69-71-73-75-77	7
Eagles, Aloha	1967-69-71-73-75-77	6
Knudson, Kenneth	1967-69-71-73-75-77	6
Larson, Gordon	1967-69-71-73-75-77	6
Peterson, James	1967-69-71-73-75-77	6
Strinden, Earl	1967-69-71-73-75-77	6
Lee, Fern	1967-71-73-75-77	5
Thorsgard, Enoch	1969-71-73-75-77	5
Dotzenrod, Ralph	1971-73-75-77	4
Erickson, LeRoy	1967-73-75-77	4
Fleming, Charles	1971-73-75-77	4
Gunderson, Oben, Jr.	1971-73-75-77	4
Hausauer, Alvin	1971-73-75-77	4
Hausauer, LeRoy	1971-73-75-77	4

1979  
MEMBERS OF HOUSE OF REPRESENTATIVES  
(1979 Session not included)

Name	Sessions Served	Total
Jacobson, Irven . . . . .	1971-73-75-77 . . . . .	4
Kingsbury, Harley . . . . .	1967-69-71-73 . . . . .	4
Leibhan, Joe . . . . .	1967-69-73-75 . . . . .	4
Merten, Charles . . . . .	1971-73-75-77 . . . . .	4
Murphy, Jack . . . . .	1971-73-75-77 . . . . .	4
Christensen, Ralph . . . . .	1973-75-77 . . . . .	3
Kermott, Marjorie . . . . .	1973-75-77 . . . . .	3
Kretschmar, William . . . . .	1973-75-77 . . . . .	3
Langley, Byron . . . . .	1973-75-77 . . . . .	3
Marsden, Lawrence . . . . .	1973-75-77 . . . . .	3
Martinson, Robert . . . . .	1973-75-77 . . . . .	3
Matheny, Gordon . . . . .	1969-73-75 . . . . .	3
Mushik, Corliss . . . . .	1971-75-77 . . . . .	3
Olson, Alice . . . . .	1973-75-77 . . . . .	3
Rued, Roy . . . . .	1973-75-77 . . . . .	3
Schindler, Orville . . . . .	1973-75-77 . . . . .	3
Scofield, Charles . . . . .	1973-75-77 . . . . .	3
Timm, Michael . . . . .	1973-75-77 . . . . .	3
Tinjum, Larry . . . . .	1973-75-77 . . . . .	3
Tweten, Malcolm . . . . .	1973-75-77 . . . . .	3
Vander Vorst, Wilbur . . . . .	1973-75-77 . . . . .	3
Winkjer, Dean . . . . .	1973-75-77 . . . . .	3
Berger, L. E. . . . .	1975-77 . . . . .	2
Freborg, Layton . . . . .	1973-75 . . . . .	2
Gerl, James . . . . .	1971-77 . . . . .	2
Kelly, Tish . . . . .	1975-77 . . . . .	2
Kloubec, Richard . . . . .	1973-77 . . . . .	2
Martin, Clarence . . . . .	1975-77 . . . . .	2
Meiers, Ruth . . . . .	1975-77 . . . . .	2
Meyer, Walter . . . . .	1975-77 . . . . .	2
Nicholas, Eugene . . . . .	1975-77 . . . . .	2
Unhjem, Michael . . . . .	1975-77 . . . . .	2
Wentz, Janet . . . . .	1975-77 . . . . .	2
Benedict, Pauline . . . . .	1977 . . . . .	1
Berg, Gordon . . . . .	1977 . . . . .	1
Black, Rosie . . . . .	1977 . . . . .	1
Conmy, Patrick . . . . .	1977 . . . . .	1
Crabtree, John . . . . .	1977 . . . . .	1
DuBord, Paul . . . . .	1977 . . . . .	1
Gunsch, Ronald . . . . .	1977 . . . . .	1
Herman, Jean . . . . .	1977 . . . . .	1
Kuchera, Tom . . . . .	1977 . . . . .	1
Lardy, William . . . . .	1977 . . . . .	1
Lipsiea, Pete . . . . .	1977 . . . . .	1
Maixner, Rick . . . . .	1977 . . . . .	1
Reed, Burness . . . . .	1977 . . . . .	1
Richard, Allen . . . . .	1977 . . . . .	1
Richie, Craig . . . . .	1977 . . . . .	1

1979  
MEMBERS OF HOUSE OF REPRESENTATIVES  
(1979 Session not included)

Name	Sessions Served	Total
Riehl, Emil	1977	1
Stenehjerm, Wayne	1977	1
Swiontek, Steven	1977	1
Walsh, J. Mikel	1977	1
Berge, Don		0
Bjornson, Florenz		0
Boyum, Kelley		0
Brokaw, James		0
Dietz, Dayle		0
Gorder, William		0
Hanson, Lyle		0
Hedstrom, Arvid		0
Hoffner, Serenus		0
Houmann, Carolyn		0
Hove, Howard		0
Jacobson, Robert		0
Kennelly, James		0
Koski, Roger		0
Larson, Frank		0
Larson, Herman		0
Mattson, Douglas		0
Melby, Arthur		0
Peltier, Joe		0
Pomeroy, Glenn		0
Retzer, Elmer		0
Thompson, Kenneth		0
Vig, Elaine		0
Wald, Francis		0
Wessman, Henry		0

The Speaker announced the next order of business would be the appointment of Procedural Committees.

Rep. Kretschmar 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. The Speaker appointed Reps. Haugland, Winkjer, and Benedict.

Rep. Kretschmar moved that a committee of five be appointed to act as the Committee on Delayed Bills, which motion prevailed. The Speaker appointed Reps. Strinden, Kretschmar, Wagner, Backes, and Mushik.

Rep. Kretschmar moved that a committee of three be appointed to act as the Committee on Arrangements for House Committee Rooms, which motion prevailed. The Speaker then appointed Reps. Gunderson, Olson, and Langley to serve on such committee.

Rep. Kretschmar moved that a committee of five be appointed to act as a Committee on Employment, which motion prevailed. The Speaker then appointed Reps. Martinson, Scofield, Stenehjerm, Opedahl, and Hoffner, to serve on such committee.

Rep. Kretschmar moved that a committee of five be appointed to act as

a Committee on Revision and Correction of the Journal, which motion prevailed. The Speaker then appointed Reps. Swiontek, Reed, Houmann, Meiers, and Pomeroy, to serve on such committee.

Rep. Kretschmar moved that a committee of five be appointed to act as the Committee on Enrolling and Engrossing, which motion prevailed. The Speaker appointed Reps. Stenehjem, Lipsiea, Dietz, Hanson, and Meyer, to serve on such committee.

Rep. Kretschmar moved that a committee of nine be appointed to act as a Committee on House and Joint Rules, which motion prevailed. The Speaker then appointed to that committee Reps. Unhjem, Strinden, Kretschmar, Wagner, L. Hausauer, Conmy, Backes, Mushik, and Fleming.

Rep. Kretschmar moved that a committee of three be appointed to act as a Committee on Photography, which motion prevailed. The Speaker then appointed Reps. Reed, Herman, and Brokaw, to the Committee on Photography.

Rep. Kretschmar moved that a committee of three be appointed to act, with a like committee from the Senate, as an Inaugural Planning Committee, which motion prevailed. The Speaker appointed Reps. Kermott, Black, and Koski, to serve on such committee.

The Committee appointed to notify the Governor and the Senate that the House was organized and ready to carry on its constitutional functions had completed its work, and the committee was subsequently discharged.

Rep. Strinden moved that the House be at ease to receive the Governor and the Senate in joint session, which motion prevailed.

Rep. Strinden moved that a committee of two be appointed to escort the Lt. Governor to the Rostrum to preside over the joint session, which motion prevailed. The Speaker then appointed Reps. Kermott and Walsh.

#### JOINT SESSION

Lt. Governor Sanstead called the Joint Session to order.

Rep. Strinden moved that a committee of three be appointed to escort the Hon. Arthur A. Link, Governor of the State of North Dakota, to the rostrum, which motion prevailed. Lt. Governor Sanstead then appointed Reps. Christensen, Dick and Solberg to serve on such escort committee.

Gov. Arthur A. Link was then escorted to the rostrum.

#### GOVERNOR'S MESSAGE

TO

#### ORGANIZATIONAL SESSION 46TH LEGISLATIVE ASSEMBLY

Governor Link: "Thank you very much, Mr. President.

"Mr. Speaker, Ladies and Gentlemen:

"I might say this Assembly is functioning true to form and able to rise to every emergency.

"May I say personally it is a pleasure to be with you and to welcome and congratulate each and every one of you in this Assembly.

"In the American form of government the legislature is the process of government closest to the people. We gather at this organizational meeting, not only as individuals with individual opinions, but more importantly, as representatives of the collective population entrusted to make necessary changes to secure the general welfare of our state. In short, the state legislature is the vehicle for change and a state without a means of change is a state without a means of preservation.

"The legislative power to change is given to two bodies, the Senate and

the House. In dividing the legislative body into two branches, our forefathers did not mean to create one house as a bulwark of authority or another house given to the passions of the electorate. Independent of the consequences, it was believed a necessity of the first order to have two houses to slow down the movement of single assemblies and provide an appeal tribunal within the process. An emphasis was placed on reasoned thought. Time and experience has demonstrated the truth of this concept.

"The members of the 46th Legislative Assembly are beset by critical issues, empowered to make constructive changes and entrusted to serve with distinction. I congratulate and welcome each of you, those returning and those newly elected, as you accept the challenge to perform your primary responsibility of critically choosing between alternative solutions to difficult problems. This implies a depth of studied understanding sufficient to identify problems and solutions. We must distinguish between short-term relief and long-term remedies.

"The challenge to government in the 46th Legislative Assembly is to responsibly meet the services asked for by the public within the guidelines established by the public. This means identifying priorities and wringing out the maximum amount of efficient government service per tax dollar spent. In this time of skepticism and doubt, it is more important than ever to act with the future in view and determine what are the important goals for legislative consideration and enactment. If this can be achieved, much will have been accomplished."

"Because of the serious work before us, I want to be as helpful as I can in maintaining good cooperation and communication between the Executive and Legislative Branches of government. My door is open to legislators of both parties at all times. I encourage any individual member or any group of legislators to accept the invitation. Although there are different philosophies and many differing viewpoints, we are all working for the same interests — the people of North Dakota. We are partners in government, and the public of North Dakota expects no less.

"Your responsibilities as legislators begin today. Through a constitutional amendment approved by the voters, you have been given the opportunity to organize and elect your leadership at this pre-session meeting. When the legislature convenes in January, we will be ready to go to work.

"Serving the people requires a special dedication and a special conviction to standards of personal, professional and public excellence. Our constituents have faith that each of us individually meet these standards. For the coming legislative session let us, as a group, dedicate ourselves to the highest standards of excellence and get on with the people's business."

Rep. Strinden moved that joint session of the House and Senate be dissolved, which motion prevailed.

ROY GILBREATH, Chief Clerk

**Second Day of  
Legislative Organizational Session  
Journal of the House  
Forty-sixth Legislative Assembly**

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Bismarck, December 6, 1978

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

Roll was taken, and all members were present except Reps. Gerl and Peterson.

A quorum was declared by the Speaker.

Rep. Strinden moved that the absent members be excused, which motion prevailed.

**REVISION AND CORRECTION OF THE JOURNAL**

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the First Day of the Organizational Session and finds the same to be correct.

Rep. Swiontek, Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

Rep. Strinden moved that the House stand at ease to receive the Senate, which motion prevailed.

**JOINT SESSION**

Joint Session was called to order by Lt. Governor Sanstead.

Lt. Governor Sanstead introduced to the Assembly Rep. Leroy Hausauer, Chairman of the Legislative Council, who made a brief explanation of the makeup of the Council and its duties.

Rep. Hausauer then introduced Mr. John Graham, Council Director, who briefly reviewed the work of interim committees.

Mr. Chet Nelson, Associate Director for Audit and Finance, was introduced, and he explained briefly the work of the Budget Committees A and B, and the Fiscal Review Committee.

The Joint Session was then dissolved.

The House stood adjourned until 9:00 a. m., Wednesday, December 7, 1978.

ROY GILBREATH, Chief Clerk

# Third Day of Legislative Organizational Session Journal of the House

## Forty-sixth Legislative Assembly

Bismarck, December 7, 1978

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

The roll was called, and all members were present except Reps. Crabtree, Gerl, Maixner, Olson, Peterson, Thorsgard and Vander Vorst.

A quorum was declared by the Speaker.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Speaker Wagner announced the House would stand at ease to receive the Senate in Joint Session.

### JOINT SESSION

The Joint Session convened with Speaker Wagner presiding.

Mr. Dean Conrad, Director of Accounts and Purchases, was introduced, who in turn introduced State Budget Officer Darrell Ohlhauser who addressed the session on "Where Our Money Comes From and Where It Goes."

Director of the Coal Impact Office Ailsa Simonson addressed the Session.

Speaker Wagner announced the Joint Session would be dissolved.

The House reconvened with Speaker Wagner presiding.

Rep. Kretschmar moved that the House stand recessed until 10:45 a.m., which motion prevailed.

The House reconvened with Speaker Wagner presiding.

### REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker: Your Procedural Committee on Arrangements for House Committee Rooms has met, has examined potential meeting rooms and other space, and makes the following recommendations:

#### HOUSE COMMITTEE ROOM ASSIGNMENT

1979 Session

Committee:	Meetings Days:	Suggested Room Assignment:
Appropriations.....	M, T, W, Th, F	Lewis and Clark Room
Industry, Business & Labor.....	M, T, W	G-5 & 6
Education .....	M, T, W	Blue Room
Finance and Taxation .....	M, T, W,	G-1
Judiciary .....	M, T, W	East House Balcony (Room 209)
State and Federal Government ..	M, T, W	West House Balcony (Room 208)
Social Welfare .....	Th, F	G-5 & 6

Committee:	Meetings Days:	Suggested Room Assignment:
Natural Resources .....	Th,F	Blue Room
Transportation.....	Th,F	G-1
Political Subdivisions .....	Th,F	East House Balcony (Room 209)
Agriculture.....	Th,F	West House Balcony (Room 208)

REP. OBEN GUNDERSON, Chairman

Rep. Gunderson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Kretschmar moved that the rules be suspended, and that the Report of the Rules Committee not be read in its entirety, which motion prevailed.

#### REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker: Your Committee on Rules, appointed to recommend legislative rules, has had the same under consideration and recommends that the House and Joint Rules of the Forty-fifth Legislative Assembly, not including the organizational agreement printed on pages 43 through 47 of the 1977 House Rules, with the following amendments be adopted as the permanent rules of the House which shall govern those procedures in the House to which they relate:

SECTION 1.) House Rule 27 is hereby created and adopted to read as follows:

#### 27. VOTE BY SPEAKER

The Speaker shall vote on all questions taken by ayes and nays (except on appeals from the Speaker's decision) and in all elections or decisions called for by any member.

SECTION 2. AMENDMENT.) House Rules 1, 23, 29, 30, 32, 35, 38, 39, 39.1, 40, 42, 43, 56, 66, 84, and 86 are hereby amended to read as follows:

#### 1. CALL TO ORDER

The regular session of the House shall begin at the hour to which it shall have adjourned at its last sitting, but if no hour were fixed at such sitting, then at 2:00 p.m., when the Speaker shall take the Chair and call the House to order. After prayer by the Chaplain, the roll of members shall be



called and the names of the absentees entered upon the Journal of the House. If a quorum be present, the Speaker shall then proceed with the regular order of business.

23. DIVISION OF QUESTION

If a question before the House contains more than one proposition, any member may have the same divided, except there shall be no division of the question by the house of a conference committee report.

29. WHO MAY INTRODUCE - JOINT SPONSORSHIP - PREFILING

- a. Any bill, memorial, or resolution which conforms to statutory requirements and the rules herein set forth, within the time prescribed, may be introduced by any member, standing committee, or the Legislative Council, by filing the same with the Clerk of the House, who shall number or letter consecutively each bill or resolution ~~7-er-prior~~.
- b. Any bill, memorial, or resolution may have, following and separate from the names of the House of Representatives sponsor or sponsors, the names of one or more cosponsors from the Senate.
- c. Any bill, memorial, or resolution, may, prior to the convening of the regular session, be introduced by prefiling in the office of the Legislative Council. Such prefiled bills, memorials, and resolutions will be numbered or lettered and delivered to the Clerk of the House ~~for-introduction~~. The Speaker of the House may assign such prefiled bills, memorials, and resolutions to committee and may arrange, prior to the convening of the regular session, for the posting of notice of hearing. Prefiled bills, memorials, and resolutions may not be withdrawn, except on the floor of the House in the manner provided by the rules, and

## JOURNAL OF THE HOUSE

such bills, memorials, or resolutions shall not be confidential.

## 30. WHEN INTRODUCED

- a. No bill shall be introduced after the fifteenth legislative day, nor shall any resolution, except those resolutions hereinafter provided for, be introduced after the eighteenth legislative day, except upon approval of a majority of the Committee on Delayed Bills or upon two-thirds vote of the House.
- b. No bill introduced at the request of an executive agency shall be introduced after the fifth legislative day, except upon approval of a majority of the Committee on Delayed Bills.
- c. Resolutions which propose amendments to the United States Constitution or the Constitution of North Dakota, and resolutions directing the Legislative Council to carry out a study, shall not be introduced after the thirty-third legislative day, and shall be reported back from the standing committee, if referred, no later than the forty-fourth legislative day in the case of resolutions proposing constitutional amendments, and no later than the thirty-seventh legislative day in the case of resolutions directing a Legislative Council study. A resolution proposing a constitutional amendment or directing a Legislative Council study which is not reported back as provided in this rule shall automatically be placed on the calendar without recommendation, ~~or, in the case of Legislative Council study resolutions, shall be rereferred in accordance with House Rule No. 38.~~

## 32. FORM OF BILLS, NUMBER OF COPIES

- a. Every bill, memorial, and resolution shall be in typewritten form and ~~nine~~ eleven copies thereof shall be filed with the Chief Clerk of the House.
- b. Each bill, memorial, and resolution shall have endorsed thereon its title and the name of the member, or members, but no more than five from the House, nor more than three from each house on jointly sponsored bills, or committee introducing the same.
- c. The enacting clause of a bill shall be as follows:  
"BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA".
- d. No bill shall embrace more than one subject, which shall be expressed in its title.
- e. If a bill amends a present statute, the portion thereof constituting the amendment or amendments shall be underscored. In all bills which contain both sections amending existing statutes and sections which will be new law, the portion containing the amendment to the existing statute and all of each section containing new law shall be underscored. Any matter contained in the present statute but deleted in the proposed amended statute shall be contained in the typewritten bill, but shall be set off from the remainder of the text by ~~placing three parentheses at the beginning and end of such~~ typing a line through the deleted matter. Where bills sponsored by the Legislative Council do not use the above devices ~~of parentheses and underscoring~~, such bills must be accompanied by appropriate explanatory notations outlining the changes to be effected. All bills and resolutions to be introduced in the House shall be in such form and style as the Legislative Council shall prescribe.

## JOURNAL OF THE HOUSE

f. The Chief Clerk of the House, upon receiving nine eleven copies of a bill or resolution as provided by this rule, shall proceed as follows: ~~(a)~~ (1) If the original copy of the bill or resolution has attached to it a notation that the bill or resolution was drafted, retyped, or approved as to form and style by the Legislative Council staff, the Chief Clerk shall number the bill or resolution as provided in House Rule 29 and, after first reading and referral, shall distribute the copies as provided in this rule; or ~~(b)~~ (2) If the original copy of the bill does not have a notation of drafting, retyping, or approval as to form and style by the Legislative Council staff attached, the Chief Clerk shall proceed as provided in House Rule 33.

g. The Chief Clerk shall, after compliance with this rule and after first reading, distribute the nine eleven copies of a bill or resolution received as follows: One of such copies shall be delivered to the chairman of the committee to which the measure is referred, one copy shall be delivered to the ~~chairman of the Committee on Enrollment and Engrossment~~ Speaker, one copy shall be delivered to the Legislative Council, one copy shall remain in the custody of the Chief Clerk until otherwise directed by the House, one copy shall, except in the case of bills or resolutions printed upon order of the Legislative Council pursuant to House Rule 36, be delivered to the printer having the contract for printing of bills, one copy shall be delivered to the printer having the contract for printing the House Journal for use in setting of the bill title, and three copies shall be available for representatives

of news media, one copy shall be available to the Greater North Dakota Association, and one copy shall be given to the prime sponsor.

- h. The original of each bill or resolution filed with the Chief Clerk shall be typed on preprinted bill paper, which paper shall be in the form prescribed by the Legislative Council.

35. CONSIDERATION OF OTHER RESOLUTIONS

No resolution which commends, lauds, congratulates, or otherwise honors any person or group, other than memorial resolutions extending condolences, shall be introduced or further considered unless the person or group is being recognized for an achievement which has brought national attention or recognition. Every resolution other than those referred to in the previous sentence or the preceding rule shall be read once and referred by the Speaker to an appropriate standing committee or upon motion to a select committee, unless otherwise ordered by vote of the House.

38. BILLS AND RESOLUTIONS REFERRED

Upon the first reading of a bill or concurrent resolution, the Speaker shall refer it to an appropriate committee, unless the House, upon motion, decides to refer the same to a select or other standing committee, or to the Committee of the Whole. If the bill or resolution is referred to the Committee of the Whole, then it shall come up for consideration under the general order of the next day, unless otherwise ordered by the House.

~~Upon the first reading of any bill or resolution calling for study of any matter by the Legislative Council, the Speaker shall refer such bill or resolution to the appropriate committee, which committee shall return such bill or resolution to the House with its recommendations. The bill or resolution shall, upon the approval of a favorable committee report by the~~

~~House, be rereferred to the Legislative Council-Resolutions Committee, which shall retain it until action is taken as provided in Joint Rule 20, prior to final action thereon by the House.~~

39. BILLS TO COMMITTEE ON APPROPRIATIONS

All bills or resolutions carrying an appropriation of five thousand dollars or more shall be referred or rereferred to and acted upon by the Committee on Appropriations before final action by the House thereon, unless otherwise ordered by a majority vote of the members present. All House bills required to be rereferred to the Committee on Appropriations, except bills introduced after the deadline for introduction of bills by the Committee on Delayed Bills or upon two-thirds vote of the House, shall be rereferred not later than the twenty-third legislative day. If an appropriation bill is not reported to the floor and rereferred as required herein, the bill shall be deemed rereferred and shall be under the jurisdiction of the Committee on Appropriations at the end of the twenty-third legislative day.

39.1. DETERMINATION OF SENIORITY SEATING IN HOUSE CHAMBERS

1. Seniority shall be measured by the total number of years a member has served in the Legislative Assembly, regardless of continuity of terms of office, and shall include service in the Senate. Seating of members shall be in the following order by district delegation, ~~with the delegations-containing-past:~~
  - a. Past Speakers and the in the order of seniority.
  - b. The Speaker.
  - c. The Majority and Floor Leader.
  - d. The Minority Floor Leaders-being-seated first, in that order, and the Leader.

- e. The Assistant Majority Floor Leader.
- f. The Assistant Minority Floor Leader.
- g. The remaining delegations being seated in order of seniority of each delegation's most senior member.

The Speaker may also permit extra seats on the floor of the House chambers to be utilized by members of the press, and may reserve certain seats for that purpose.

- 2. When two or more members have exactly the same seniority as determined pursuant to the first sentence of this Rule, ~~seniority-as-between-these members-shall-be-determined-by-their-birth-dates, with-the-eldest-of-the-group-being-most-senior, and-so-on-until-all-members-of-the-group-are ranked~~ seating among those delegations shall be in chronological order based upon the number of the district represented by each delegation.
- 3. In making committee assignments pursuant to Rules 7 and 40, the Speaker shall first consider the best interests of North Dakota, and a member's individual committee assignment preference shall be given second consideration.
- 4. In making appointments of committee chairmen and vice chairmen, the Speaker shall give no less weight to ability, knowledge of subject matter, and experience than he gives to seniority.

#### 40. STANDING COMMITTEES

Standing committees concerned with matters in the fields as indicated, shall be appointed as follows:

- 1. Appropriations, to consist of ~~twenty~~ nineteen members.

All bills calling for appropriations in excess of five thousand dollars.

## JOURNAL OF THE HOUSE

## GROUP A-1

2. Education, to consist of sixteen members.  
Public Schools; Libraries; and Institutions of Higher Learning.
3. Finance and Taxation, to consist of sixteen members.  
Public Debt; Taxes and Tax Laws.
4. Judiciary, to consist of fifteen members.  
Elections and Election Privileges; Judiciary.
5. Industry, Business, and Labor, to consist of sixteen members.  
Banks and Banking; Corporations; Insurance; Matters pertaining to private business and industry; Workmen's Compensation; Unemployment Compensation; Labor Laws and kindred subjects.
6. State and Federal Government, to consist of ~~sixteen~~ fifteen members.  
State and Federal Affairs; Director of Institutions and Industrial Commission and Institutions under their supervision; State Historical Society and State Parks; Immigration and Statistics.

## GROUP A-2

7. Agriculture, to consist of fifteen members.  
Agriculture; Livestock; Drainage and Irrigation; Warehouse and Grain Grading.
8. Natural Resources, to consist of sixteen members.  
Game and Fish; Public Lands; Mines and Mining; Gas and Oil; Forestry.
9. Political Subdivisions, to consist of sixteen members.  
Cities; Counties; Townships; Park Districts; Apportionment.



10. Social Welfare Services and Veterans Affairs, to consist of ~~sixteen~~ fifteen members.  
Public-Welfare Social Services; Public Health; Public Safety; TemperanceMatters affecting the Military and Veterans.
11. Transportation, to consist of sixteen members.  
 Highways and Bridges; Railroads; Motor Vehicles; Airlines and Airports.
- ~~12.--Veterans-Affairs,-to-consist-of-not-more-than fifteen-members-~~  
~~National-Guard-and-Militia,-Adjutant-General,- Veterans-Matters,-Soldiers+-Home+-Civil-Defense, and-related-Military-Matters-~~

## PROCEDURAL COMMITTEES

- ~~13-~~ 12. Delayed Bills, to consist of five members.
- ~~14-~~ 13. Employment, to consist of five members.
- ~~15-~~ 14. Enrolled and Engrossed Bills, to consist of five members.
- ~~16-~~ 15. Revision and Correction of Journal, to consist of five members.
- ~~17-~~ 16. Rules, to consist of nine members.
- ~~18.--Legislative-Council-Resolutions,-to-consist-of five-members,-one-of-whom-may-be-a-member-of-the Legislative-Council-~~

In all cases, a majority of the committee shall constitute a quorum. The committee chairman or such person who is duly appointed to act as chairman shall ensure that minutes of each committee meeting be kept. Such minutes shall include the names of all committee members present; the time of commencement and adjournment of each meeting; the bills or resolutions discussed by number, and a short phrase explaining what each bill or resolution relates to; and the names and addresses of all persons who appear in relation to any certain

bill or resolution and a brief summary of their remarks. The minutes shall also include a record of recommended amendments to bills and resolutions, and may include a recorded roll call vote of the committee on all bills and resolutions referred out of the committee, and shall include a recorded roll call vote on demand of any member. Upon final adjournment of the legislative session, the minutes of all committee meetings shall be delivered to the Legislative Council and shall be retained by the Council for a period of not less than one year.

#### 42. MEETINGS OF COMMITTEE

The Appropriations Committee shall meet on Monday, Tuesday, Wednesday, Thursday, and Friday of each week ~~from 9+00 a-m--to-12+00-noon~~. The ~~Committee~~ Committees on Finance and Taxation; Judiciary; Industry, Business, and Labor; Education; and State and Federal Government shall meet on Monday, Tuesday, and Wednesday of each week ~~from 9+00-a-m--to-12+00-noon~~. The Committees on Political Subdivisions; Social Welfare Services and Veterans Affairs; Transportation; Agriculture; and Natural Resources shall meet on Thursday and Friday of each week ~~from 9+00-a-m--to-12+00-noon--The-Committee-on-Veterans-Affairs shall-meet-at-the-call-of-the-chairman-thereof~~. Any committees scheduled to meet on Wednesdays may adjust their schedules to allow time for the Joint Constitutional Revision Committee and committees without regularly scheduled meeting times to meet. The chairman of any committee, or a majority of that committee, may call meetings at ~~other~~ times and on other days as deemed necessary.

#### 43. MEETINGS OF CHAIRMEN

There shall be a meeting of committee chairmen of the standing committees, the Majority Floor Leader, and the Speaker each week on Thursday, subject to the call of the chairman, or at such other time as the ~~majority-of-Chairmen~~ chairman may agree designate. ~~They shall select their own~~ The Majority

Floor Leader shall serve as chairman. At such meeting they shall arrange the schedule of committee hearings to the end of the following week, and, so far as possible, the bills to be considered at such hearing.

## 56. FINAL PASSAGE

No bill shall become a law except by a vote of the majority of the members-elect of each house, however the Lieutenant Governor may vote as provided in Senate Rule 26 in the event the Senate is equally divided, nor unless on ~~its~~ the bill's final passage the vote be taken by ayes and nays and the names of those voting be entered in the journal, ~~provided,~~ ~~however, that.~~ However, no measure enacted or approved by a vote of the electors shall be repealed or amended by the ~~legislature~~ legislative assembly for seven years from its effective date, except by a two-thirds vote upon roll call of all members elected to each house. Ratification of amendments to the Constitution of the United States shall be by concurrent resolution approved by a majority, upon roll call vote, of the members elected to each house, except as provided in Senate Rule 26.

## 66. ENROLLMENT

The Committee on Enrollment shall examine all House bills and resolutions which have passed both houses, and when reported correctly enrolled, ~~with-matter-within-brackets-as provided-by-Chapter-2667-1945-Session-Laws-deleted,~~ and such report is adopted, they shall be presented to the presiding officers of the House and Senate for their signatures, and when so signed, bills shall be presented to the Governor for his approval, ~~said.~~ The committee may report at any time.

## 84. LEGISLATIVE DAY

No Each legislative day shall begin at 7:00 a.m., but the sessions of the House shall begin as provided in House Rule 1. No legislative day shall be shorter than the natural day.

86. OFFICERS AND EMPLOYEE POSITIONS OF THE HOUSE OF  
REPRESENTATIVES

The following offices and employee positions shall be established and the number, title, and manner of selection for each position shall be as hereinafter indicated or stated:

Title of Position	Number of Positions
-------------------	---------------------

Group A

Chief Clerk.....	1
Desk Reporter.....	1
Sergeant-at-Arms.....	1

Persons holding Group A positions shall be elected thereto by a majority of the members-elect and the vote shall be recorded in the Journal.

Group B

Assistant Chief Clerk.....	1
<del>Assistant-Desk-Reporter.....</del>	<del>1</del>
Bill Clerk.....	1
Chief Stenographer and Payroll Clerk.....	1
Chief Committee Clerk.....	1
Appropriations Committee Clerk.....	1
Assistant Appropriations Committee Clerk.....	1
Committee Clerks.....	109
Assistant Committee Clerks.....	2
Calendar Clerk.....	1
<del>Enrolling-and-Engrossing-Clerk.....</del>	<del>1</del>
Chief Page.....	1
<u>Desk Pages.....</u>	<u>2</u>

Persons holding Group B positions shall be appointed thereto by the party having a majority of the members-elect acting by and through the Committee on Employment.

Group C

Secretary to the Speaker.....1  
 Secretary to Majority Floor Leader.....1  
 Secretary to Minority Floor Leader.....1

The Speaker and the Majority and Minority Floor Leaders shall appoint their respective Secretaries to such position, acting by and through the Committee on Employment.

Group D

Deputy Sergeant-at-Arms.....1  
 Assistant Sergeants-at-Arms.....5  
 Bill Room ~~and-Journal-Room~~ Clerks.....54  
Journal Room Clerks.....2  
 Stenographers.....5  
 Typists.....32

~~Assistant-Enrolling-and~~

~~Engrossing-Clerk.....1~~  
 Pages and Bill Book Clerks.....~~13~~1415  
Telephone Page.....1  
~~Chief-Telephone-Attendant.....1~~

~~(Alternate-selection-by-House  
 and-Senate)~~

Telephone Attendants.....3  
 (One selected by the body which selects the Chief Telephone Attendant and ~~two~~ three by the other house.)

Information Desk Attendant.....1

~~Journal-Room-Clerk-Typist.....1~~  
~~(Alternate-selection-by-House  
 and-Senate)~~

Parking Lot Attendant.....1

Journal Proofreaders.....2

Chief Journal ~~and-Bill~~ Room Clerk.....1  
 (Alternate Selection by House)

and Senate)

The employee ~~position~~ positions of Group D shall be allocated to the majority and minority parties in proportion to each party's percentage of the total number of the members-elect and each party shall appoint the persons to the positions allocated to them, acting by and through the Committee on Employment except, however, that in allocating the positions of stenographers and typists the minority party shall be allocated not less than one each of these positions. The majority party shall have the first right to select those positions of this group until their allocation is filled.

The powers, duties, and qualifications for each officer or employee shall be as provided by law, these rules, and the Legislative Handbook for North Dakota Legislators and Employees for such positions.

SECTION 3. AMENDMENT.) Joint Rules 6, 8, 24, and 25 are hereby amended to read as follows:

6. CONFERENCE COMMITTEES

- a. In every case of a difference between the two houses arising from a refusal by one house to concur in amendments made by the other house, if either house shall request a conference on the difference which has arisen and shall appoint a committee for that purpose, the other house shall also appoint such a committee.
- b. The committees so appointed shall meet at such hour and place as shall be agreed on by the chairmen; and the chairmen shall have the time and place of the meeting posted on the bulletin board prior to the meeting, or the chairmen shall announce the time and place of the meeting to their respective houses.
- c. The committees so appointed shall state to each other, verbally, or in writing, as either may choose,

the reasons of their respective houses, and confer thereon; and they shall be authorized to report, in the manner set out below, to their respective houses regarding the manner in which they recommend that the difference between the two houses should be resolved.

- d. The chairman of the conference committee representing the house of origin of the bill or resolution under consideration shall ensure that minutes of the meetings of the conference committee be kept in the same manner as other standing committee minutes.
- e. Conference committees appointed pursuant to this rule shall confine their conferences and recommendations to consideration of the stated difference which gave rise to the appointment of the committees.
- f. The conference committee report shall first be submitted to the house having possession of the bill over which the difference has arisen where it shall be acted upon and notice of such action transmitted to the other house.
- g. When the other house shall have also acted upon the report, it shall notify the house having possession of the bill, which house shall, if appropriate, proceed to take action on the bill and transmit it to the other house for appropriate action.

8. LIMITATION ON MESSAGING OF BILLS

No bill that shall have passed one house shall be sent to the other house for concurrence after the thirty-third legislative day of the session, except bills introduced after the first fifteen legislative days of the session by ~~the~~ a committee on delayed bills or introduced with the concurrence of two-thirds or more of the members of the house of introduction. No resolution directing the Legislative Council to carry out a study that shall have passed one house shall be

sent to the other house for concurrence after the thirty-eighth legislative day of the session, except study resolutions introduced after the thirty-third legislative day by a committee on delayed bills or introduced with the concurrence of two-thirds or more of the members of the house of introduction.

24. JOINT CONSTITUTIONAL REVISION COMMITTEE

The joint Constitutional Revision Committee shall consist of ~~eight~~ ten members, ~~four~~ five from each house, appointed in the same manner as the members of other standing committees are appointed. The first-named member from each house shall act as co-chairperson of the committee. The committee shall meet on Wednesday of each week from 8:00 a.m. to 9:30 a.m. or at the call of the chairpersons at such other times and places as they may determine. All resolutions proposing amendments, additions, or repeals to the Constitution of the State of North Dakota shall be referred to the committee. The committee will report on those resolutions in the same manner and in accordance with the same time schedules as do other standing committees. A resolution shall be first reported back to its house of origin.

25. PRINTING AND DISTRIBUTION OF BILLS.

Seven hundred copies of each bill, and five hundred copies of each resolution shall be printed, unless the house of introduction shall order a greater or lesser number to be printed. Bill room employees, under the supervision of the Chief Clerk or the Secretary of the Senate, as the case may be, may, as time and physical space allow, set aside not more than five copies of each bill or resolution, or specified bills and resolutions, to be delivered to certain specified persons. Persons on an approved list to receive bills as of ~~January-4, 1977,~~ the first day of the regular session shall have priority for receiving bills and resolutions pursuant to this rule.



This rule shall not apply to the staff of the Legislative Council which may have such number of bills set aside as are necessary to aid it in carrying on legislative business. Bill room employees shall not distribute more than five bills to any one person, except to legislators, legislative employees, and members of the Legislative Council staff.

SECTION 4. REPEAL.) House Rule 80 and Joint Rule 20 are hereby repealed.

Representative Michael Unhjem  
Chairman

Representative Unhjem moved that the report be adopted.

#### APPOINTMENT OF STANDING COMMITTEES

##### APPROPRIATIONS

Peterson, Chairman  
 Hausauer, R., Vice Chairman  
 Christensen  
 Eagles  
 Freborg  
 Gunsch  
 Jacobsen, R.  
 Kingsburg  
 Kuchera  
 Larson, F.  
 Marsden  
 Thorsgard  
 Tweten  
 Unhjem  
 Fleming  
 Mertens  
 Mushik  
 Opedahl  
 Solberg

##### EDUCATION

Knudson, Chairman  
 Larson, G., Vice Chairman  
 Black  
 Dick  
 Erickson  
 Larson, H.  
 Liebhan  
 Mattson  
 Olson  
 Schindler  
 Swiontek  
 Berger  
 Hoffner  
 Jacobson  
 Meyer  
 Tinjum

## FINANCE AND TAXATION

Gackle, Chairman  
Hausauer, A., Vice Chairman  
Bjornson  
Crabtree  
Kennelly  
Lipsiea  
Martin  
Matheny  
Murphy  
Nicholas  
Timm  
Berg  
Kelly  
Richards  
Riehl  
Weber

## INDUSTRY, BUSINESS, AND LABOR

Rued, Chairman  
Vander Vorst, Vice Chairman  
Dietz  
Haugland  
Hedstrom  
Kloubec  
Lang  
Peltier  
Retzer  
Vig  
Wald  
DuBord  
Gerl  
Koski  
Langley  
Maixner

## JUDICIARY

Winkjer, Chairman  
Kretschmar, Vice Chairman  
Berge  
Boyum  
Conmy  
Houmann  
Reed  
Richie  
Stenehjem  
Thompson  
Wentz  
Benedict  
Dotzenrod  
Lardy  
Meiers

## STATE AND FEDERAL

Martinson, Chairman  
Lee, Vice Chairman  
Gorder  
Gunderson  
Herman

Hickle  
Hove  
Kermott  
Melby  
Scofield  
Wessman  
Brokaw  
Hanson  
Promeroy  
Walsh

AGRICULTURE

Nicholas, Chairman  
Hickle, Vice Chairman  
Gorder  
Houmann  
Larson, H.  
Leibhan  
Lipsiea  
Matheny  
Melby  
Richie  
Vander Vorst  
Benedict  
Dotzenrod  
Meyer  
Weber

NATURAL RESOURCES

Kloubec, Chairman  
Murphy, Vice Chairman  
Crabtree  
Dick  
Hausauer, A.  
Kermott  
Martin  
Schindler  
Vig  
Wessman  
Winkjer  
Berg  
Langley  
Maixner  
Tinjum  
Walsh

POLITICAL SUBDIVISIONS

Lang, Chairman  
Black, Vice Chairman  
Boyum  
Conmy  
Kennelly  
Knudson  
Kretschmar  
Larson, G.  
Mattson  
Wald  
Wentz  
Berger

Gerl  
Jacobson  
Kelly  
Riehl

## SOCIAL SERVICE AND VETERANS AFFAIRS

Haugland, Chairman  
Olson, Vice Chairman  
Berge  
Bjornson  
Hedstrom  
Herman  
Martinson  
Reed  
Retzer  
Stenehjem  
Swiontek  
DuBord  
Hoffner  
Lardy  
Meiers

## TRANSPORTATION

Erickson, Chairman  
Timm, Vice Chairman  
Dietz  
Gackle  
Gunderson  
Hove  
Lee  
Peltier  
Rued  
Scofield  
Thompson  
Brokaw  
Hanson  
Koski  
Pomeroy  
Richards

## CONSTITUTIONAL REVISION

Conmy, Chairman  
Kretschmar  
Swiontek  
Lardy  
Maixner

Rep. Strinden moved that the 46th organizational legislative session be adjourned, which motion prevailed.

ROY GILBREATH, Chief Clerk

# Journal of the House

## Forty-sixth Legislative Assembly

### FIRST DAY

Bismarck, January 3, 1979

At the hour of twelve o'clock noon of the third day of January, 1979, according to the Constitution of the State of North Dakota, the North Dakota House of Representatives convened in its regular session, Speaker Wagner presiding.

Prayer was offered by Rev. Norman Winkelman, Calvary United Methodist Church, Bismarck.

### SIXTEENTH ORDER OF BUSINESS

The Speaker announced the House would be on the Sixteenth Order of Business. He then appointed Reps. Mertens and Winkjer to escort Chief Justice Ralph Erickstad to the rostrum.

Chief Justice Erickstad then administered the oath of office to Rep. James Peterson.

Roll was called and all members were present except Reps. Dietz, Kingsbury, F. Larson, Meyer, Olson, Riehl and Weber.

A quorum was declared by the Speaker.

### REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Second and Third Day of the Organizational Session

and recommends that the same be corrected as follows:

On page 40, line 6, add the words "AND VETERANS AFFAIRS"

And when so corrected recommends that the same be approved.

*Steven J. Swank*  
Rep. Swanktek Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

Rep. Strinden moved that the schedule of chaplains be printed in the Journal, which motion prevailed.

### LEGISLATIVE CHAPLAINCY SCHEDULE OF DATES FOR THE HOUSE JANUARY

DATE	PASTOR'S NAME	CHURCH
3	Reserved for Governor	
4	Sister Burnie Kunz	First Lutheran — Bismarck
5	Merlin Starr	7th Day Adventist
8	Dave Knecht	McCabe Methodist
9	Don Klingensmith	United Methodist — Mandan
10	Stanley Malmgren	First Baptist
11	George Walker	First Evangelical Free
12	Win Stoerker	ND Conf. of Churches

DATE	PASTOR'S NAME	CHURCH
15	Norman E. Winkelman	Calvary United Methodist
16	John Miller	Baptist Temple Church
17	Stanley Malmgren	First Baptist
18	Bob Fisher	Wesleyan
19	Win Stoerker	ND Conf. of Churches
22	Harold May	Evangel Temple
23	John Nicolai	Trinity Lutheran
24	George Walker	First Evangelical Free
25	LaRue Goetz	Director, STEER, Inc.
26	Hensel Hendrickson	Trinity Lutheran
29	James Norlie	Trinity Lutheran
30	Ted Kalkwarf	Faith Lutheran
31	Ed Jarvis	Salvation Army

## FEBRUARY

1	Jay Stratton	Lord Of Life Lutheran
2	Duane Danielson	House of Prayer Lutheran
5	Gerald Ruelle	St. Alexius Hospital
6	Dave Knecht	McCabe Methodist
7	Joe Agee, Jr.	Washington Heights Community
8	Jeff Mantz	Assembly of God
9	Don DeKok	Bismarck Reformed
12	Norman E. Winkelman	Calvary United Methodist
13	Don Klingensmith	United Methodist — Mandan
14	George Walker	First Evangelical Free
15	Jim Butler	First Presbyterian — Bismarck
16	Stanley Knudson	American Lutheran Church
19	Josh Nelson	Lutheran Church of the Cross
20	Charles Ostlie	Christian Miss. Alliance
21	Ed Jarvis	Salvation Army
22	Luke Koller	St. Alexius Hospital
23	Dick Hagestuen	First Lutheran — Mandan
26	Tom Kramer	Cathedral of the Holy Spirit
27	Chuck Hill	United Church of Christ
28	George Walker	First Evangelical Free

## MARCH

1	Bob Fisher	Wesleyan
2	Don Bentz	Faith Lutheran
5	Grael Gannon	Supt. of Shiloh School
6	Davern Schwen	First United Methodist
7	Joe Agee, Jr.	Washington Heights Community
8	Harold May	Evangel Temple
9	Tom Sullivan	St. Anne's
12	Doug Diehl	First United Methodist
13	Dennis Tippett	St. George's Episcopal
14	Ira E. Herzberg	Calvary United Methodist
15	Stanley Sticka	Corpus Christi
16	John MacMullen	Mandan
19	Alwin Reimnitz	Zion Lutheran
20	Ralph Fischer	Church of the Nazarene
21	Al Soderberg	Church of God
22	Orth Meth	
23	Charles Ostlie	Christian Miss. Alliance
26	Stephen Zastoupil	Corpus Christi
27	Jeff Mantz	Assembly of God
28	Ed Jarvis	Salvation Army

DATE	PASTOR'S NAME	CHURCH
29	Bob Lynne	Good Shepherd Lutheran
30	Roy Gilbertson	The American Lutheran Church

Rep. Strinden moved that the House stand in recess until 1:45 p.m. to receive the Senate for a Joint Session, which motion prevailed.

JOINT SESSION

The joint session of the House and Senate convened at 2:00 p.m., with Speaker Wagner calling the session to order.

Rep. Strinden moved that the Speaker appoint a committee of two to escort Lt. Governor Wayne G. Sanstead to the Rostrum, which motion prevailed. The Speaker appointed Reps. Walsh and Timm to such committee, which subsequently escorted the Lt. Governor to the rostrum.

Speaker Wagner presented Lt. Governor Sanstead to the Assembly and turned over the gavel to him.

Rep. Conmy moved that a committee of two be appointed to escort the Rev. Eve Hook and Chaplain Donald W. Hill to the rostrum, which motion prevailed. Lt. Governor Sanstead appointed Rep. Eagles and Sen. Iszler to such committee. Rev. Hook and Chaplain Hill were escorted to the rostrum.

Sen. Fritzell moved that a committee of two be appointed to escort Mrs. Link and Mrs. Sanstead into the Assembly, which motion prevailed. The Chair appointed Sen. Redlin and Rep. Christensen to such committee, who subsequently escorted the honored guests into the Assembly.

Sen. Wenstrom moved that a committee of four be appointed to escort the State Officials to the Rostrum, which motion prevailed. The Chair appointed Sens. Roen and Thane and Reps. Mushik and Kretschmar to such committee. The State Officials were escorted to the Assembly.

Rep. Backes moved that a committee of four be appointed to escort Associate Justices William L. Paulson, Vernon R. Pederson, and Gerald W. VandeWalle of the Supreme Court to the Rostrum, which motion prevailed. The Chair appointed Reps. Winkjer and Unhjern and Sens. Rait and Sands to the escort committee, and the Associate Justices were escorted into the Assembly.

Sen. Hoffner moved that a committee of two be appointed to escort Chief Justice Ralph J. Erickstad to the rostrum, which motion prevailed. Lt. Governor Sanstead appointed Sen. Solberg and Rep. Berg to the committee which escorted Chief Justice Erickstad to the rostrum.

Sen. Nething moved that a committee of two be appointed to escort Governor Arthur A. Link to the rostrum, which motion prevailed. Lt. Governor Sanstead appointed Senator Berube and Rep. Solberg to such committee, and Governor Link was escorted to the rostrum.

The colors were posted by the Eagle Scouts of the Lewis and Clark District, followed by the Pledge of Allegiance.

Invocation was offered by Rev. Eve Hook.

Save these few moments, O God, from being merely a formality, and make them a real experience for each of us here, as we call upon you for guidance and for help.

As this, our North Dakota Legislature begins its 46th session, standing upon the threshold of a new year, filled with unsolved problems and complicated life situations, we need your wisdom and your strength.

We pray that you will bless these persons chosen by the people of this state, for you know them — their motives, their needs, their hopes, their dreams, their fears.

Turn their thoughts to you, and open their hearts to your spirit, that they may seek wisdom in their decisions, understanding in their thinking, love in their attitudes, and mercy in their judgments.

Amid all the pressures brought upon them, may they strive to hear your still small voice, and follow the highest principles known to them.

Bless us in all that is right, and correct us in all that is wrong.

In our differences may we be kind, and in our agreements may we be humble.

And may all the citizens of North Dakota this day renew their commitments to be supportive of this body, striving to be part of the answer, rather than part of the problem, striving to think not about what we can get, but about what we can give.

Bless each of us according to our deepest need, and use each of us for your service.

In the name and spirit of our God of Love, Power, and Justice. Amen

The Enderlin High School Concert Choir presented a vocal selection.

Chief Justice Erickstad administered the Oath of Office to Richard Elkin, Public Service Commissioner; Gerald W. VandeWalle, Justice of the Supreme Court; and Orville Hagen, Commissioner of Labor.

The Enderlin High School Concert Choir presented another selection to the Assembly.

Governor Link was introduced, and he then presented his State of the State Address to the Session.

#### MESSAGE TO THE LEGISLATURE

By

Arthur A. Link

Governor of North Dakota

#### INTRODUCTION

Members of the 46th Legislative Assembly, officers of the Executive and Judicial Branches of the State of North Dakota and citizens, welcome to this Legislative Assembly. In keeping with the traditions and requirements of our state and its constitution, we gather at the commencement of the 46th Legislative Session as stewards of government, not as a substitute for people, but as instruments of the people. "Government is a trust," said the American statesman Henry Clay, "and the officers of the government are trustees and both the trust and trustees are created for the benefit of the people."

As trustees, our responsibilities are as serious as any preceding Legislative Assembly. We must be forward looking with the wisdom and the quality of mind and heart to see the long view. North Dakota is not a landlocked island isolated from the political, economic or social mainstream of world events. The actions of OPEC, foreign governments, international grain marketers and international money managers have a pronounced effect on the welfare and economy of North Dakota. As a member of the international community of states and nations, we must be prepared to participate.

As trustee of government, we have a responsibility to recognize the apprehension shared by the citizens of our state and nation. Not since the great Depression has the public so severely questioned government performance. This fall, 12 states, including North Dakota, passed propositions or amendments to take tax and spending decisions out of the hands of the state legislatures. We in the nation and in North Dakota are experiencing a unique crosscurrent of two public policy mandates previously argued as mutually exclusive philosophies. On one hand the people are generally optimistic about their personal lives. They neither embrace nor reject government services. The people do not want to narrow the range of government responsibility.

The North Dakota 100 Survey, and more recently, the Futures Workshops held in cities across the North Dakota, point out North Dakotans want a clean environment; North Dakotans want improved health care. North Dakotans want greater state participation in finding agricultural markets and North Dakotans want a strengthened educational system. North Dakotans welcome more job opportunities created by energy, manufacturing and processing industries but not at the expense of the quality of life enjoyed in our state.



While on the one hand people want public services, on the other hand there is an erosion of trust and confidence in the ability of government to accomplish the things people want.

The public has spoken loud and clear saying they want cuts in government spending. The people are talking about government, not against government. This message is saying something more substantial and more far-reaching than an idea of a tax revolt. The public is testing our maturity as public officials, determining our capability to provide effective, coherent public policy.

Inflation is the culprit prodding the demands for better government, not for unrealistic promises, but effective action. The voter has placed exceptional emphasis upon what is viewed as government waste and inefficiency and at the same time has stressed improved performance. Consistent with the public call for continued services and consistent with the call for improved performance, I have submitted a Budget which reflects the realities and needs for the next biennium.

The Budget and many legislative proposals have already been submitted and how well we perform our respective responsibilities will be judged not by what we say but by what we do, and not by what we attempt but by what we accomplish. Over the next 60 days we must strictly adhere to the highest standards of public service excellence. The people will not accept tasks left half done or undone. Unfinished tasks cannot be laid on the altar of political differences, only political indifference.

I look forward to working with each of you — wishing to steer a steady course. The door to my office is open to every legislator and I invite your counsel and friendship on the important matters confronting our state and this Legislative Assembly. Therefore, within the framework of the crosscurrents of public opinion, coupled with my personal pledge of cooperation, I welcome this opportunity to perform my constitutional responsibility. I am pleased to communicate to the Legislative Assembly by message, information on the condition of the state and recommend measures for your consideration.

The recommendations submitted represent a broad spectrum of input from various state agencies, officials and employees of both political parties, and in some cases, affirmation of proposals before the Legislative Council. These proposals reflect the crosscurrents of contemporary public opinion in North Dakota. The four areas, human resources, natural resources, economic development, and government stewardship incorporate the topics and areas which I wish to address.

#### HUMAN RESOURCES

“The first wealth is health.” Emerson

The health of the mind, the body, the state and the economy is determined by the health and happiness of our human resources. The human resource is the most precious of all resources and cannot be recklessly squandered. The health of the human resource is determined by the quality of human services available, the quality of educational services available and the quality of employment available.

#### Health Care

Quality health care and its cost to North Dakotans is an issue that affects each one of our lives. North Dakota enjoys some of the finest medical care available to any citizen of the United States. The quality of our rural environment, in large part, is dependent upon access to quality health care facilities and reasonable costs. We must accept the challenge and examine every possible way to contain the costs of health care in these inflationary times. Although I believe we will eventually have a federal health insurance plan, the individual states should take the initiative in containing costs of health care. A need exists for a system of prospective budget and rate review for our

hospitals and long-term care facilities. This process should incorporate incentives for the medical care industry and allow the flexibility to continue delivering quality medical care, while at the same time, effectively addressing issues of cost containment.

Discussion needs to be centered around the ability of the state of mandate minimal standards of coverage to the providers of insurance programs. I also strongly urge widespread support of the prepaid practice programs which have been developed under the Health Maintenance Organizations.

I support the expansion of off-site nurse practitioner programs in our state which can extend health care services to many of the areas not presently receiving them. The expansion of home health care and preventive care programs is a positive way to reduce the need for costly remedial intervention. I support the request for funds for a feasibility study to see whether or not the third year of the medical school education should be incorporated into the program at the UND Medical School and return our students from out of state for that particular year.

The future strategy to improve health care in North Dakota emphasizes preventive medicine; specifically, the prevention of illness and death. The nurse practitioner program exemplifies this strategy.

The State Health Department has prepared a report which indicates a reduction in the probability of being killed or seriously injured when a motorcycle helmet is worn. I recommend the Legislature give serious consideration to the findings of the report.

For our children, I encourage the use of automobile restraints to prevent accidents, injuries and deaths, as well as immunization programs to protect children from preventable childhood diseases.

To facilitate better service in extraordinary situations, I am pleased to report the Department of Health has established one of the nation's few statewide emergency medical services communications systems. This was accomplished by placing two-way radios in all of North Dakota's hospitals and ambulance services. Another facet of emergency services deals with the establishment of four poison control centers serving the entire state with poison prevention and treatment services.

#### Human Services

Human services gives special attention to the needs of people with special problems, such as physical and mental handicapping conditions. An integral part of this program is the institutionalization, as well as the continued development of sheltered workshops and special education programs. Alternatives to institutionalization of our elderly which has had a phenomenal growth during the past 20 years, should be explored so that their independence can be preserved for a longer period of time.

Inflation is especially devastating to people with marginal or no income at all. Because of the inadequacy of payments under the Federal Social Security and Supplemental Security Income Programs, it is necessary that state and counties selectively supplement federal payments. I encourage community-based human service programs to avoid shifting the cost to more expensive programs, eventually foreclosing community alternatives to institutional care.

Abuse of government services is one of our more pressing problems. Because of federal mandate, I support the establishment of a Medicaid Fraud and Abuse Unit in state government to monitor, investigate and aid in prosecuting, if necessary, fraudulent activities utilizing Medicaid monies. This will be a cooperative effort among the Governor's Office, the Social Service Board and the Attorney General's Office.

#### Human Rights

In a Democracy the primacy of human rights should be unchallenged. In my Message to the Legislature in 1977, I requested a Human

Rights Act. Again, I recommend a North Dakota State Commission on Human Rights, a regulatory body having enforcement powers to prevent discrimination against all persons.

The Governor's Council on Human Resources, composed of four committees, is charged with the responsibility to articulate the unmet needs of senior citizens, children and youth, the handicapped and women. Over the past biennium, the Committee on Aging has emphasized the needs of elderly who would like to retain their independence. The Committee on Children and Youth has been concentrating on teenage alcoholism, family planning and youth employment. Since 1979 has been proclaimed the International Year of the Child, their efforts will be accentuated. The Committee on Employment of the Handicapped has studied the accessibility of public buildings for the handicapped and emphasizes the need for employer willingness to hire the handicapped. The Commission on the Status of Women is concerned about the displaced homemaker and continues to support equal rights for all people.

Since the last biennium two federally funded programs have been located in the Governor's Council. The Developmental Disabilities Protection and Advocacy Project was established to protect the rights of those handicapped individuals classified as developmentally disabled. The Youth Conservation Corps is a summer work project targeted toward the 15-18 year-old youth.

#### Education

One of the most important elements in human health is a healthy mind and the confidence that one has been extended the educational opportunities for full participation in society.

North Dakota can look with pride upon its educational system. We continue strong state support for our primary and secondary schools. Our junior college program plus our colleges and universities provide an outstanding choice of quality education enjoyed by few states of comparable size and population.

We have established a statewide public television network and in the future, I encourage coverage of the State Legislature.

We have a vocational education program that more adequately meets the needs of changing technology and provides the people of North Dakota with a system of education that is practical and meaningful.

In my Budget Message, I recommended \$11,825,000, a ten percent increase, for special education. By 1981 we must reach our mandated goals in identifying those in need of special education and in providing this type of service. This increase is justified.

Of equal importance, I am happy to announce that included in the Budget for the second year of the coming biennium is \$1 million for kindergarten. There are approximately 9,000 children in North Dakota of kindergarten age. Kindergarten can be an important first step in providing these children with the kind of head start they need in obtaining an adequate education.

I urge strong legislative support of the Old West Regional Commission recommendation for a five-state veterinary college. This will further expand educational opportunities for our people.

I continue to support the concept of binding arbitration for our school system.

#### Employment and Labor

The ability to secure a job is as important to the health of the individual as to the health of the economy. North Dakota ranks eighth in the nation in the placement job seekers per Employment Security Bureau Employee. Our State Employment Security Bureau has been cited for outstanding results in job placements and employee services. Intense development of coal and oil resources in western North Dakota

has caused a serious seasonal shortage of workers, particularly in the secondary work force. Efforts must continue to assist workers in relocating where job opportunities exist. Where housing is necessary, careful planning must consider both construction and permanent housing needs. The upgrading and gaining of new skills for these jobs can be promoted through vocational and higher education, apprenticeship programs, opportunities provided by the Veterans Administration, and on-the-job training via the Comprehensive Employment Training Act.

The older workers of North Dakota have provided the force and stability that has brought our state to its present healthy economic condition. I strongly encourage employers to consider the talents and experience of these older North Dakotans and to hire them whenever possible.

We also have a commitment to the creating of jobs in rural areas. A lack of rural employment causes a severe drain on many small business endeavors and forces job seekers with an inborn love of rural life to seek work in larger cities and other states. We have an obligation to actively promote the location of industry to smaller towns that can provide employment for our citizens wishing to retain a rural lifestyle.

The Employment Security Bureau is primarily responsible for those programs funded under the Comprehensive Employment Training Act. Program refinements, greater efforts to identify training needs and strengthened coordination and linkage between the Employment Security Bureau and education will help make the best possible use of these funds.

In the past, our unemployment insurance system has been an important economic stabilizer during minor economic recessions and has provided a vital wage replacement to thousands of our workers during the winter months when unemployment affects many of our industries. However, we are experiencing a decline in the benefit financing fund. Twenty-four states have seen their funds depleted and have been forced to borrow in excess of \$5 billion from the federal government. During the past three Legislative Sessions we have addressed this program and have enacted legislation that kept the funds solvent until the next session.

During 1977, I directed the Employment Security Bureau to make extensive actuarial studies to provide this Legislature with a long-range financially-sound tax proposal. A proposal has been developed and will be presented during this session for your consideration.

#### Workmen's Compensation

Because of budget constraints, one problem I was unable to address in the Executive Budget was retroactive benefits to people permanently and totally disabled and their widows who are on Workmen's Compensation rolls. Today benefits are tied to a specific amount per week which is inadequate payment by today's standards in this inflationary economy. Although impossible to address in the current Budget, I recommend a Legislative study of this serious problem.

#### Veterans Affairs

We must also be alerted to the concerns of North Dakota's 61,000 veterans. To date, North Dakota ranks number one in the nation in the use of GI Bill for education by Vietnam era veterans, but the biggest task lies ahead. We must serve the needs of approximately 28,000 veterans of World War II who because of their age will soon need increased medical attention and related needs. We have a responsibility to see that the State Department of Veterans' Affairs is adequately funded.

#### Indian Affairs

The important objectives of the Indian Affairs Commission need our

continued support. The 21,000 Indian people in North Dakota need the cooperation and support of all citizens as they strive to resolve their problems.

#### NATURAL RESOURCES

"The earth is given as common stock for man to labor and live on."

Thomas Jefferson

The most difficult task in exercising the use of our common stock is the hardest of virtues, self-restraint. Through responsible stewardship of our natural resources, we can maintain a quality of life, vitality and aesthetics. These gifts are not replaceable. The Public Investment Plan and Futures Workshops mirror the importance the people of North Dakota attach to the wisest possible use of North Dakota's natural resources, a quality environment.

In addition, the people have asked to increase the effectiveness of land and water conservation programs; fossil fuel resources should be extracted and converted in the most efficient manner possible; and we must stress increased efficiency of energy use in the state.

#### Energy Development

We must continue to emphasize comprehensive natural resource planning. Throughout my administration I have adhered to that policy insisting upon cautious, orderly development of energy resources. I believe the people of North Dakota support that approach. A National Federation of Independent Business Survey of North Dakota indicates that businessmen of North Dakota support what has been termed as the "go-slow" approach by an over 80 percent margin.

We have demonstrated our willingness to share our natural resources with the guarantee that there be environmental protection and economic compensation. Our environmental programs are designed for the attainment of clean air, clean water and total reclamation of disturbed land. It is an especially important task given the level of energy development currently in progress in the state. Cooperation between industry and government, in planning and monitoring activities has drawn praise nationally enabling the state to retain local responsibility for federal regulations of air pollution, water pollution, water supply and solid wastes. Local control rather than federal supervision has been essential to our success.

Coal has been the most talked about natural resource over the past several years. However, the increased role of oil and gas is of major significance to the State of North Dakota. Already the number of active drilling rigs breaks the record established in the 1950's during the original oil boom. Current increased exploration activity will manifest itself dramatically in increased production in the next few years. As a result, a problem down the road will be additional support for the state to continue its role in the regulation of the exploration and development of oil, gas and subsurface minerals.

#### Land Use

In the 1930's Franklin Delano Roosevelt said, "A nation that destroys its soil destroys itself." Sediment and erosion control is a massive national problem and a critical concern here in North Dakota. Our soil resources must be protected from the hazards of wind and water erosion if we are to maintain a high level of productivity for present and future generations. We need to continue and expand our participation in the detailed soil survey program. This information is necessary to determine the basic capabilities and limitations of our soils.

In the future, to promote long-term soil protection, we may consider economic incentives to benefit those who install and maintain sound soil conserving practices. Our goal must be to develop a soil stewardship ethic in the minds of all North Dakotans. Our soil is our most important natural resource and deserves maximum attention.

### Water

North Dakota is faced with the never-ending conflicts between federal and state water demands. We must continually assert our rights. Every Governor since the passage of the Flood Control Act of 1944 has supported Garrison Diversion. My commitment remains undiminished. North Dakota still looks forward to the long-awaited benefits of Garrison Diversion. Through continued bipartisan support, I am confident we will succeed.

Along with the North Dakota Water Commission and the Commissioner of Agriculture, I have worked to develop conditions for granting water permits for irrigation purposes and the establishment of water marketing fees to help fund increasing costs of water development projects within the state. We hope legislation will be developed to support these efforts.

A more recent development opening new possibilities for enhanced rural living is rural water systems. The first rural water system appeared in Grand Forks and Traill Counties in 1970. Because of our early interest, in January of 1977, the State of North Dakota was awarded the Old West Regional Commission Rural Water Systems Development Office serving the five-state area. The Office is located here in Bismarck and funded through the Natural Resources Council. North Dakota is particularly interested in rural water systems for two reasons: (1) long-term growth is dependent upon a water supply of a certain quantity and quality for domestic, municipal and livestock use; (2) in many areas throughout North Dakota and the region, citizens and municipalities depend upon water systems supplying water of marginal quality and quantity. Rural water districts aid in meeting the requirements of the 1972 Clear Water Act as amended and, therefore, merit our attention.

### Parks and Recreation

The Department of Parks and Recreation has made notable progress during the last biennium. Fort Ransom State Park is being developed by bridging the Sheyenne River from the east to provide better access and by building a primitive campground and day use area. It will be open for public use in May of 1979. Fort Stevenson State Park and Lake Sakakawea State Park experienced major developments. Park visitation is steadily climbing. In 1977, 1,030,000 people visited North Dakota State Parks and in 1978, 1,182,406 — an increase of 14.6 percent. We project a possible 10 percent increase in visitation next year.

The 1975 Legislature authorized the Parks and Recreation Department to establish a system of nature preserves. The program is designed to set aside areas which represent North Dakota's natural diversity and heritage. To date, two areas have been identified and formally designated components of the State Nature Preserve System. To achieve an orderly progression of development, the Department is in the early stages of a statewide parks master plan. Initially the plan will involve the compilation of a management statement for each area administered by the Department. Later the plan will address the direction, goals and role of the State Parks System.

The North Dakota Parks and Recreation Department is also in the process of rewriting the State Comprehensive Outdoor Recreation Plan. This Plan is provided as a planning framework for North Dakota governmental units in meeting the outdoor recreation needs of the future and qualifies the state for continued eligibility to participate in the Land and Water Conservation Fund Program. The Plan takes a closer look at the role outdoor recreation plays in the lives of North Dakotans. It addresses the needs which should be met to keep outdoor recreation a positive factor in our lives.

### ECONOMIC DEVELOPMENT

"Some people regard private enterprise as a predatory tiger to be

shot. Others look on it as a cow they can milk. Not enough people see it as a healthy horse pulling a sturdy wagon." Winston Churchill

Agriculture alone generates about three-fourths of our new wealth annually. No segment of our state's economy has contributed more to the economic progress of North Dakota. We are the most agrarian state in the union. History has shown that no other way than American agriculture would create a more efficient system of food production at lower cost to the consumer. Our system and model is admired by the entire world. The continued economic success of North Dakota is directly proportional to the success of the family farm. An economic corollary to the success of the family farm is the success of the small towns. If the family farm declines, it will bring down with it the basic business structure of rural America. If the family farm does not survive, then a vast majority of the nation's 9 million small towns will disappear from the rural scene. North Dakota would be one state most severely affected. The economic diversity of North Dakota is preserved by maintaining family farms to support these communities. Furthermore, the displacing of the farmers and people from small towns to urban areas does not guarantee job opportunities for the new urban residents.

Nationally, over the last 30 years, over 50 percent of our nation's farms of whatever size and composition have been given up. In North Dakota, over the last 30 years we have suffered an annual loss of about 1,000 farms per year. Today, our best research says there are about 41,000 farmers in North Dakota. Yet, the family farm is more than a statistic — it is an idea. It stands for democracy and private enterprise in its purest and most classic form.

One of the objectives of state government aiding our family farms and rural business infrastructure would be to consider a measure permitting land transfers of sufficient size to assure a prospective farmer a reasonable chance at success while at the same time, removing the attractiveness of super large farms. It should be the goal of state government to attract an equal number of new family entries into agriculture to counterbalance the loss of aging family farm operators. There will be no one to fill the vacuum of the ranks of the family farm if effective countermeasures are not found.

The greatest obstacle to a beginning farmer today is the immense financial burden incurred. To combat this problem, with the approval of the Industrial Commission, the Bank of North Dakota has initiated a Beginning Farmer Program. To date, there has been an overwhelming number of inquiries and over \$2.5 million has been committed to the Beginning Farmer Program. The Program participates with the Farmers Home Administration Farm Ownership Program.

Continued agricultural research at the North Dakota Experiment Station by expanding greenhouse facilities deserves our support. Livestock and rangeland research will be affected by the relocation of the Dickinson Experiment Station and the development of the Central Grassland Range Unit. Both warrant serious consideration.

Farm stability may also be emphasized through international marketing efforts. The encouraging and expansion of international marketing opportunities help bring farm prices into relative balance with the rise in the cost of other goods and services in the economy. This kind of balance is essential to the long-term success of the family farm. The North Dakota Department of Agriculture has been able to obtain funding for one person under the United States Department of Agricultural Marketing Service Program. The services this position has provided to the agricultural producers of our state are so valuable that it should have a reliable source of funding to insure its continued functioning.

Initially, the market specialist has focused efforts on the develop-

ment of market opportunities for a variety of specialty crops and products, particularly in Japan. These efforts have met with success, although the number of producers involved is still relatively small. In 1978 alone, nearly \$1.5 million in agricultural sales have been generated and overseas market opportunities have been developed for rapeseed, buckwheat, racehorse oats and honey. At present, this Department of Agriculture activity is the only organized service available to all North Dakota producers of specialty crops. Marketing services can play an extremely important role in agricultural diversification. These kinds of marketing activities met with the approval of the 1977 Public Investment Plan and the priorities identified by the State and Local Affairs Council in the North Dakota Futures Workshops.

The Old West Regional Commission's Trade Office, located in Frankfurt, Germany, opened this past November. It will be a invaluable aid in helping North Dakota find markets for our products, as well as creating jobs in the Old West Region. The Office works to acquaint European businessmen with the products and potentialities of the Old West Region.

Through the Old West Regional Commission's Office, tourism offers the most promising short-term benefits. With the relative changes in the value of the dollar and the deutsche mark, the United States is becoming an advantageous place for Western Europeans to visit. Within the European community, one of the most pervasive attractions is the lore and legend of the Old West cowboy. The recently designated Theodore Roosevelt National Park and the Old West Region ideally fit the attitudes and inclinations of the modern European tourist.

#### Business and Industry

Although North Dakota's primary concern is a healthy agriculture, we realize the importance of expanding our economic base. Weather and agricultural marketing vagaries place the economy of North Dakota in a high-risk situation. While minimizing the adverse environmental and socioeconomic consequences of energy-related industrial development, we recognize the positive effects of the energy industry.

Continued success of the North Dakota State Mill and Elevator in processing wheat products demonstrates the value of expanding the processing of agricultural products to further our economic diversification.

#### GOVERNMENT STEWARDSHIP

"Any system of government will work when everything is going well. It is a system that functions in the pinches that survives."

John F. Kennedy (1940)

The 1940 observation of former President John F. Kennedy is equally true today. Although he was referring to an entire nation, member parts of that nation share the burden for the general success of that nation. We find ourselves in a pinch this biennium and our citizens have asked for better, more efficient, more responsive government. Comparatively speaking, since 1967, North Dakota has had an excellent record in containing government growth in personnel and payroll. According to Tax Foundation, Incorporated, from 1967 through 1977, state and local government employees nationwide increased an average of 38 percent. Meanwhile, North Dakota experienced an 11 percent increase. It was the lowest growth rate of all the states in the nation. Over the same period of time, North Dakota state and local government payrolls showed the third lowest percent of increase of all states in the union.

In spite of this admirable record, inflation has taken a heavy toll and our task is no less challenging and no less compelling. If anything, it underscores and critically emphasizes the need for competent,



consistent and cohesive state planning. As government at all levels tightens its belt in response to citizen demands for more services and less taxes, sound planning becomes increasingly imperative.

Planning is simply a way of looking at things and a method of making decisions. There is a direct relationship between planning and cost effective action. Planning without action is futile and action without planning is fatal. It is the responsibility of decision makers to authorize programs with clear-cut goals and objectives.

#### Transportation

The economy of North Dakota is dependent on good, reliable transportation. The importance of good transportation centers on reducing the cost of movement of produce to market at a time and place when the producer may obtain the best possible price.

Our state is in a period of rapid growth and changing needs. Our transportation system — highways, railroads, and airlines — must keep pace with the everchanging demand for mobility. We have a good, basic system in place and our goal is to maintain and improve existing facilities to better serve our present and future needs.

Highways are the dominant form of transportation in North Dakota. The Legislature has established and repeatedly endorsed the policy of matching all federal highway trust funds made available. This public concern has developed the sound, long-term planning so essential to transportation.

In spite of a good highway system, North Dakota has had several serious transportation interruptions this past year. Potato growers had difficulty in moving their produce to market. Our grain shippers have been denied much needed transportation since midsummer. This followed a severe winter during which many railroad branchlines were placed under winter embargo with restricted or no rail service. The annual boxcar shortage continues to plague us. Now we face the possibility of railroads abandoning selected branch lines.

To address this problem, in 1976, Congress passed the Railroad Revitalization and Regulatory Reform Act to permit a planned comprehensive abandonment of rail lines through public input and opportunity for the public and private sectors to salvage all or parts of the rail lines up for abandonment. A State Rail Plan addressing these problems should be ready by the middle of January with possible legislation to implement such a Plan. It is important to understand that if the rail service deteriorates, more pressure will be placed on our highway system. Energy conservation alone dictates that most heavy non-perishable commodities should move by rail.

In spite of a Northwest Airlines strike costing our citizens many millions of dollars, overall airline service in North Dakota is improving with additional flights. We are committed to restoring good flight service for the City of Jamestown, as well as exploring air transportation systems which will improve air traffic services to all cities in North Dakota.

On June 28, I designated the North Dakota State Highway Department as the lead agency in the development of a statewide Intermodal Transportation Plan. The purpose is to develop and recommend an intermodal system capable of efficient, timely, reliable and cost-effective movement of people and goods. The Railroad Revitalization and regulatory Reform Act passed by Congress requires states to draw a Comprehensive Intermodal Transportation Plan.

A State Intermodal Transportation Team Committee serves in an advisory capacity to the Highway Department. The Committee's membership includes representatives of labor, industry, the Executive Branch and the Legislature.

North Dakota faces a number of important transportation decisions — decisions which will determine long-term transportation policy for North Dakota. These decisions should be made only after the extensive study and a well-developed plan of action with sufficient time for public input and a review by the State Intermodal Transportation Team. The State Transportation Plan should be completed by October, 1980.

#### Taxes

In the past two and one-half years the citizens of North Dakota enacted by initiated measure a sales tax cut and an income tax cut through the revision of the rates of these two taxes. The people, by their actions, have said that we in government must do what is necessary to revise our tax systems or they will take action themselves.

Property tax in our state is in desperate need of reform. I recommend legislation to correct its inequities. The fractional assessments we have tolerated for decades are subject to court challenges because the current law requires property tax assessments to be made at 100 percent of property values and that is not being done. I am hopeful this will be the year for property tax reform.

An issue that has dominated a major part of the time and attention of the last two Legislative Sessions has been the Coal Severance Tax. I encourage you to pass a percentage coal severance tax of 25 percent. This represents a significant compromise in the rate I have previously supported and is recommended in the spirit of resolving the recurring debate centered around this issue. This also represents my substantial support of the position of the North Dakota Association of Rural Electric Cooperatives on the coal severance tax.

#### Law Enforcement

Public safety and security is important to the quality of life in North Dakota. Traditionally, North Dakota has one of the lower crime rates in the nation. We must continue to maintain that standard of excellence. The Crime Watch Program of North Dakota, patterned after Minnesota's program and implemented by the North Dakota Law Enforcement Council, has been successful. The incidence of burglary was reduced 11.2 percent in 1976 and in the second year of the Program, burglaries again decreased 7.5 percent.

While burglaries have decreased in North Dakota, all other crimes showed an increase. It is clear that we must look for and examine more innovative programs like Crime Watch to combat increased crime in other areas.

One area of special significance is the increasing availability of drugs. Effective drug control measures would be welcomed by the people of North Dakota. Several months ago, I publicly gave my endorsement to a state-level drug enforcement unit. My position has not changed. Funding for this program was not considered in the Executive Budget since it was not requested. In light of budgetary constraints, I recommend that the legislature invite county and local participation to help fund this important program.

Innovative programs, coupled with well-trained officers are the key to successful law enforcement. In the past, the Legislature mandated many law enforcement training requirements. However, the Law Enforcement Council is faced with dilemma, mainly, the financing of its training program. To date, the Council has had to rely on federal funds to carry out these statutory duties. The Legislature needs to consider the advisability of long-term dependence upon federal funds.

Included in the Budget for the upcoming biennium are funds for the women's correctional facility as mandated by the judiciary. The

Budget request concurs with the recommendation of the Interim Committee on Corrections and Penology regarding the women's correctional facility.

The women's correctional facility may be only the tip of future corrections reform required in North Dakota. It may be necessary to give consideration to the future location of the penitentiary and conditions of its buildings. The penitentiary, presently surrounded by residential and light industrial development, is located in an area which is blocking potential expansion of the City of Bismarck. This also poses increased security problems.

On a related matter, the North Dakota Law Enforcement Council is responsible for recommending rules for the operation and maintenance of county and municipal jails and for the care and treatment of inmates. This responsibility is shared with the district judges who are mandated to set jail rules. The Judicial Council voted unanimously to transfer its authority to the Law Enforcement Council, believing the executive function did not properly belong in the judiciary. The Corrections and Penology Committee has recommended legislation reflecting this transfer of authority to the Council. I concur with their recommendation.

#### State Employees

State government must have the ability to retain high quality employees and to assure effective, efficient service. I will call for an interim study resolution to review the many inequities involved in fringe benefits, retirement and medical insurance premiums to name a few. I had hoped to provide more for state employees this biennium but the Budget would not permit me to do so. Furthermore, it became clear that a reasoned, planned approach was necessary to deal with the spectrum of compensation problems.

#### State Buildings

Efficient, effective government, in part, depends upon the location and accessibility of public employees for the public's convenience. To insure increased efficiency of state government, I support the new state office building that will provide improved facilities for the Supreme Court, state offices and the Legislature. I am happy to report that construction on the North Dakota Heritage Center has begun. This could only have come about by the support of the Legislature and gifts by many businesses and thousands of individuals. The Center is an important step toward establishing a historic foundation for future generations if they are to gain the insights necessary to understand and take pride in the colorful historical past of our grassland setting. The Heritage Center is scheduled for completion in early 1981.

Insofar as the Heritage Center provides a linkage to the past, it is important to note that North Dakota will be celebrating its Centennial in 1989. The Heritage Center and its resources will be a valuable aid in directing our efforts for that occasion. This coming biennium, I will appoint a Centennial Commission with the responsibility to begin planning the state's Centennial celebration.

Upon the completion of the Heritage Center, the Liberty Memorial Building will house the State Library, another invaluable research tool. I support the renovation of the Liberty Memorial Building and have recommended \$500,000 in the Executive Budget to begin renovation.

#### National Guard

During the past year, the North Dakota National Guard has been called to state active duty on a number of occasions to protect life and property and to provide relief from the effects of tornadoes, blizzards, sleet, storms and floods. In January through March of last year an

additional expenditure of over \$1 million of state funds would have been necessary had the National Guard not been available to assist in snow removal operation. The North Dakota National Guard, over the past year and one half, has been able to achieve and maintain a personnel strength of well over 100 percent of authorized levels and leads all states in the nation. There can be little doubt that a major part of this success is due to the fiscal support the state has provided the Guard in the form of a recruiting and retention budget and the College Tuition Waiver Act. I, therefore, urge that careful and thoughtful consideration be given to requests involving the continuance of current programs and other programs which will significantly contribute to the strength, professionalism, and readiness of the North Dakota National Guard.

#### Young Adult Conservation Corps

Efforts by our State ABM Coordinator, working with a number of federal, state and local agencies, resulted in the partial reuse of the ABM site at Nekoma, North Dakota.

A Young Adult Conservation Corps (YACC) Camp was opened on August 1, 1978, and will be named the North Dakota Rough Rider Camp. The Camp is programmed for an enrollment of 200 unemployed young adults and a professional staff of 32, with a \$3 million annual budget. The Camp is funded through the U.S. Department of Interior and is under the direction of the U.S. Fish and Wildlife Service. Work performed by the Rough Rider Camp is conservation oriented, and projects will be on federal lands and public works in North Dakota communities.

We are actively assisting the communities of Minot and Finley to find constructive uses for the radar facilities located there which are due to close.

#### Election Reform

In the 1977 Message to the Legislature, I recommended a four point election law reform in the belief that the right to vote is the most basic right a citizen in a democracy has. To protect that right, I wish to reiterate my recommendations for election laws governing North Dakota.

- 1) Insure the right to vote by absentee ballot to every person who will not have an opportunity to vote on election day so that no confusion exists as to the validity of such absentee ballots and votes.
- 2) Restructuring party columns in both voting machines and paper ballots and apportioning voting machines according to population.
- 3) Requiring qualified election officials who are given adequate compensation, proper instruction and easily understood election manuals and to have specific duties in assisting voters at the polls.
- 4) Creating an independent advisory commission on elections that would attempt to establish standards of uniformity for the election process.

#### Judicial Unification System

In September of 1976, the people of North Dakota passed a Constitutional Measure requiring the Legislature to enact a unified court system in the State of North Dakota. Two years of intensive study resulted in a bill draft that would substantially change the structure of the courts in this state. The court unification bill draft is a historic document because it represents the first major legislative reorganization of the Judicial Branch of government in the history of the State of North Dakota. I commend the judiciary for their work to improve the structure and services of the courts in the State of North Dakota. Because of budgetary constraints, I did not include the \$16 million request for total state financing of the court system in the

Executive Budget. However, I would give my support to improvements in the court system that could be made without total funding from the State General Fund.

#### Representation for the District of Columbia

As a member of the Executive Committee of the National Governors' Association, I seconded the motion supporting a Constitutional Amendment permitting the citizens of the District of Columbia to have a voice in the United States Congress equal to that of the citizens who reside in the 50 states. The National Governors' Association concurred with the recommendation of the Executive Committee.

As a member of Congress, I served on the District of Columbia Committee.

The residents of our capital district are not allowed to participate fully in our government and I find a continuation of the denial of their right to full representation in the National Legislature indefensible. District of Columbia residents carry the same burdens of stewardship as those in the 50 states but only a handful retain the right to vote in one of our states. The remaining residents, over 700,000, are subject to taxation without representation, conscription without a voice in our international affairs and governance by Congress in which no voting member is accountable to them. Our nation's capital has a unique and special role in our federal structure but this does not justify denial of full voting representation in Congress to those who reside there. I urge ratification by this Legislature of the Constitutional Amendment for full voting representation in the United States House of Representatives and the United States Senate for the District of Columbia.

#### CONCLUSION

Meeting the responsibilities attendant to improved performance in the areas of human and natural resources, economic development, and government stewardship cannot be constructed on lofty words; only concrete deeds. As the trustees of government, our task is to perform the deeds consistent with the call for continued services and effective delivery.

The measure of success is dependent upon the personal commitment by each of us in this room to participate as fully and constructively as possible in the performance of our public trust.

As we look forward to the 46th Legislative Assembly, the common good is our common cause.

Benediction was offered by Chaplain Donald W. Hill.

The Joint Session was dissolved.

The House reconvened with Speaker Wagner presiding.

Rep. Backes moved that the remarks of the Governor be printed in the Journal, which motion prevailed.

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House be on the ninth order of business, and at the conclusion of the ninth order of business, the House stand adjourned until 1:30 p.m., Thursday, January 4, 1979, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Committee on Appropriations introduced:

**House Bill No. 1001.** Legislative Branch — A Bill for an Act to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Legislative Council Resources Research Committee introduced:

**House Bill No. 1002.** — A Bill for an Act directing the legislative council to create an interim committee to administer an environmental assessment program, to establish its membership, to set forth its powers and duties, to provide for its staffing; to provide an appropriation; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1003.** — A Bill for an Act making an appropriation to the legislative assembly for improvements to and renovation of the state capitol; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced:

**House Bill No. 1004.** Board of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the board of higher education and various divisions thereof of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1005.** Institutions of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1006.** Vocational Education — A Bill for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1007.** State Aid to Junior Colleges — A Bill for an Act making an appropriation for providing assistance to the junior colleges of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1008.** Division of Independent Study — A Bill for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1009.** Extension Division and Experiment Stations — A Bill for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1010.** Department of Health — A Bill for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1011.** Social Service Board — A Bill for an Act making an appropriation for defraying the expenses of the social service board of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1012.** Council on Human Resources — A Bill for an Act making an appropriation for defraying the expenses of the governor's council on human resources of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1013.** Indian Affairs Commission — A Bill for an Act making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1014.** Department of Veterans' Affairs — A Bill for an Act making an appropriation for defraying the expenses of the department of veterans' affairs of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1015.** Office of Economic Opportunity — A Bill for an Act making an appropriation for defraying the expenses of the office of economic opportunity of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1016.** Aeronautics Commission — A Bill for an Act making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1017.** Weather Modification Board — A Bill for an Act making an appropriation for defraying the expenses of the weather modification board of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1018.** Department of Banking and Financial Institutions — A Bill for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced:

**House Bill No. 1019.** Securities Commissioner — A Bill for an Act making an appropriation for defraying the expenses of the securities commissioner of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1020.** State Fire Marshall — A Bill for an Act making an appropriation for defraying the expenses of the state fire marshall of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1021.** State Laboratories Department — A Bill for an Act making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1022.** Livestock Sanitary Board — A Bill for an Act making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1023.** Milk Stabilization Board — A Bill for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1024.** North Dakota State Fair Association — A Bill for an Act making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1025.** Business and Industrial Development Department — A Bill for an Act making an appropriation for defraying the expenses of the business and industrial development department of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1026.** Abandoned Motor Vehicles — A Bill for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1027.** Combined Law Enforcement Council — A Bill for an Act making an appropriation for defraying the expenses of the combined law enforcement council of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1028.** Highway Patrol — A Bill for an Act making an appropriation for defraying the expenses of the highway patrol and the various divisions thereof of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.



Committee on Appropriations introduced.

**House Bill No. 1029.** Highway Department — A Bill for an Act making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1030.** Upper Great Plains Transportation Institute — A Bill for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1031.** Motor Vehicle Department — A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1032.** Commissioner of University and School Lands — A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1033.** Industrial Commission — A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1034.** Public Employees Retirement System and Group Insurance — A Bill for an Act making an appropriation for defraying the administrative expenses of the public employees retirement system and the group insurance program of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1035.** Teachers' Fund for Retirement — A Bill for an Act making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1036.** Employment Security Bureau — A Bill for an Act making an appropriation for defraying the expenses of the employment security bureau and divisions thereof of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1037.** Workmen's Compensation Bureau — A Bill for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1038.** Crime Victims Reparations — A Bill for an Act making an appropriation for defraying the expenses of the crime victims reparations act under the supervision of the workmens compensation bureau of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1039.** Transfer From Mill and Elevator — A Bill for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Appropriations introduced.

**House Bill No. 1040.** Transfer From Bank of North Dakota — A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Unhjem and Stenehjem introduced.

**House Bill No. 1041.** — A Bill for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to distribution of the North Dakota Administrative Code to each member of the legislative assembly; to amend and reenact section 28-32-03.2 of the North Dakota Century Code, relating to printing, sales, and distribution of the administrative code; and providing an appropriation.

Which was read the first time and referred to the Committee on Appropriations.

Legislative Council Budget A Committee introduced.

**House Bill No. 1042.** — A Bill for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to revisions to the classification and compensation plan established by the central personnel division.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Budget A Committee introduced:

**House Bill No. 1043.** — A Bill for an Act to amend and reenact sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Corrections and Penology Committee introduced.

**House Bill No. 1044** — A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to establishing jails, jail contracts, and regional corrections centers; definitions; grades of jail facilities; who may be confined in jail; confinement of state and federal inmates; housing of inmates; detained witnesses and pretrial detainees; commitment papers; jail registers; healthful

surroundings; jail physical plants; safety and sanitation; jail administration; organization and management; supervision of inmates; inmate rights; mail, telephone calls, and visitors; inmate clothing and hygiene; medical care; exercise of religious beliefs; meals; meal payments; inmate personal property; searches; punishment of inmates; prohibited acts; removal of inmates in emergencies; inmate work programs; annoyance of inmates; inmate educational and counseling programs; jail standards and inspections; jail variances; and corrective action and enforcement; to amend and reenact section 19-03.1-23 of the North Dakota Century Code, relating to penalties for unlawful manufacture, delivery, or possession of controlled substances; and to repeal chapter 12-44, and sections 12-61-05, 58-03-04, and 58-03-05 of the North Dakota Century Code, relating to county jails and workhouses; the law enforcement council recommending jail rules; a township's power to establish a jail; and newspaper notice of a township jail.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Corrections and Penology Committee introduced.

**House Bill No. 1045.** — A Bill for an Act to amend and reenact section 12-47-22 of the North Dakota Century Code, relating to the confinement of and communication with penitentiary inmates and removing the prohibition against all communication between male and female inmates; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Corrections and Penology Committee introduced:

**House Bill No. 1046.** — A Bill for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to annual inspection of all state institutions and buildings by the state fire marshal.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Corrections and Penology Committee introduced:

**House Bill No. 1047.** — A Bill for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to annual food service, sanitation, and medical services inspection of all state institutions by the state department of health.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Criminal Justice Committee introduced.

**House Bill No. 1048.** — A Bill for an Act to create a drug enforcement unit within the office of attorney general and to establish its jurisdiction and duties, and the powers of enforcement personnel; to amend and reenact subsection 1 of section 19-03.1-32 and section 54-12-14 of the North Dakota Century Code, relating to the powers of controlled substances enforcement personnel and the drug control cash fund; and providing an appropriation.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Criminal Justice Committee introduced.

**House Bill No. 1049.** — A Bill for an Act to amend and reenact section 19-03.1-36 of the North Dakota Century Code, relating to the forfeiture of conveyances used to illegally transport controlled substances, raw materials, products, and equipment; for the seizure of such conveyances by law enforcement agencies; and allowing for the

sale of conveyances and the deposit of remainder proceeds in the state, county, or city general fund.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Criminal Justice Committee introduced.

**House Bill No. 1050.** — A Bill for an Act to allow the controlled use of marijuana to alleviate the nausea and ill effects of cancer chemotherapy and glaucoma and such other disease groups as the patient qualification review board may include, to establish a marijuana research program under the health department and a patient qualification review board to certify patient applicants, to provide for the distribution of marijuana under the Act, and for a report to the governor and the legislative assembly; to create and enact a new subsection to section 19-03.1-05 and two new subdivisions to subsection 2 of section 19-03.1-07 of the North Dakota Century Code, exempting marijuana and tetrahydrocannabinols from the schedule I list of controlled substances having no accepted medical use for purposes of this Act, and including the substances under schedule II for purposes of this Act as having currently accepted medical use; and to provide that the provisions of this Act shall be temporary.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Criminal Justice Committee introduced:

**House Bill No. 1051.** — A Bill for an Act to create and enact a new subsection to section 23-02.1-19 of the North Dakota Century Code, relating to the reporting of alcohol or drug-related deaths on death certificates and medical certifications for statistical and informational purposes.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Criminal Justice Committee introduced:

**House Bill No. 1052.** — A Bill for an Act to create and enact section 29-28-06.1 of the North Dakota Century Code, allowing a defendant to appeal a felony or misdemeanor sentence to the supreme court; and to amend and reenact sections 29-28-06 and 29-28-28 of the North Dakota Century Code, relating to supreme court appeals allowed a criminal defendant and to powers of the supreme court on criminal appeal.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Criminal Justice Committee introduced.

**House Bill No. 1053.** — A Bill for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to simple assault and increasing the punishment.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Criminal Justice Committee introduced.

**House Bill No. 1054.** — A Bill for an Act to provide a criminal penalty for the removal from or detention of a child outside North Dakota by a noncustodial parent in violation of a custody decree.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Criminal Justice Committee introduced.

**House Bill No. 1055.** — A Bill for an Act to amend and reenact section 27-20-54 of the North Dakota Century Code, relating to the sealing and disposal of juvenile records; and to repeal section 27-20-54.1 of the North Dakota Century Code, relating to the destruction of juvenile records.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Education Committee introduced.

**House Bill No. 1056.** — A Bill for an Act to amend and reenact sections 15-20.1-10, 15-40.1-03, 15-40.1-04, 15-40.1-05, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-10, 15-40.1-11, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, 15-59-06, and 15-59.1-05 of the North Dakota Century Code, relating to the payment of state foundation aid payments directly to school districts.

Which was read the first time and referred to the Committee on Education.

Legislative Council Education Committee introduced.

**House Bill No. 1057.** — A Bill for an Act to prohibit school boards from selling textbooks to pupils or otherwise charging unauthorized fees, to allow school boards to establish authorized fees, to allow the superintendent of public instruction to withhold foundation payments if prohibited fees are required, to exempt postsecondary instructional programs; to repeal sections 15-43-07, 15-43-08, 15-43-09, and 15-43-10 of the North Dakota Century Code, relating to selling textbooks to pupils, purchase of textbooks from families moving from a school district, discretionary authority of school districts to provide free textbooks, and prescribing the duty of parents or guardians of pupils to furnish textbooks.

Which was read the first time and referred to the Committee on Education.

Legislative Council Finance and Taxation Committee introduced.

**House Bill No. 1058.** — A Bill for an Act to amend and reenact section 57-38-35.1, subsection 1 of section 57-39.2-18, section 57-39.2-25, and subsection 1 of section 57-40.2-15 of the North Dakota Century Code, relating to interest, penalties, and refunds on income taxes and sales and use taxes; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Legislative Council Health Services Committee introduced:

**House Bill No. 1059.** — A Bill for an Act to create and enact section 54-40-10 of the North Dakota Century Code, relating to certification of human service centers; and to amend and reenact section 54-40-09 of the North Dakota Century Code, relating to human service centers, their boards of directors, powers, duties, and certification.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Health Services Committee introduced.

**House Bill No. 1060.** — A Bill for an Act to create and enact a new section to chapter 25-10 of the North Dakota Century Code, relating to the authority of the mental health and retardation division; and to amend and reenact sections 25-12-01, 25-12-02, 25-12-03, and 25-12-04 of the North Dakota Century Code, relating to the operation of mental health and retardation service units.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Health Services Committee introduced:

**House Bill No. 1061** — A Bill for an Act to improve the quality, and efficiency in delivery, of human services through the collocation of social services and mental health services in each of the eight regions of the state; providing for joint intake, interagency referral, and interprogram planning and coordination; encouraging regional collocation of other related human services; providing for a fiscal incentive

for the collocation of county social services in the regional centers; providing for the North Dakota social service board to reimburse qualifying mental health and retardation service units and human service centers for provision of clinical services to medical assistance individuals; and to amend and reenact section 50-24.1-03 of the North Dakota Century Code, relating to medical assistance.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council Higher Education Committee introduced:

**House Bill No. 1062.** — A Bill for an Act to provide for an appropriation for adult basic and secondary education programs.

Which was read the first time and referred to the Committee on Appropriations.

Legislative Council Higher Education Committee introduced:

**House Bill No. 1063.** — A Bill for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, providing for coordination of adult basic and secondary education by the superintendent of public instruction.

Which was read the first time and referred to the Committee on Education.

Legislative Council Higher Education Committee introduced:

**House Bill No. 1064.** — A Bill for an Act to amend and reenact sections 15-46-01 and 15-46-04 of the North Dakota Century Code, relating to adult education programs and funding; and to repeal sections 15-46-02, 15-46-03, and 15-46-05 of the North Dakota Century Code, relating to requirements for the establishment of evening schools, salaries of evening school teachers, and the expenditure of evening school funds.

Which was read the first time and referred to the Committee on Education.

Legislative Council Industry, Business and Labor Committee introduced:

**House Bill No. 1065.** — A Bill for an Act to create and enact a new section to chapter 40-57 of the North Dakota Century Code, relating to restrictions on the use of financing under the Municipal Industrial Development Act of 1955 for the construction of public vocational education facilities.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Legislative Council Judicial System Committee introduced:

**House Bill No. 1066.** — A Bill for an Act to establish a unified judicial system, to abolish county courts, county justice courts, and county courts of increased jurisdiction; and to create and enact chapters 27-01.1, 27-02.1, 27-03.1, 27-04.1, 27-06.1, 27-07.1, and 27-24 of the North Dakota Century Code, relating to the general provisions of the unified judicial system, the supreme court, supreme court officials, the district courts, district court officials, probate matters and magistrates, and the municipal courts; and to repeal chapter 11-17, chapters 27-01 through 27-05, chapters 27-06 through 27-08, chapters 27-18 and 30-26, chapters 33-01 through 33-05, chapters 33-07 through 33-12, chapter 40-18, sections 11-09-22 and 11-09-23, subsection 8 of section 11-10-06, and section 11-11-12, 11-15-10, subsection 17 of section 12.1-01-04, and sections 24-07-25, 27-09.1-21, 27-20-04, 28-20-19, 28-26-03, 29-07-06, 31-09-05, 31-09-06, 31-09-07, 32-22-18, 47-18-28, and 47-19-37 of the North Dakota Century Code, relating to clerks of the district courts, the general provisions of the judicial branch of government, the supreme court and its personnel, the district courts, district court clerks and

reporters, the county courts, the county courts with increased jurisdiction, probate appeals, the county justice courts, municipal judges, the duty of the boards of county commissioners to provide courts with supplies and attendants, the committal jurisdiction of juvenile courts, preliminary examinations before police magistrates, and the acknowledgment of record title instruments before county justices.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Judicial System Committee introduced:

**House Bill No. 1067.** — A Bill for an Act to create and enact chapter 27-25 of the North Dakota Century Code, relating to the creation of a judicial nominating committee.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Judicial System Committee introduced:

**House Bill No. 1068.** — A Bill for an Act to require the assignment of justices of the supreme court to temporary duty in district court.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Judicial System Committee introduced:

**House Bill No. 1069.** — A Bill for an Act to create and enact chapter 27-17.1 of the North Dakota Century Code, relating to the retirement of supreme court justices and district judges; and to repeal chapter 27-17 of the North Dakota Century Code, relating to judicial retirement.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Judicial System Committee introduced:

**House Bill No. 1070.** — A Bill for an Act to create and enact chapter 27-17.1 of the North Dakota Century Code, relating to retirement of judges.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Judicial System Committee introduced:

**House Bill No. 1071.** — A Bill for an Act to amend and reenact sections 4-16-09, 4-30-54, 4-33-06, 6-05-19, subsection 5 of section 6-05.1-05, sections 11-03-08, 11-05-16, 11-07-04, 11-08-06, subsection 1 of section 11-08-08, sections 11-08-13, 11-08-14, 11-09-29, 11-10-02, 11-10-10, 11-10-11, 11-10-20, 11-11-10, 11-12-05, 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-19-25, 11-20-01, 11-20-03, 11-21-02, 11-21-03, 11-21-04, 11-21-12, 11-21-13, 11-21-14, 11-30-16, 12-45-01, 12-46-13, 12-51-07, 12-53-01, 12-53-05, 12-53-13, 12-60-13.1, subsection 5 of section 12.1-01-04, sections 14-03-09, 14-03-10, 14-03-11, 14-03-12, 14-03-13, 14-03-15, 14-03-17, 14-03-19, 14-03-20, 14-03-21, 14-03-22, 14-03-24, 15-22-06, 15-40.2-05, 16-13-09, 16-13-11, 16-14-06, 16-21-03, 16-21.1-09, 18-02-09, 19-01-12, subsection 1 of section 19-03.1-33, 23-04-08, 23-05-06, 24-06-05, 24-07-22, 24-07-24, 24-07-28, 25-03.1-02, 25-03.1-03, 25-03.1-08, subsection 1 of section 25-03.1-09, section 25-03.1-38, subsection 3 of section 25-04-05.1, sections 25-05-13, 25-05-14, 25-05-21, 25-05-22, 25-09-02.2, 25-09-03, 25-11-05, 27-05.1-05, 27-05.1-07, 27-08.1-01, 27-08.1-03, 27-08.1-08, 27-08.2-01, subsection 2 of section 27-09.1-09, sections 27-09.1-14, 27-11-03, 27-15-01, 27-15-02, 27-15-10, 27-19-08, 27-20-05, subsection 1 of section 27-20-07, subsection 2 of section 27-20-47, section 27-20-49, subsection 2 of section 27-23-01, sections 27-23-02, 28-18-09, 28-20-22, 28-26-19, 28-29-04, subsection 3 of section 29-01-01, subsection 4 of 29-01-09, sections 29-01-14, 29-01-15, 29-02-13, 29-05-31, 29-07-01.1, 29-08-02, 29-08-16, 29-10.1-38, subsection 1 of section 29-15-21, sections 29-22-01, 29-22-02, 29-32-05, subsection 6 of section 30.1-01-06, sections 30.1-02-02, 30.1-02-07, subdivision c of

subsection 2 of section 30.1-10-01, sections 31-01-16, 31-01-19, 32-09-03, 32-09-10, 32-15-14, 32-19-23, 32-19-24, 32-19-30, 32-24-01, 32-29-05, 33-06-01, 33-06-03, 33-06-04, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 37-16-04, subsection 4 of section 38-10-01, sections 38-10-03, 38-10-05, 38-10-06, 38-10-08, 39-06-16, subsection 5 of section 39-06.1-03, sections 40-02-16, 40-09-16, 40-11-12, 40-13-02, 42-01-07, 42-03-01, 42-03-03, subsection 2 of section 43-23-07, sections 44-02-05, 44-03-02, 44-05-01, 44-08-04, 44-08-09, 44-09-01, 44-11-01, 44-11-12, 46-04-05, 47-03-06, 47-18-22, subsection 9 of section 47-19-02, sections 47-19-06, 47-19-14, subsection 4 of section 47-24-01, subsection 2 of section 50-01.1-04, sections 54-10-13, 57-26-02, 57-37.1-06, 57-37.1-12, and 58-02-23 of the North Dakota Century Code, removing references in the North Dakota Century Code to county judges with increased jurisdiction, county judges, county justices, justices of the peace, county courts, and county justice courts, and to require judicial expenses to be paid by the state.

Which was read the first time and referred to the Committee on Judiciary.

Legislative Council Legislative Procedure and Arrangements Committee introduced:

**House Bill No. 1072.** — A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to calling the house and senate to order on the first day of the organizational session of the legislative assembly.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Legislative Procedure and Arrangements Committee introduced:

**House Bill No. 1073.** — A Bill for an Act to amend and reenact subsection 2 of section 13-03-18, sections 15-19-06, 15-28-10, 15-40.1-03, 15-52-19, 15-52-20, 15-52-21, 15-52-27, subsections 1 and 3 of section 15-61-02, sections 15-61-04, 15-62.1-13, 16-04-07, 16-11-12, 16-15-05, 16-15-07, 16-15-09, 16-16-17.1, 16-18-17, 16-20-07, subsection 5 of section 16-20-08, sections 18-03-05, 18-05-04, 18-05-13, 18-10-09, 18-11-09, 18-11-22, 19-01-12, subsections 14 through 23 of section 19-02.1-02, subsections 4 through 10 of section 19-02.1-05, sections 19-03.1-23, 19-07-02, 21-03-23, 21-04-09, 21-05-05, 21-10-10, subsection 4 of section 23-07-01.1, sections 23-15.1-07, 24-01-13, 24-01-41.1, 24-02-11, 24-06-02, 24-06-07, 25-01.1-20, subsections 1 and 3 of section 25-04-07, subsections 10 through 14 of section 26-01-02, sections 26-01-10, 26-08-13, 26-10-02, 26-10-14, 26-10-16, 26-26-14, 26-27-14, 26-27.1-18, 26-27.2-18, 26-33-04, 27-11-26, subsection 6 of section 27-14-02, sections 29-01-06.1, 29-03-20, 29-05-31, and 29-12-13, subsection 9 of section 29-15-21, sections 29-21-15, 29-21-17, 29-21-25, 29-22-20, 29-26-16, 34-01-12, 35-20-13, 36-05-10, 37-12-14, 37-20-03, 38-10-08, subsection 1 of section 39-01-01, sections 39-01-13 and 39-04-06, introductory paragraph of subsection 2 of section 39-04-18, section 39-06.1-09, paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10, and sections 39-07-11, 39-08-13, 39-23-08, 40-33-24, 43-03-02, 43-12-27, 43-12-31, 43-15-01, 43-15-14, 44-04-14, 44-08-12, 44-08-13, 47-11-01, 47-18-14, 47-19-18, 49-03-01.3, 49-09-09, 49-09-11, 52-02-09, 54-23A-04, 54-27-08, 54-48-06, 54-49.1-02, 65-05-09, 65-06-01, 65-06-02, 65-06-03, 65-06-04, and 65-06-05 of the North Dakota Century Code, relating to incorrect or obsolete references in statutes providing for insurance premium on a small loan, duties of school district election officials, budget of the division of independent study, constitution of county equalization funds, loans made from the medical center fund, procedures of the director of surplus property, collection of loans made by the state scholarship board, application for name placement on the primary



election ballot, posting of material in polling places, election contest procedures, voting eligibility of former residents, absent voter ballot procedure, charitable contributions and payments by candidates, campaign contributions by corporations, appropriation desired by the state firemen's association, apportionment of insurance taxes received by cities, examinations of firemen's relief associations, deposit of funds of rural fire protection districts, seizure of products unlawful under the food and drug laws, prohibited practices under the Food, Drug, and Cosmetic Act, prohibited acts under the Uniform Controlled Substances Act, egg rules of the state laboratories department, municipal bond register, pledge of security in place of depository bond, county or township voucher form, operating cost estimates of the state investment board, reporting of physical or mental disorders, penalty for violating the model rocketry law, enforcement of highway laws, highway relocation assistance payments, highway department records, purchase of township road machinery, custody of funds of patients of state institutions, mentally deficient defendants, duties of the commissioner of insurance, insurance company examinations, insurance company property, evaluation of policies of cooperative or assessment life associations, penalty and prosecution for discrimination or misrepresentation with respect to insurance matters, licensing of sales representatives of contracts of hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations, issuance and revocation of insurance vending machine licenses, bar admission without examination, suspension or revocation of certification of admission to bar, rights of defendant charged with multiple counts, jurisdiction of prize fighting violation, uniform traffic complaint and summons, summons issuance, change of judge, mistake in charging proper offense, trial on charge after mistake, discharge of accused, sealed verdict, hearing of evidence, payment of wages due surviving spouse or heirs, house mover's lien statement, livestock inspection, state guard commissions, administration of veterans' children scholarships, order for sale of mineral rights of an estate, definition of authorized emergency vehicles, record of process served on nonresident motor vehicle users, reciprocal highway use agreements, definition of moving violation, noncriminal traffic offense, magistrate's record of traffic offense convictions, accident report forms, budgets of the vehicle equipment safety commission, funds of jointly operated municipal utilities, persons exempt from architect licensure, duties of the state board of nursing, collection and cancellation of nursing scholarship loans, the definition of "device" under the pharmacist registration law, sale of drugs, poisons, medicines, and chemicals, examination of county officers' records, definitions and the use of facsimile signatures by authorized public officials, mode of transferring personal property, disposition of homestead sale proceeds, taking of acknowledgments by deputies, certificate of public convenience and necessity application, sale of railroad property under trust deed or upon mortgage foreclosure, compensation for another railroad's property, unemployment compensation administration fund, state radio broadcasting dispatches, state treasury warrants, publication of emergency interim successors for legislators, natural resources council membership, and workmen's compensation for disaster emergency personnel; and to repeal chapter 15-62, section 27-07-03, chapter 39-15, subsection 5 of section 46-02-04, and sections 47-10-21, 47-10-22, and 49-03-01.2 of the North Dakota Century Code, relating to the state scholarship board,

limited county court jurisdiction over unorganized territory, guest statute, printing of the publicity pamphlet, reservation of coal deposits, and limitation on issuance on orders and certificates of public convenience and of necessity to electric public utilities.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council Legislative Procedure and Arrangements Committee introduced:

**House Bill No. 1074.** — A Bill for an Act to amend and reenact sections 61-02-46 and 61-02-50 of the North Dakota Century Code, relating to the amount and negotiability of revenue bonds issued by the water commission.

Which was read the first time and referred to the Committee on Natural Resources.

Legislative Council Products Liability Committee introduced:

**House Bill No. 1075.** — A Bill for an Act to restrict and regulate products liability actions by establishing a statute of limitations, granting limited immunity to manufacturers or sellers of products against actions based on products liability, providing tests for determining whether or not a product shall be deemed to be defective or unreasonably dangerous, establishing rebuttable presumptions of freedom from defects, and precluding certain evidence from admission in products liability actions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Legislative Council Products Liability Committee introduced:

**House Bill No. 1076.** — A Bill for an Act relating to insurance companies and providing for the reporting of certain products liability claims and other information to the commissioner of insurance.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Legislative Council Social Services Committee introduced:

**House Bill No. 1077.** — A Bill for an Act to create and enact two new sections to chapter 50-18 of the North Dakota Century Code, relating to cooperation between the state laboratories department and the state social service board in determining licensing responsibility and actions against operations without a license; and to amend and reenact section 50-18-01 of the North Dakota Century Code, relating to the definition of boarding home for the aged and infirm.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1078.** — A Bill for an Act to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to a historical study of the Yellowstone and Missouri River confluence; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to gubernatorial appointments; and to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri-Fort Union commission.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1079.** — A Bill for an Act to repeal chapters 4-06 and 25-04.1 and section 55-01-09 of the North Dakota Century Code, relating

to the federated cooperative agricultural association and agricultural code commission, compulsory sterilization, and the North Dakota heritage study committee.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1080.** — A Bill for an Act to provide for the deposit of trade commission funds in the general fund; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to gubernatorial appointments; and to repeal subsections 1 through 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the North Dakota Century Code, relating to the North Dakota trade commission.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1081.** — A Bill for an Act to repeal chapter 55-09 of the North Dakota Century Code, relating to the North Dakota heritage commission; and providing an effective date.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1082.** — A Bill for an Act to repeal section 15-62.2-03 of the North Dakota Century Code, relating to the student financial assistance program advisory board.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1083.** — A Bill for an Act to provide for the transfer of property and funds of the Minot district fair; and to repeal sections 4-02-17, 4-02-18, 4-02-19, 4-02-20, 4-02-22, 4-02-23, 4-02-24, and 4-02-25 of the North Dakota Century Code, relating to the location, premises, title to land, board of directors, executive committee, contributions, and report of the prize list of the Minot district fair.

Which was read the first time and referred to the Committee on Agriculture.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1084.** — A Bill for an Act to amend and reenact subsection 1 of section 54-07-01.2 and section 54-54-02 of the North Dakota Century Code, relating to the North Dakota council on the arts and humanities.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1085.** — A Bill for an Act to amend and reenact sections 40-38-01, 40-38-04, 40-38-05, 40-38-09, 40-38-10, 40-38-11, 54-24-01, 54-24-02, 54-24-03, 54-24-03.1, 54-24-07, 54-24-08, 54-24-09, and 54-24.1-03 of the North Dakota Century Code, relating to public libraries and the nature and duties of the state library commission; and to repeal section 55-01-09 of the North Dakota Century Code, relating to the heritage study committee.

Which was read the first time and referred to the Committee on Education.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1086.** — A Bill for an Act to require the state personnel board to advertise all employment opportunities by all state boards, councils, committees, and commissions, except occupational and professional licensing boards; and providing an appropriation.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1087.** — A Bill for an Act to limit the creation of statutory boards, councils, committees, and commissions, except occupational and professional licensing boards; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

Legislative Council State and Federal Government Committee introduced:

**House Bill No. 1088.** — A Bill for an Act to provide for the automatic termination, and the review, continuation, or reestablishment of the state board for Indian scholarships, student financial assistance program advisory board, and the scholarship program administered by the state board of nursing; providing for the mechanics of termination, including a year's phaseout period; providing a schedule for the termination and review process; providing for performance reviews of these agencies and activities by the state auditor; providing for consideration of these performance reviews and the holding of hearings and the preparing of reports and recommendations on these reviews by the legislative audit and fiscal review committee; providing for legislative review of all agencies and activities scheduled for termination; and to amend section 54-35-02.2, relating to the powers and duties of the legislative audit and fiscal review committee.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Reed, Stenehjem and Gackle introduced:

**House Bill No. 1089.** — A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks of election.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Murphy introduced:

**House Bill No. 1090.** — A Bill for an Act to create and enact section 11-33-09.1 of the North Dakota Century Code, relating to referral to the electors of amendments to county zoning plans; and to amend and reenact sections 11-33-09, 11-33-10, and 11-33-13 of the North Dakota Century Code, relating to the adoption and amendment of zoning plans, separate hearings on the adoption of such amendments, and the effect on existing uses of land.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Murphy introduced:

**House Bill No. 1091.** — A Bill for an Act to amend and reenact subdivision c and e of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exempting certain motor vehicles from registration.

Which was read the first time and referred to the Committee on Transportation.

Rep. Lardy introduced:

**House Bill No. 1092.** — A Bill for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to exhibiting obscene motion pictures at outdoor theaters; to create and enact a new subsection to section 12.1-27.1-01 of the North Dakota Century Code, relating to definition of sexual excitement; and to amend and reenact section 12.1-27.1-02 of the North Dakota Century Code, relating to promoting obscenity to minors.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Black introduced:

**House Bill No. 1093.** — A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the prohibition against dispensing of alcoholic beverages on certain days.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Black introduced:

**House Bill No. 1094.** — A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the prohibition against dispensing alcoholic beverages during certain hours of the day.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Erickson introduced:

**House Bill No. 1095.** — A Bill for an Act to create and enact new sections to chapters 47-10 and 47-11 of the North Dakota Century Code, relating to a presumption that a nontestamentary transfer of real or personal property between spouses is always for a consideration, and not a gift, unless stated in writing.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Erickson introduced:

**House Bill No. 1096.** — A Bill for an Act to amend and reenact section 57-15-52.1 of the North Dakota Century Code, relating to the school district levy for district-owned school bus costs.

Which was read the first time and referred to the Committee on Education.

Rep. Erickson introduced:

**House Bill No. 1097.** — A Bill for an Act to create and enact new sections to chapters 47-10 and 47-11 of the North Dakota Century Code, relating to a presumption that a nontestamentary transfer of real or personal property between parent and child is for a consideration, and not a gift, unless stated in writing.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Gackle introduced.

**House Bill No. 1098.** — A Bill for an Act to amend and reenact section 39-24-05 of the North Dakota Century Code, relating to disposition of the snowmobile trail tax.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Gackle introduced.

**House Bill No. 1099.** — A Bill for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to

restrictions on the planting of treerows, shelterbelts, or hedges near roads or highways in the state.

Which was read the first time and referred to the Committee on Transportation.

Rep. Erickson introduced:

**House Bill No. 1100.** — A Bill for an Act to create and enact a new section to chapter 2-03 of the North Dakota Century Code, relating to strobe lights on structures in excess of five hundred feet.

Which was read the first time and referred to the Committee on Transportation.

Rep. Rued introduced:

**House Bill No. 1101.** — A Bill for an Act to create and enact a new subsection to section 39-16-01 of the North Dakota Century Code, relating to the definition of consumer reporting agency; and to amend and reenact section 39-16-03.1 of the North Dakota Century Code, relating to making a driver record or abstract available to the public.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Richard introduced:

**House Bill No. 1102.** — A Bill for an Act to amend and reenact subsection 13, 14, and 15 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits, and providing for unemployment compensation benefits for nonprofessional employees of educational institutions, other than institutions of higher education.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Erickson introduced:

**House Bill No. 1103.** — A Bill for an Act to authorize the state highway department, upon approval by the public service commission, to apply for rail service assistance under the Railroad Revitalization and Regulation Reform Act of 1976, to authorize the highway department to act as the designated state agency to receive rail service assistance, and to authorize cooperation between the highway department and the public service commission to take steps necessary to improve transportation utilization.

Which was read the first time and referred to the Committee on Transportation.

Rep. Erickson introduced:

**House Bill No. 1104.** — A Bill for an Act to create and enact two new sections to chapter 49-09 of the North Dakota Century Code, relating to authorizing the public service commission to enter into trust agreements with railway corporation abandoning railroad lines, for the purposes of reorganization or negotiated attempts to open the line for use, and to provide for reversion of the railway property to the original railway corporation after five years, if no reorganization or reopening of the line takes place.

Which was read the first time and referred to the Committee on Transportation.

Committee on State and Federal Government introduced.

**House Bill No. 1105.** — A Bill for an Act to amend and reenact section 39-03-04 of the North Dakota Century Code, relating to the qualifications of patrolmen.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1106.** — A Bill for an Act to amend and reenact section 6-09-04 of the North Dakota Century Code, relating to the bonding of Bank of North Dakota employees.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1107.** — A Bill for an Act to repeal section 6-09-06 and of the North Dakota Century Code, relating to authorization of Bank of North Dakota to transact business after delivery of two million dollars in bonds as capital.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1108.** — A Bill for an Act to amend and reenact section 6-09-12 of the North Dakota Century Code, relating to fixing interest rates to be charged by Bank of North by the industrial commission without regard to limitations established by usury definitions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Education introduced:

**House Bill No. 1109.** — A Bill for an Act to repeal chapter 15-62 of the North Dakota Century Code, relating to the discontinued state scholarship revolving fund.

Which was read the first time and referred to the Committee on Education.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1110.** — A Bill for an Act to amend and reenact section 54-17-25 of the North Dakota Century Code, relating to maximum interest rates on student loan bonds.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Political Subdivisions introduced:

**House Bill No. 1111.** — A Bill for an Act to amend and reenact section 57-47-04 of the North Dakota Century Code, relating to the approval of loan applications by the Bank of North Dakota instead of the industrial commission.

Which was read the first time and referred to the Committee on Political Subdivisions.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1112.** — A Bill for an Act to amend and reenact sections 54-30-06 and 54-30-09 of the North Dakota Century Code, relating to the maximum interest rates, coupons, and sale at less than par of real estate bonds.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1113.** — A Bill for an Act to amend and reenact section 23-02.1-13 of the North Dakota Century Code, relating to the registration of births.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1114.** — A Bill for an Act to amend and reenact section 15-62.1-13 of the North Dakota Century Code, relating to the state scholarship revolving fund, guarantee loan reserve fund, and write-off of uncollectible state scholarship student loans.

Which was read the first time and referred to the Committee on Education.

Committee on Agriculture introduced:

**House Bill No. 1115.** — A Bill for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy.

Which was read the first time and referred to the Committee on Agriculture.

Committee on State and Federal Government introduced:

**House Bill No. 1116.** — A Bill for an Act to amend and reenact sections 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota Century Code, relating to the administration and purpose of the Indian development fund.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on State and Federal Government introduced:

**House Bill No. 1117.** — A Bill for an Act to amend and reenact section 48-10-02 of the North Dakota Century Code, relating to the authority of the capitol grounds planning commission with respect to the capitol building fund, and making an appropriation.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Richard and Solberg introduced:

**House Bill No. 1118.** — A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations and authorizing such stations to be established in unincorporated townsites located within Indian reservations.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Mertens introduced:

**House Bill No. 1119.** — A Bill for an Act to amend and reenact subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to retirement dates under the public employees retirement system.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Rued introduced:

**House Bill No. 1120.** — A Bill for an Act to amend and reenact section 39-21-01 of the North Dakota Century Code, relating to the use of lighted lamps on motor vehicles.

Which was read the first time and referred to the Committee on Transportation.

Reps. Kingsbury and Gorder introduced:

**House Bill No. 1121** — A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks of election.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Mertens and Berg introduced:

**House Bill No. 1122.** — A Bill for an Act to set aside a percentage of the accumulated and undivided profits of the state mill and elevator association for research pertaining to new seed varieties and new uses for North Dakota seed varieties.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Murphy introduced:



**House Bill No. 1123.** — A Bill for an Act to amend and reenact section 11-33-04 of the North Dakota Century Code, relating to county planning commissions and requiring election of members by residents of the area affected by the plan.

Which was read the first time and referred to the Committee on Political Subdivisions.

Committee on Education introduced:

**House Bill No. 1124.** — A Bill for an Act to repeal section 15-37-04 of the North Dakota Century Code, relating to administering teacher's oath.

Which was read the first time and referred to the Committee on Education.

Committee on Education introduced:

**House Bill No. 1125.** — A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to annexation hearings.

Which was read the first time and referred to the Committee on Education.

Committee on Education introduced:

**House Bill No. 1126.** — A Bill for an Act to amend and reenact subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to foundation program payments.

Which was read the first time and referred to the Committee on Education.

Committee on Education introduced:

**House Bill No. 1127.** — A Bill for an Act to amend and reenact section 15-45-03 of the North Dakota Century Code, relating to kindergarten teachers.

Which was read the first time and referred to the Committee on Education.

Rep. Berg introduced:

**House Bill No. 1128.** — A Bill for an Act to amend and reenact section 61-16-28.1 of the North Dakota Century Code, relating to removal of obstructions to a drain, and providing a definition of "obstruction to a drain".

Which was read the first time and referred to the Committee on Agriculture.

Reps. Reed, Mattson and Vig introduced:

**House Bill No. 1129.** — A Bill for an Act to amend and reenact section 39-04-36 of the North Dakota Century Code, relating to transfer of registration and registration plates upon transferring or assigning title.

Which was read the first time and referred to the Committee on Transportation.

Reps. Kingsbury, Bjornson, Melby, Peltier and Thompson introduced:

**House Bill No. 1130.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 and subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries and to adjustments to taxable income for corporations; to repeal section 57-38-66 of the North Dakota Century Code, providing for a business and corporation privilege tax; and to provide an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Richard introduced:

**House Bill No. 1131.** — A Bill for an Act to require mineral owners to bear the cost of updating the surface abstract to reflect a transfer or conveyance of the mineral rights.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Murphy introduced:

**House Bill No. 1132.** — A Bill for an Act to amend and reenact subsection 6 of section 21-03-07 and section 21-03-15 of the North Dakota Century Code, relating to the vote required in school district bond issue elections and providing a tax on income of school district residents to pay the interest on and principal of school district bond issues.

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on Natural Resources introduced:

**House Bill No. 1133.** — A Bill for an Act to amend and reenact subsection 37 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of “waterfowl”.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Natural Resources introduced:

**House Bill No. 1134.** — A Bill for an Act to create and enact new subsections to section 20.1-02-05 and section 20.1-03-12 of the North Dakota Century Code, relating to the powers of the commissioner to establish rules and regulations for fishing contests, issuing permits and to establish a fee for a fishing contest permit.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Judiciary introduced:

**House Bill No. 1135.** — A Bill for an Act creating a new section relating to claims against the North Dakota national guard resulting from state active duty.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on State and Federal Government introduced:

**House Bill No. 1136.** — A Bill for an Act to amend and reenact sections 37-03-08, 37-10-01, 37-10-03, 37-10-03.3 and 37-10-03.4, and to repeal sections 37-10-05 and 37-10-06 of the North Dakota Century Code, relating to national guard facilities and military property.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Koski and Hoffner introduced:

**House Bill No. 1137.** — A Bill for an Act to amend and reenact section 47-16-07 of the North Dakota Century Code, relating to notice of changes in terms of leases of land or tenements.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Winkjer, Conmy, Stenehjem and Strinden introduced:

**House Bill No. 1138.** — A Bill for an Act to create and enact chapters 16.1-01, 16.1-04, 16.1-05, 16.1-06, 16.1-07, 16.1-08, 16.1-09, 16.1-10, 16.1-12, 16.1-13, 16.1-14, 16.1-15, and 16.1-16, and sections 16.1-11-03 through 16.1-11-24 and sections 16.1-11-26 through 16.1-11-34 of the North Dakota Century Code, relating to a new election code establishing qualifications for electors, initiative and referendum procedures, election offenses, the administration of elections, the establishment of voting precincts, the qualifications and duties of election officers, election

supplies, ballots, electronic voting systems, and voting machines, absent voters' ballots, political contributions by corporations and associations, the disclosure of financial interests, corrupt practices, primary elections, nominations at the general election, the conduct of elections, presidential electors, election returns, recounts, and contests; and to repeal chapters 16-01, 16-03, 16-05, 16-06, 16-07, 16-08, 16-09, 16-10, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-18, 16-20, 16-21, 16-21.1, 16-22, and sections 16-04-02, 16-04-02.1, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-07, 16-04-08, 16-04-09, 16-04-10, 16-04-12, 16-04-13, 16-04-15.1, 16-04-15.2, 16-04-16, 16-04-17, 16-04-18, 16-04-19, 16-04-21, 16-04-25, 16-04-26, 16-04-27, 16-04-28, 16-04-29, 16-04-30, 16-04-31, 16-04-32, 16-04-33, 16-04-34, 16-04-35, and 16-04-36 of the North Dakota Century Code, relating to general election provisions, individual nominations, primary elections, nominations for office, general and special elections, the no-party ballot, the establishment of precincts and voting places, election officers and supplies, the conduct of elections, returns and contests of elections, voting by new residents, absent voters' ballots, corrupt practices, voting machines, electronic voting systems, and the disclosure of financial interest; and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Appropriations introduced:

**House Bill No. 1139.** — A Bill for an Act making an appropriation for the national guard tuition waiver program.

Which was read the first time and referred to the Committee on Appropriations.

Rep. A. Hausauer introduced:

**House Bill No. 1140.** — A Bill for an Act to amend and reenact subdivision k of section 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to individual income for amounts received from the armed services.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Opedahl introduced:

**House Bill No. 1141.** — A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the use of motor vehicles in hunting big or small game other than waterfowl.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Eagles introduced:

**House Bill No. 1142.** — A Bill for an Act to amend and reenact sections 16-20-01, 16-20-01.1, 39-01-03, 39-01-04, 39-01-05, and 44-08-19 of the North Dakota Century Code, relating to what constitutes corrupt practice, use of state services or property for political purposes, state-owned motor vehicles not to be used for private use or in political activities, the definition of "political activity", expenses not to be collected by state officers or employees engaged in political activity, and the prohibition of political activities by public employees while on duty; and extending the various prohibitions to political subdivision employees and officers.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Gerl introduced:

**House Bill No. 1143.** — A Bill for an Act to provide for the disposition of animals killed by being struck by a motor-driven vehicle.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Pomeroy introduced:

**House Bill No. 1144.** — A Bill for an Act to repeal subsection 6 of section 52-06-02 of the North Dakota Century Code, relating to the disqualification of students registered for full attendance at an established school, college, or university from receiving unemployment benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1145.** — A Bill for an Act to amend sections 12-46-15, 12-52-01, 27-21-01, 27-21-02, 27-21-05, 27-21-07, and 27-21-09 of the North Dakota Century Code, relating to granting full authority for treatment and transfer of students to administrators of the state industrial school, provide for public and private aftercare services for students of the state industrial school, change the terminology from public welfare to social service board, board of administration to director of institutions, and grant the state youth authority the right to contract for services.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Murphy introduced:

**House Bill No. 1146.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, providing a committee to review the decisions of the coal development impact office director, and relating to the creation of the coal development impact office and appointment of the director, and providing for senate confirmation of the director's appointment.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Vander Vorst introduced:

**House Bill No. 1147.** — A Bill for an Act to amend and reenact sections 16-10-12 and 16-10-16 of the North Dakota Century Code, relating to election poll clerks, additional poll clerks and their compensation, and to compensation of election inspectors, judges, and clerks of election.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Schindler introduced.

**House Bill No. 1148.** — A Bill for an Act to amend and reenact section 18-10-10 of the North Dakota Century Code, relating to rural fire protection districts entering into contracts with other rural fire protection districts or state and local government agencies and requiring federal, state, and local agencies to reimburse the districts for fire protection services.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Black introduced:

**House Bill No. 1149.** — A Bill for an Act to amend and reenact sections 54-05.1-02, 54-05.1-03, 54-05.1-05, and 54-05.1-06 of the North Dakota Century Code, relating to the registration and activities of lobbyists.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Olson, Lee and Stenehjem introduced:

**House Bill No. 1150.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an income tax credit for insulating residential rental property.

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on Transportation introduced:

**House Bill No. 1151.** — A Bill for an Act to repeal chapter 54-21.1 of the North Dakota Century Code, relating to the Uniform Standards Code for Mobile Homes.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Natural Resources introduced:

**House Bill No. 1152.** — A Bill for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the killing of dogs pursuing or killing big game.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Retzer introduced:

**House Bill No. 1153.** — A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 39-01-01 and section 39-10-03.2 of the North Dakota Century Code, relating to the definition of class C emergency vehicles, and authorizing class C vehicles to display a blue light in place of a red light.

Which was read the first time and referred to the Committee on Transportation.

Rep. Tinjum introduced:

**House Bill No. 1154.** — A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignment of wage claims to the commissioner of labor for recovery by civil action.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Kingsbury and Gorder introduced:

**House Bill No. 1155.** — A Bill for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to membership of water management district boards of commissioners.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Tweten, Crabtree, Thompson and Sen. Goodman introduced:

**House Bill No. 1156.** — A Bill for an Act to amend and reenact subsection 8 of section 57-37.1-01 and section 57-37.1-04 of the North Dakota Century Code, relating to estate tax definitions and providing that the rate of the estate tax shall equal the maximum federal estate tax credit for state death taxes; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on State and Federal Government introduced:

**House Bill No. 1157.** — A Bill for an Act to create and enact a new subsection to section 44-08-04 of the North Dakota Century Code, relating to reimbursement of state officials for foreign travel.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. G. Larson and Retzer introduced:

**House Bill No. 1158.** — A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the definition of "farmer".

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on State and Federal Government introduced:

**House Bill No. 1159.** — A Bill for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to the establishment of a revolving fund in the central personnel division for state-wide training and employee development.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Black introduced:

**House Bill No. 1160.** — A Bill for an Act to amend and reenact sections 47-16-07 and 47-16-15, relating to the notice required to be given by a landlord to change the terms of a lease and the notice required to be given by either party to terminate a lease.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Winkjer introduced:

**House Bill No. 1161.** — A Bill for an Act to amend and reenact sections 30.1-10-01 and 30.1-21-03 of the North Dakota Century Code, relating to renunciation of succession and closing estates under the uniform probate code; and to provide for retroactivity.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Wessman introduced:

**House Bill No. 1162.** — A Bill for an Act to amend and reenact subdivision k of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to individual income for amounts received from the armed services.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Winkjer introduced:

**House Bill No. 1163.** — A Bill for an Act to create and enact subsection 9 of section 11-18-10 of the North Dakota Century Code, relating to the contents of the book known as the reception book kept by the register of deeds; and to amend and reenact subsection 8 of section 11-18-10 of the North Dakota Century Code, relating to the contents of the book known as the reception book kept by the register of deeds.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Unhjem introduced:

**House Bill No. 1164.** — A Bill for an Act to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the confidentiality of hearings and records in adoption proceedings.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Richard introduced:

**House Bill No. 1165.** — A Bill for an Act to amend and reenact sections 30.1-04-12 and 47-01-11 of the North Dakota Century Code, relating to an alien's right to inherit and persons qualified to own property, and providing that an alien may not inherit real property.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Kloubec introduced:

**House Bill No. 1166.** — A Bill for an Act to amend and reenact subsection 3 of section 26-08-11 of the North Dakota Century Code, relating to authorized investments of domestic insurance companies with respect to notes secured by mortgages on improved unencumbered real estate.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Kretschmar introduced:

**House Bill No. 1167.** — A Bill for an Act to amend and reenact sections 11-07-02, 11-07-03, and 11-07-05 of the North Dakota Century Code, relating to when county districts are changed, the method of county redistricting, and the first redistricting under the chapter, and providing for redistricting during a census interim, for contiguous districts following township lines where practicable, for filing by April first in an even-numbered year to be effective for that year's elections, and for redistricting at least each ten years.

Which was read the first time and referred to the Committee on Political Subdivisions.

Committee on Judiciary introduced:

**House Bill No. 1168.** — A Bill for an Act to amend and reenact section 16-01-11.1 of the North Dakota Century Code, relating to the passing of the sufficiency of petitions by the secretary of state.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Erickson, Hedstrom, Hove, Melby and Peltier introduced:

**House Bill No. 1169.** — A Bill for an Act to create and enact seven new sections to chapter 49-09 of the North Dakota Century Code, relating to authority for the public service commission to enter into negotiations or aid in negotiation for the reopening or reorganization of abandoned railway lines or for the sale, transfer, or lease of railroad property; and to amend and reenact sections 49-11-02, 49-11-05, and 57-05-01 of the North Dakota Century Code, relating to railroad bridge repair, maintaining sufficient railway highway crossings, and assessment of railroad property.

Which was read the first time and referred to the Committee on Transportation.

Rep. Freborg introduced:

**House Bill No. 1170.** — A Bill for an Act to amend and reenact section 15-20.1-08 of the North Dakota Century Code, relating to a mill levy for vocational education.

Which was read the first time and referred to the Committee on Education.

Reps. Kingsbury and Olson introduced:

**House Bill No. 1171.** — A Bill for an Act to amend and reenact sections 26-15-01.1 and 26-15-02.1 of the North Dakota Century Code, relating to liability insurance contracts made by county mutual insurance companies.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1172.** — A Bill for an Act to repeal subsection 4 of section 54-44.3-07 of the North Dakota Century Code, relating to submission of a biennial report by the state personnel board.

Which was read the first time and referred to the Committee on

State and Federal Government.

Committee on State and Federal Government introduced:

**House Bill No. 1173.** — A Bill for an Act to repeal section 54-44.2-05 of the North Dakota Century Code, relating to the biennial report required of the director of central data processing to the governor and the legislature.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Agriculture introduced:

**House Bill No. 1174.** — A Bill for an Act to amend and reenact section 4-02.1-15 of the North Dakota Century Code, relating to the retention of profits from the operation of the state fair.

Which was read the first time and referred to the Committee on Agriculture.

Committee on State and Federal Government introduced:

**House Bill No. 1175.** — A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the contingency fund of the Emergency Commission.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on State and Federal Government introduced:

**House Bill No. 1176.** — A Bill for an Act to amend and reenact subsection 15 of section 54-44-04 of the North Dakota Century Code, relating to the contents of the biennial report of the director of the department of accounts and purchases.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Political Subdivisions introduced:

**House Bill No. 1177.** — A Bill for an Act to create and enact a new section to chapter 57-47 of the North Dakota Century Code, relating to limitation of county deficiency loans.

Which was read the first time and referred to the Committee on Political Subdivisions.

Committee on Agriculture introduced:

**House Bill No. 1178.** — A Bill for an Act to create and enact subsection 6 of section 4-35-12 of the North Dakota Code, relating to renewal of a pesticide dealer license.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Koski introduced:

**House Bill No. 1179.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the adjustment of individual income tax brackets.

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on Natural Resources introduced:

**House Bill No. 1180.** — A Bill for an Act to amend and reenact subsection 3 of section 38-08-11 of the North Dakota Century Code, relating to emergency rules of the industrial commission.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Judiciary introduced:



**House Bill No. 1181.** — A Bill for an Act to amend and reenact subsection 1 of section 14-08-07 of the North Dakota Century Code, relating to actions for the support of married women and children.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Judiciary introduced:

**House Bill No. 1182.** — A Bill for an Act to create and enact a new subsection to section 30.1-19-03 of the North Dakota Century Code, relating to limitations on the presentation of claims against a decedent's estate.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Conmy introduced:

**House Bill No. 1183.** — A Bill for an Act to amend and reenact subsection 12 of section 51-13-01 of the North Dakota Century Code, relating to retail installment sales.

Which was read the first time and referred to the Committee on Transportation.

Committee on Judiciary introduced:

**House Bill No. 1184.** — A Bill for an Act to amend and reenact subsection 2 of section 14-12.1-02 of the North Dakota Century Code, relating to the definition of duty of support under the Revised Uniform Reciprocal Enforcement of Support Act; to amend and reenact section 14-12.1-24 of the North Dakota Century Code, relating to the powers and duties of district courts when acting as responding courts in actions for enforcement of support under the Revised Uniform Reciprocal Enforcement of Support Act; and to amend and reenact section 14-12.1-31 of the North Dakota Century Code, relating to the application of payments made under the Uniform Reciprocal Enforcement of Support Act.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Judiciary introduced:

**House Bill No. 1185.** — A Bill for an Act to create and enact a new section of chapter 14-17 of the North Dakota Century Code, relating to a presumption as to when a child was conceived; to amend and reenact subdivision e of subsection 1 of section 14-17-04 of the North Dakota Century Code, relating to the presumption of paternity; and to amend and reenact section 14-17-15 of the North Dakota Century Code, relating to the costs associated with the action under the Uniform Parentage Act.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1186.** — A Bill for an Act to amend and reenact sections 50-11.1-01, 50-11.1-02, 50-11.1-04, 50-11.1-05, 50-11.1-06, subsections 1 and 3 of section 50-11.1-07, subsection 2 of section 50-11.1-08, subsection 2 of section 50-11.1-09, and section 50-11.1-11 of the North Dakota Century Code, relating to the regulation of supplemental parental care for children.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS  
Legislative Council Constitutional Revision Committee introduced:

**House Concurrent Resolution No. 3001.** — A concurrent resolution to create a new article II of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 26 through 44 and sections 46 through 70 of the present article II of the Constitution of the State of North Dakota, relating to the legislative assembly; and providing an effective date.

Was read the first time and referred to the committee on Constitutional Revision.

Legislative Council Constitutional Revision Committee introduced:

**House Concurrent Resolution No. 3002.** — A concurrent resolution to create a new section of the Constitution of the State of North Dakota relating to legislative reimbursement; to repeal section 45 of the Constitution of the State of North Dakota, relating to legislative salaries and mileage; and providing an effective date.

Was read the first time and referred to the committee on Constitutional Revision.

Legislative Council Constitutional Revision Committee introduced:

**House Concurrent Resolution No. 3003.** — A concurrent resolution for the amendment of sections 215 and 216 and subsection 1 and subdivision d of subsection 6 of article 54 of the amendments to the Constitution of the State of North Dakota, all relating to the listing of the state's public institutions; and providing an effective date.

Was read the first time and referred to the committee on Constitutional Revision.

Legislative Council Constitutional Revision Committee introduced:

**House Concurrent Resolution No. 3004.** — A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 215 and 216 of the Constitution of the State of North Dakota, relating to the listing of the state's public institutions; for the repeal of article 54 of the amendments to the Constitution of the State of North Dakota, relating to the board of higher education; and providing an effective date.

Was read the first time and referred to the committee on Constitutional Revision.

Legislative Council Constitutional Revision Committee introduced:

**House Concurrent Resolution No. 3005.** — A concurrent resolution creating a new article III of the Constitution of the State of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to executive branch organization, to the powers and duties of the governor, and to gubernatorial succession; to repeal article III, consisting of sections 71 through 84, of the Constitution of the State of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to the powers and duties of the governor, and to gubernatorial succession; and providing an effective date.

Was read the first time and referred to the committee on Constitutional Revision.

Legislative Council Corrections and Penology Committee introduced:

**House Concurrent Resolution No. 3006.** — A concurrent resolution directing a Legislative Council study of community corrections programs and the State Penitentiary.

Was read the first time and referred to the committee on State and Federal Government.

Legislative Council Retirement Committee introduced:

**House Concurrent Resolution No. 3007.** — A concurrent resolution directing an interim study by the Legislative Council of the feasibility and desirability of providing for comprehensive post-retirement adjustment programs for the Public Employees Retirement System, Teachers' Fund for Retirement, Highway Patrol retirement program, and Employment Security Bureau retirement program.

Was read the first time and referred to the committee on State and Federal Government.

Rep. Kretschmar introduced:

**House Concurrent Resolution No. 3008.** — A concurrent resolution directing the Legislative Council to study legislative apportionment.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Kingsbury and A. Hausauer introduced:

**House Concurrent Resolution No. 3009.** — A concurrent resolution to amend and reenact section 174 of the Constitution of the State of North Dakota, relating to legislative authority to provide a four-mill property tax levy to defray the expenses of the state, and providing that the legislative assembly may not raise revenue for the state through a property tax.

Was read the first time and referred to the committee on Constitutional Revision.

Reps. Knudson and Martin introduced:

**House Concurrent Resolution No. 3010.** — A concurrent resolution urging school boards to cooperate with the North Dakota national guard for the Guard Career Education Program.

Was read the first time and referred to the committee on Education.

The House stood adjourned, pursuant to Rep. Strinden's motion.

ROY GILBREATH, Chief Clerk

## SECOND DAY

Bismarck, January 4, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

Prayer was offered by Sister Burnie Kunz, First Lutheran Church, Bismarck, North Dakota.

Roll was called, and all members were present except Reps. Berg, Conmy, Kretschmar, Olson and Peterson.

A quorum was declared by the Speaker.

## REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker . . . . . Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the First Day . . . . .

and recommends that the same be corrected as follows:

On line 1 of pages 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85 and 87, change "TUESDAY" to "WEDNESDAY" . . . . .

On page 44, line 17, correct spelling of second word "international"; line 21, correct spelling of "recognize"; line 28, correct spelling of "mutually" . . . . .

On page 46, line 11, correct spelling of "automobile"; line 37, correct spelling of "establishment" . . . . .

On page 49, line 50, correct spelling of "goal"; line 58, correct spelling of "forward" . . . . .

On page 54, line 29, correct spelling of "severance" . . . . .

On page 60, line 43, delete "vehicle" and insert in lieu thereof "vehicles" . . . . .

On page 62, line 28, following the word "Act" delete the word "to" . . . . .

On page 62, line 38, correct spelling of "Council" . . . . .

On page 64, line 35, delete "section" and insert in lieu thereof "sections" . . . . .

On page 66, line 53, delete the last word "section" and insert in lieu thereof "sections" . . . . .

On page 67, line 1, correct spelling of "with"; on line 3, correct spelling of "with"; line 38, delete "section" and insert in lieu thereof "sections"; line 41, delete the second "12-53-05"; line 42, before "14-03-09, delete "section" and insert in lieu thereof "sections"; line 54 delete "28-01-09" and insert in lieu thereof "29-01-15"; line 55, delete "29-05-15" and insert in lieu thereof "29-01-15".

On page 68, line 2, delete the second "section" and insert in lieu thereof "sections"; line 6, second "æction" deleted and "sections" inserted in lieu thereof; line 13, correct spelling of "with"; line 36, delete "19-03.-1-23" and insert in lieu thereof "19-03.1-23".

On page 69, line 13, delete "operation" and insert in lieu thereof "operating"; line 15, delete "violation" and insert in lieu thereof "violating"; line 20, correct spelling of "cooperative"; line 23, correct spelling of "representatives"; line 28, correct spelling of "with"; line 41, insert "," following "licensure"; line 45, delete "offices'" and insert in lieu thereof "officers'"; line 54, correct spelling of "disaster".

On page 70, line 2, delete "count" and insert in lieu thereof "county"; line 4, delete "an" and insert in lieu thereof "and", delete "order" and insert in lieu thereof "orders"; line 38, delete "operation" and insert in lieu thereof "operations."

On page 71, line 54, delete "54-24-.1-03" and insert in lieu thereof "54-24.1-03".

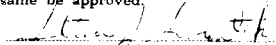
On page 79, line 16, following the word "places" insert ",".

On page 80, line 43, correct spelling of "with".

On page 83, line 14, correct spelling of "contiguous"; line 21, correct spelling of "section".

On page 85, line 39, correct spelling of "presumption".

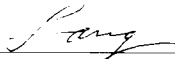
And when so corrected recommends that the same be approved:

  
 \_\_\_\_\_ Rep. Swiontek \_\_\_\_\_ Chairman  
 \_\_\_\_\_ Rep. Meiers \_\_\_\_\_ moved that the report be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Political Subdivisions  
 to whom was referred House  
 Bill No. 1111, has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, \_\_\_\_\_; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

 Chairman

House Bill No. 1111 Rep. Lang was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1152, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

 Chairman

House Rep. Richard Kloubec Bill No. 1152 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**REPORT OF PROCEDURAL COMMITTEES**

Mr. Speaker: Your Procedural Committee on Employment submits the following names for the positions specified below:

- Del Wawers.....Assistant Chief Clerk
- Gladys Derrick.....Bill Clerk
- Theola Stetson.....Chief Stenographer and Payroll Clerk
- Betty Perkins..... Appropriations Committee Clerk
- Kathleen Steidler.....Assistant Appropriations Committee Clerk
- Lela Knudsen..... Chief Committee Clerk
- Jan Thon..... Committee Clerk
- Roberta Rose..... Committee Clerk
- Dorothy Johnson..... Committee Clerk
- Helen Soma..... Committee Clerk
- Roberta Nelson..... Committee Clerk
- Mary LaDuke..... Committee Clerk
- Barbara Middaugh..... Committee Clerk
- Amy Morris..... Committee Clerk
- Betty Lou Mitzel..... Committee Clerk
- Maude Grambs.....Assistant Committee Clerk
- Fran Gronberg.....Assistant Committee Clerk
- Craig Sinclair.....Calendar Clerk
- Gerry Patchen..... Chief Page & Bill Book Clerk
- Becky Huelskamp..... Desk Page
- Janna Tjaden..... Desk Page
- Dotty Neils..... Secretary to the Speaker
- Mavis Patchen..... Secretary to the Majority Floor Leader
- Arlene Haunson..... Secretary to the Minority Floor Leader

Jack Whereatt.....	Deputy Sergeant-at-Arms
Phyllis Connolly.....	Assistant Sergeant-at-Arms
Tim Dwyer.....	Assistant Sergeant-at-Arms
Edgar Beyers.....	Assistant Sergeant-at-Arms
David Hillesland.....	Assistant Sergeant-at-Arms
Mark Zimmerman.....	Assistant Sergeant-at-Arms
Evelyn Sholts . . . . .	Bill Room Clerk
Hazel Ludeman . . . . .	Bill Room Clerk
Selmer Severinson . . . . .	Bill Room Clerk
Vida Mae Peterson . . . . .	Bill Room Clerk
Sue Feland . . . . .	Stenographer
Myrtle Sloan . . . . .	Stenographer
Ardith Lippert . . . . .	Stenographer
Barbara Stickland . . . . .	Stenographer
Nancy Turnbow . . . . .	Stenographer
Judy Hoffman . . . . .	Typist
Alma Opp . . . . .	Typist
Renaë Doan . . . . .	Page and Bill Book Clerk
Laurie Jensen . . . . .	Page and Bill Book Clerk
Sandy Gehrke . . . . .	Page and Bill Book Clerk
Kristi Rud . . . . .	Page and Bill Book Clerk
Debra Rude . . . . .	Page and Bill Book Clerk
Cindy Wright . . . . .	Page and Bill Book Clerk
Dorothy Duhr . . . . .	Page and Bill Book Clerk
Steve Weiler . . . . .	Page and Bill Book Clerk
Marsha Huffman . . . . .	Page and Bill Book Clerk
Lance Hagen . . . . .	Page and Bill Book Clerk
Dennis Bier . . . . .	Page and Bill Book Clerk
Brad Scott . . . . .	Page and Bill Book Clerk
Rita Wolberg . . . . .	Page and Bill Book Clerk
Dave Harter . . . . .	Page and Bill Book Clerk
Georgia Seil . . . . .	Page and Bill Book Clerk
Julie Stromberg . . . . .	Telephone Attendant
Susie Thompson . . . . .	Telephone Attendant
Pat Ness . . . . .	Telephone Attendant
Sue Mollison . . . . .	Telephone Page
Eunice Anderson . . . . .	Information Desk Attendant
Al Larson . . . . .	Chief Journal & Bill Room Clerk
Neal Schlosser . . . . .	Journal Room Typist
Chuck Zander . . . . .	Journal Room Clerk
Earl Boyd . . . . .	Parking Lot Attendant
Hilda Knittel . . . . .	Journal Proofreader
Jon Nelson . . . . .	Journal Proofreader
Gene Reynolds . . . . .	Janitor
Arnold Schmitt . . . . .	Janitor
Wayne LaCoe . . . . .	Janitor
Melvin Nelson . . . . .	Janitor

*Robert W. Martinson*  
Rep. Martinson,

Chairman

Rep. Martinson

moved that the report be adopted, which motion

prevailed and the report was adopted.

Speaker Wagner administered the Oath of Office to the employees listed above.

Rep. Strinden moved that the House stand at ease to await the arrival of the Senate for the Joint Session, which motion prevailed.

#### JOINT SESSION

The Joint Session was called to order with Speaker Wagner presiding.

Rep. Strinden moved that a committee of two be appointed to escort Lt. Governor Sanstead to the rostrum, which motion prevailed. Reps. Ker-mott and Fleming were appointed to such committee.

Lt. Governor Sanstead was introduced to the Assembly, and Speaker Wagner turned over the gavel to him to preside.

Rep. Strinden moved that a committee of two be appointed to escort the Hon. Arthur A. Link, Governor, to the rostrum, which motion prevailed. The Chair appointed Sen. Wenstrom and Rep. Haugland to such committee. Governor Link was introduced to the Assembly.

Senator Sands moved that a committee of two be appointed to escort Chief Justice Erickstad to the rostrum, which motion prevailed. Senator Lashkowitz and Schirado were appointed to the Committee which escorted Chief Justice Erickstad to the rostrum.

Senator Holmberg moved that a committee of two be appointed to escort the Associate Justices to the North Dakota Supreme Court and other elected officials to the rostrum, which motion prevailed. The Chair appointed Senators Redlin and Thane and Reps. Winkjer and Conmy to the committee, which subsequently escorted the Associate Justices and elected officials to the rostrum.

Chief Justice Erickstad was introduced to the Assembly.

Rep. Strinden moved that the address of Chief Justice Erickstad be printed in the Journal, which motion prevailed.

#### THE STATE OF THE JUDICIARY

Message By

The Honorable Ralph J. Erickstad

Chief Justice, North Dakota Supreme Court

#### THE STATE OF THE JUDICIARY

I thank you Lt. Governor Sanstead, Governor Link, Mr. Speaker Wagner, leaders of the Republican and Democrat caucuses in the House and Senate, other members and staff of the Forty-Sixth Legislative Assembly, distinguished guests, ladies and gentlemen — friends all.

This is the fourth time in the 87 year history of our state and its 46 sessions of the legislature that the chief justice of our state has been invited to speak to a joint session of the legislature on the state of the judiciary. I am very pleased to be invited to speak to you for the third time. Since I last appeared before you, much involving the judiciary has transpired.

#### TRIAL AND APPELLATE COURT CASELOAD BURDEN INCREASING

Under our present court structure, our trial courts consist of the district courts, county courts with increased jurisdiction, county courts without increased jurisdiction, county justice courts and municipal courts. The juvenile court is a part of the district court. The small claims court is part of the county court system. Each of these courts has experienced a substantial increase in cases filed.

In summary, the caseload in North Dakota trial courts has increased



sharply for an extended period. As a consequence, appellate cases have also increased sharply. Our forecasts indicate no foreseeable change in the steep upward trend in demand for court services. The need for additional court services will increase further as the state's energy resources are utilized.

#### LEGISLATIVE IMPLEMENTATION OF THE NEW JUDICIAL ARTICLE

We are in the process of major reassessment of judicial services in North Dakota. At the center of this reassessment is the greatest judicial constitutional change since our statehood. That change was initiated when the Forty-Fourth Legislative Assembly in 1975 adopted House Concurrent Resolution 3056 which called for the establishment of a unified court system.

This resolution arose out of the legislature. The voters of North Dakota approved the new judicial article in September, 1976, and thus the concept of a unified court system is now an historic fact. The questions now are — Where do we go from here? — How should we proceed to implement the unified judicial system?

The new judicial article establishes a unified judicial system consisting of "... a supreme court, a district court, and such other courts as may be provided by law." (Section 85, North Dakota Constitution). Thus through the approval by the people of the judicial article alone we have become a unified judicial system. It is unified in its present form and we are taking steps to implement this mandate of the people in the exercise of our rulemaking and administrative authority. The acts of the legislature in making structural changes in the future may assist us in implementing that mandate.

A unified judicial system is intended to be a single provider of court services. A unified system is one that is accountable for quality services delivered in an efficient and effective manner. It should be fully implemented.

#### 1977 SESSION — A MORATORIUM ON STRUCTURAL CHANGES

Senator Frank Wenstrom, who served as chairman of the second constitutional convention from which most of the new judicial article evolved, and who served on the citizen's advisory committee, introduced Senate Concurrent Resolution 4021 into the 1977 legislature calling for a moratorium on structural changes in the judicial system pending an interim study. The resolution was approved by the 1977 legislature. The interim study has been completed and its major proposal is now before the 1979 legislature as House Bill 1066.

#### INTERIM JUDICIAL SYSTEM COMMITTEE

The legislative council established the Interim Judicial System Committee, chaired by Senator Howard Freed, which studied the structure of our present judicial system and the unified judicial system called for in the new judicial article. This study which exceeded 180 person days or 1,440 person hours of study and consultation by members of this house and senate was assisted by a further eighteen-month study by a broadly representative legislative subcommittee of the Citizens Advisory Committee, chaired by Harry Pearce of Bismarck.

The result of this historic effort is included in House Bills 1066, 1067, 1068, and 1071, Senate Bill 2072 and Senate Concurrent Resolution 4006. Together these bills provide for the most important improvements in court services in North Dakota since statehood.

I will not take time to outline the features of each of these legislative

proposals let me say simply that they are the result of exhaustive study, and embody many adjustments to reflect the political realities of North Dakota. They merit your most careful attention.

Incidentally, it was in 1066 that the conquest of England by the Normans under William The Conqueror began. You will recall also that England started its development as the great leader in law and justice with the judicial improvements which William The Conqueror brought with him. Accordingly, it should be easy to remember the number (1066) of the central bill of this proposal and to appreciate its importance to the future of our state.

The basic proposal provides for a single general jurisdiction trial court, the district court, and state funding for court services. There are alternative proposals for the composition of the district court. Whatever your decision on the district court alternatives, the basic package is a sound approach to improving judicial services in North Dakota.

This total proposal has both the endorsement of the supreme court and the judicial council.

Let me speak personally for a moment. I have watched this process for over four years. The study effort has been as broadly representative of the public and interested groups as any proposal to be submitted to the legislature. The many persons who have studied this subject have produced a realistic and mature proposal for your consideration. It includes many adjustments to particular needs while retaining the clear purpose of improving court structure and services in North Dakota. The proposal submitted to you has my personal endorsement. Personally, I urge its careful consideration and approval.

The cost of the unified judicial system proposal before you involves a significant shift of financial responsibility from county government to state government, but only a marginal increase in net cost to the citizens for judicial services in North Dakota. Fundamentally this is a proposal to shift costs and to assure accountability, not to increase costs for court services.

Accountability for judicial service improvements is fundamental to a unified judicial system. Structural simplicity and fiscal responsibility are essential to this accountability.

We must keep this important matter of court services improvement in proper financial perspective. By providing the full funding requested for the implementation of the new judicial article, this amount will only represent 3% of the general fund budget. This overall perspective helps to focus on the small relative investment in the judicial system, one of the three great branches of government.

I am speaking here of a progressive process of implementation over a period of time. Let me suggest a practical way to initiate this process in five phases.

In Phase I, the absolutely essential, minimum step is the implementation of state funding in the establishment of the new district court with 48 judges, and magistrates for each county in which a judge is not resident.

These judges include the 19 present district court judges plus 29 associate district judges or district court judges who will ultimately replace the functions of the county courts with increased jurisdiction, county courts without increased jurisdiction and county justice courts.

In Phase II, the services of juvenile court personnel and court reporters could be added.

In Phase III, the clerks of district court and their personnel could be added.

Phase IV could include the costs of juror services and indigent defense services.

In Phase V, the incentives to local government to improve local trial court facilities could be provided.

Together these five phases could greatly improve court services for our people and provide for a deliberate and orderly transition within the unified judicial system. The cost of Phase I, with the addition of the new judges, will be less than \$2.7 million in this biennium.

It will not serve the judicial system for me to point out its present weaknesses to you here today. These matters have been reviewed and studied exhaustively for over four years. These problems are complex and sensitive. Let me say, however, that the comprehensive legislative proposal of the legislative council is unmistakable proof of the conclusion that improvements are needed. This legislative proposal provides for a practical solution to those problems.

On N F L televised football the other evening, I was struck by an advertising voice which repeated to the visual image of the recycling of empty cans,

Alcoa can't wait.

Alcoa can't wait.

Alcoa can't wait until tomorrow!

Just like this refrain, the people of North Dakota can't wait until tomorrow if we are going to preserve justice in our time. In the process of saving our material wealth we could lose it and more.

#### ADMINISTRATIVE IMPLEMENTATION OF THE NEW JUDICIAL ARTICLE

In 1976, the Citizens Advisory Committee appointed a rules subcommittee to make recommendations to the supreme court regarding implementation of the new judicial article by supreme court rule and administrative action. The committee is chaired by William Strutz, who is the son of the former chief justice of our state. This subcommittee has made numerous recommendations to the supreme court since we last met.

#### EFFICIENT RULEMAKING PROCEDURES

The rules subcommittee proposed, and the supreme court adopted, a new and comprehensive rulemaking procedure for the statewide rulemaking process and the local court rulemaking process of the unified judicial system which emphasizes openness, flexibility, and efficiency. This effort has been taken as the model for similar efforts by state supreme courts in Washington, Nevada, and Wisconsin. We believe that it will serve the unified judicial system well.

#### THE PRESIDING JUDGE AND THE JUDICIAL DISTRICT

Let me also report that the rules subcommittee has assisted in the development of two concepts which are fundamental to our unified judicial system: The presiding judge and the judicial district.

The presiding judge is the key official in the administration of all trial court services within the geographical area of each judicial district in North Dakota. The rules subcommittee proposed, and the Supreme Court accepted, a rule delegating substantial administrative authority to the presiding judges for the administration and planning of trial court services. This is a major step toward insuring uniformly high quality court services in each county of this state. We are committed to improving the accessibility and responsiveness of court services in each county whatever its size.

The judicial district can no longer be viewed only as a convenient area of the district court. The judicial district is now a geographical area in which all court services, at all court levels, should be administered. The judicial district is the primary administrative unit of the unified judicial system in assuring quality services in all parts of the state.

#### JUDICIAL REDISTRICTING

Judicial redistricting was also the subject of a rules subcommittee proposal. After months of study and several hearings, the Supreme Court approved new judicial districts to be made effective July 1, 1979. Most notably, these districts separate the counties of Cass and Grand Forks into separate districts and combine the counties of Burleigh and Morton into a single district, while adjusting overall boundaries to provide more effective access by district court judges to rural counties.

These are significant administrative steps toward effective implementation of the unified judicial system.

#### COURT ADMINISTRATION

And now let me change the subject. You will be happy to learn that with the assistance you gave us last session through appropriation of funds and the passage of enabling legislation, we have been able to make further progress in our efforts to improve the judicial system.

#### JUDICIAL MANAGEMENT INFORMATION SYSTEM

During the last biennium, we moved forward in the development of a case reporting system which tells us where every district court case is, what the status of the case is, which judge is responsible for it, and how long the case has been in the system. The statistics now include both criminal and civil cases. We have completed a juvenile case component to monitor both formal and informal juvenile case proceedings. We are presently completing an improved Supreme Court case monitoring system.

#### EDUCATION AND TRAINING FOR JUDICIAL AND COURT SUPPORT PERSONNEL

When I spoke to you in 1975, I asked you to approve legislation requiring all judges within our judicial system to receive annual training and education. In response, you passed legislation making it mandatory that all judges of the four lower tiers of our judicial system attend an annual educational session unless excused by our court.

During this last biennium, 900 judges and court personnel attended 36 training programs in North Dakota for a total of over 9,000 person hours of training. This is a remarkable achievement which will have a direct effect on the improvement of court services.

#### PLANNING FOR OUR FUTURE

In 1975, we saw the need to plan for the future of the judicial system in a more formalized way and on a more long-range basis. We concluded that study and research would be necessary to facilitate the administration of the North Dakota unified judicial system.

#### JUDICIAL PLANNING COMMITTEE

The judicial planning committee was formed in 1976 to provide a forum for the study of long-term issues for the judiciary and to coordinate planning for the future of court services in North Dakota. The judicial planning committee is chaired by Justice Vernon Pederson and includes all of the presiding judges, lawyers, all levels of the judiciary, court constituencies and the public. This committee has prepared a Master Program which was reviewed and adopted by our court in June, 1977. In this document, the judicial planning committee

described every part of the unified judicial system and identified its problems and needs. This committee has set broad goals, specific objectives and itemized tasks for the biennium period and continues to review its progressive implementation with the state court administrator, Bill Bohn.

#### CLERK OF THE SUPREME COURT

Again our Clerk of Court, Luella Dunn, and her staff have been of great assistance to us in performing the many complex and varied services of the clerk's office. Lu is actually the director of the nerve center of the Supreme Court. My colleagues and I rely heavily on her assistance. Among other duties, she is the Secretary of the State Bar Board, the Disciplinary Board, and the Judicial Qualifications Commission.

#### ATTORNEY AND JUDICIAL DISCIPLINE

Let me review the work of these three important committees related to the legal profession.

#### STATE BAR BOARD

The State Bar Board supervises the admission of attorneys to the practice of law. During 1977, 91 were admitted to practice law before our court, and in 1978, 68 were admitted.

#### DISCIPLINARY BOARD

Public complaints to the Disciplinary Board against attorneys increased from a low of 18 complaints per year to a record high last year of 62. During the last year, five of the complaints resulted in formal proceedings in the Supreme Court against three attorneys whom the Disciplinary Board believed guilty of misconduct.

#### JUDICIAL QUALIFICATIONS COMMISSION

The Judicial Qualifications Commission, in its brief existence, has investigated 52 complaints against judges.

The judges, lawyers and lay people who serve on these committees are rendering a great service to the cause of justice. These committees demonstrate our commitment to effective accountability and high standards.

#### MY COLLEAGUES

My colleagues have many responsibilities beyond deciding appellate cases which contribute substantially to the law and its administration.

In the written text of this address, I have elaborated on some of the important contributions of my colleagues and many other judges, to improve the services of the unified judicial system. I hope that you will take time to review it.

#### CONCLUSION

This is the beginning of a new era for the judicial system of North Dakota. The new judicial article has established a unified judicial system.

We in the judicial system are doing all we can to carry out this mandate of the people, but we are limited in our capacity. We must now depend upon you. Whether we forge ahead or slip back will depend upon the structural changes which you make in our judicial system and the funds you provide for its administration.

Think for a moment if your personal liberty or your private property were at stake in court, or if the custody of your children were in issue in court. What standards of judicial service, what quality and integrity would you want if your life, your property, or your children depended on the decision of a judge in North Dakota?

The new judicial article leaves the Legislature with wide discretion in the statutory implementation of the unified judicial system. But this

does not relieve you of the obligation to carry this responsibility to the determined completion of the task given to you by the people of North Dakota.

If we do not heed the voices of our people and truly implement our unified court system now, we may some day see our system abandoned by our people, and in the process lose our freedom.

I truly believe that the time to press forward is now. We cannot wait until tomorrow.

I thank you very much.

Rep. Strinden moved that the Joint Session be dissolved, which motion prevailed.

The House reconvened, with Speaker Wagner presiding.

Rep. Martinson moved that House Bill No. 1048 be returned to the House from the Committee on State and Federal Government, and be referred to the Committee on Judiciary, which motion prevailed.

Speaker Wagner announced House Bill No. 1048 was re-referred to the Committee on judiciary.

Rep. Nicholas moved that House Bill No. 1115 be returned to the House from the Committee on Agriculture, which motion prevailed.

Rep. Nicholas requested permission to withdraw House Bill No. 1115, which request was granted.

#### POINT OF PERSONAL PRIVILEGE

Rep. Mertens: "Mr. Speakers, Members of the Assembly:

"There have been hearings on bills this morning and there will be hearings on bills tomorrow, some of which might be of extreme importance to your constituents. You have on your desks a listing of the pre-filed bills along with proposed dates they are to be heard. You can pick up a similar listing from the Senate on their pre-filed bills, so when you go home you can discuss this with your constituents.

"If some bills important to your people have already been heard, the Committee Chairmen will cooperate and will have hearings again next week. This privilege should not be abused, but you can go over this listing and make sure your people have had the opportunity to attend those public hearings they wish to attend."

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House stand adjourned until 12:30 p. m., Friday, January 5, 1979, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Rep. Conmy introduced:

**House Bill No. 1187** — A Bill for an Act to amend and reenact section 27-08.1-06 of the North Dakota Century Code, relating to the docketing and execution of judgments of the small claims courts.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Wessman introduced:

**House Bill No. 1188** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to authorizing the motor vehicle registrar to issue special registration plates bearing a special symbol to identify handicapped individuals.

Which was read the first time and referred to the Committee on Transportation.

Rep. Wessman introduced:

**House Bill No. 1189** — A Bill for an Act to amend and reenact subsection 5 of section 39-01-15 of the North Dakota Century Code,

empowering police to enforce handicapped parking privileges in public and private parking lots.

Which was read the first time and referred to the Committee on Transportation.

Rep. Conmy introduced:

**House Bill No. 1190** — A Bill for an Act to amend and reenact subsection 2 of section 28-26-01 of the North Dakota Century Code, relating to the awarding of costs in frivolous actions.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Conmy introduced:

**House Bill No. 1191** — A Bill for an Act to amend and reenact section 4-30-05, 6-07-14, 25-09-05, 32-12-02, 36-04-11, 36-04-13, 52-06-27, 57-08-01, 57-08-02, 60-04-03, and 65-10-01 of the North Dakota Century Code, relating to the venue of various actions.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Murphy introduced:

**House Bill No. 1192** — A Bill for an Act to create and enact a new section to chapter 20.1-10 of the North Dakota Century Code, relating to searching a building without a search warrant or permission; to amend and reenact section 20.1-02-15 of the North Dakota Century Code, relating to the police powers of the game and fish commissioner and his appointees, and prohibiting building searches without a warrant or permission; and providing a penalty.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Hickle, Knudson, and Senators Krauter, Roen and Wenstrom introduced:

**House Bill No. 1193** — A Bill for an Act making an appropriation to the North Dakota state university agricultural experiment station for construction of a total confinement experimental sheep barn at the Hettinger branch experiment station.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Kingsbury and Murphy introduced:

**House Bill No. 1194** — A Bill for an Act to replace the twenty-one mill county levy for schools with a school district levy; to amend and reenact sections 15-20.1-10, 15-40.1-01, and 15-40.1-05, subdivision a of subsection 3 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-14, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, 15-59-06, and 15-59.1-05, and subsection 4 of section 57-01-05 of the North Dakota Century Code, to increase the equalization factor for schools, to provide for the elimination of the county equalization fund for schools, to provide for the distribution of school funds, and relating to the duties of the state supervisor of assessments; and to repeal sections 15-40.1-03, 15-40.1-04, 15-40.1-10, 15-40.1-11, 15-40.1-12, 57-01-06, 57-01-06.1, 57-01-07, subdivision b of subsection 3 of section 57-15-06, and section 57-15-24 of the North Dakota Century Code, relating to the county equalization fund for schools, to the sales, market, and productivity studies, and to the county mill levy for schools.

Which was read the first time and referred to the Committee on Education.

Reps. Kingsbury and Murphy introduced:

**House Bill No. 1195** — A Bill for an Act to place a two-year freeze on

the assessed valuation of real property; providing an effective date; and declaring an emergency.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Lipsiea introduced:

**House Bill No. 1196** — A Bill for an Act to create and enact a new section to chapter 9-12 of the North Dakota Century Code, relating to discharging a debt on real property, when the creditor cannot be located, by depositing the money in a special fund with the county treasurer.

Which was read the first time and referred to the Committee on Judiciary.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Kingsbury and A. Hausauer introduced:

**House Concurrent Resolution No. 3011** — A concurrent resolution to repeal article 60 of the amendments to the Constitution of the State of North Dakota, relating to a one-mill levy on all taxable property within the State of North Dakota for the North Dakota state medical center at the University of North Dakota.

Was read the first time and referred to the committee on Constitutional Revision.

Rep. Nicholas introduced:

**House Concurrent Resolution No. 3012** — A concurrent resolution requesting full implementation of the Agricultural Adjustment Act of 1949, as amended in 1977, which includes ninety percent of parity loan rates on the major agricultural commodities.

Was read the first time and referred to the committee on Agriculture.

Rep. Peltier introduced:

**House Concurrent Resolution No. 3013** — A concurrent resolution directing the legislative council to study the feasibility and desirability of adopting a method of computing state income tax liability by taking a percentage of a taxpayer's federal income tax liability.

Was read the first time and referred to the committee on Finance and Taxation.

The House stood adjourned, pursuant to the motion of Rep. Strinden.

ROY GILBREATH, Chief Clerk



THIRD DAY

Bismarck, January 5, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Merlin Starr, Seventh Day Adventist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Berger, Eagles, Gunsch, Hickie, Olson, Peterson, Richie and Vig.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_ Your Committee on Revision and Correction of the

Journal has carefully examined the Journal of the \_\_\_\_\_ Second Day \_\_\_\_\_

and finds the same to be correct. \_\_\_\_\_

*Henry K. S. K.* Chairman

Rep. Pomeroy \_\_\_\_\_ moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1111.** — A Bill for an Act to amend and reenact section 57-47-04 of the North Dakota Century Code, relating to the approval of loan applications by the Bank of North Dakota instead of the industrial commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWANN			• MERTENS			• WAGNER		
• BERGER	•		• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• WUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON	•		• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DWIBORD			• KUCHERA			• RICHARD					
• EAGLES	•		• LANG			• RICHIE	•				
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FROBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #29			• SCOFFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIHAN			• STRINDEN					

● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1152.** — A Bill for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the killing of dogs pursuing or killing big game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 9; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNIKEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG			● HOFFNER	●		● MELBY		● VIG
● BERGE			● HOUMANN	●		● WERTENS		● WAGNER
● BERGER	●		● HOVE			● WETER		● WALD
● BJORNSON			● JACOBSEN, R.			● WURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIG	●	● WEBER
● BOYLUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON	●	● WESSMAN
● CHRISTENSEN			● KERMOITT			● OPEDAHL		● WINKLER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POWEROY		
● DIETZ			● KOSKI	●		● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA	●		● RICHARD		
● EAGLES	●		● LANG			● RICHIE	●	
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREIBORG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #29			● SCOFFIELD		
● GERL			● LARSON, H. #1			● SOLBERG	●	
● GORDER			● LEE			● STENEJEW	●	
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON			● MAXNER	●		● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSgard		
● HAUSAUER, A. #49			● MARTIN			● TIMM		
● HAUSAUER, R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

Reps. Gackle, Kermott, Berg and Weber introduced:

**House Bill No. 1197.** — A Bill for an Act to create and enact one new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to the establishment of a habitat improvement program; and providing a continuing appropriation.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Murphy, Backes, Richard and Senator G. Jacobson introduced:

**House Bill No. 1198.** — A Bill for an Act to require written notice and approval by the surface owner before a permit to drill for oil or gas is approved by the state geologist and to provide for payment to the surface owner as compensation for surface damage and disruption.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. G. Larson, Berger and Knudson introduced:

**House Bill No. 1199.** — A Bill for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to a post-retirement adjustment; and providing an appropriation.

Which was read the first time and referred to the Committee on Education.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1200.** — A Bill for an Act to amend and reenact sections 23-27-01; 23-27-02, 23-27-03, 23-27-04, and 23-27-05 of the North Dakota Century Code, relating to licensing of ambulance services.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Kucera introduced:

**House Bill No. 1201.** — A Bill for an Act to amend and reenact sections 5-01-08, 5-01-09, and 5-02-06 of the North Dakota Century Code, relating to the legal age for the purchase and sale of alcoholic beverages.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Winkjer introduced:

**House Bill No. 1202.** — A Bill for an Act to provide for the execution, validity, and registration of international wills.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Winkjer and Conmy introduced:

**House Bill No. 1203.** — A Bill for an Act to enact the Uniform Survival and Death Act, relating to the survival of actions and claims for relief arising from actionable conduct; and to repeal chapter 32-21 of the North Dakota Century Code, relating to death by wrongful act.

Which was read the first time and referred to the Committee on Judiciary.

Committee on State and Federal Government introduced:

**House Bill No. 1204.** — A Bill for an Act to amend and reenact sections 15-04-13, 15-04-15, 15-04-16, and 15-08-11 relating to the issuance of receipts by the state land department.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Appropriations introduced:

**House Bill No. 1205.** Capital Construction Fund — A Bill for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing a conditional appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Natural Resources introduced:

**House Bill No. 1206.** — A Bill for an Act to amend and reenact subsection 23 of section 20.1-03-12 and subsection 1 of section 20.1-13-03 of the North Dakota Century Code, relating to the fees charged for motorboat licenses and the distribution of revenue derived from motorboat licenses and providing an effective date.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on State and Federal Government introduced:

**House Bill No. 1207.** — A Bill for an Act to amend and reenact sections 44-08-04 and 54-06-09 of the North Dakota Century Code, relating to expense accounts and mileage and travel expenses of state officers and employees.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Education introduced:

**House Bill No. 1208.** — A Bill for an Act to amend and reenact sections 15-38.1-04, 15-38.1-05, and paragraphs (1) and (2) of subdivision b of subsection 2 of section 15-38.1-13 of the North Dakota Century Code, relating to the compensation, powers and procedure of the education factfinding commission.

Which was read the first time and referred to the Committee on Education.

Reps. Strinden, Berge, Melby, Swiontek and VanderVorst introduced:

**House Bill No. 1209.** — A Bill for an Act to prohibit the sale of agricultural lands to nonresident aliens, to prohibit the recording of instruments of title for nonresident alien purchases of agricultural land, to provide for enforcement by the attorney general, and to require annual reports to the commissioner of agriculture; to amend and reenact section 47-01-11 of the North Dakota Century Code, relating to qualifications for private ownership of property; and to provide a penalty.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Swiontek, Kelly and Eagles and Senators Hanson, Lashkowitz and Tennesfos introduced:

**House Bill No. 1210.** — A Bill for an Act to provide for an appropriation for the construction of a music education center at North Dakota state university of agriculture and applied science.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Unhjem introduced:

**House Bill No. 1211.** — A Bill for an Act to provide for the deduction of 1975 federal income taxes on an amended 1975 North Dakota income tax return for individuals, estates, and trusts.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Richie and Mattson introduced:

**House Bill No. 1212.** — A Bill for an Act to amend and reenact sections 39-08-06 and 39-08-07 of the North Dakota Century Code, relating to duty of drivers to give information and render aid and requiring drivers to give information concerning insurance coverage.

Which was read the first time and referred to the Committee on Transportation.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1133, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman

Rep. Kloubec

House Bill No. 1133 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources


to whom was referred House

Bill No. 1134, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. Kloubec

House Bill No. 1134 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1141, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 13 after "02-05," insert "without the permission of the owner or operator,"

line 15 delete the word "statewide,"

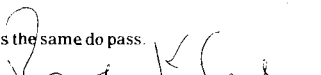
On page 2, line 8 delete the word "statewide,"

line 14 delete the word "statewide,"

line 18 after the word "trail" and before the period insert "without the permission of the owner or operator"

And renumber the lines accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Kloubec

House Bill No. 1141 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1083, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

House Bill No. 1083 was placed on the 11th order of business on the calendar for the succeeding legislative day. Rep. Nicholas Chairman

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE Bill No. 1120 has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Erickson Chairman House Bill No. 1120 was placed on the 11th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Fleming moved that the House instruct the Committee on Judiciary that House Bill No. 1138 not be heard until at least seven days following its printing and in the hands of the legislators.

Rep. Maixner requested a roll call vote be taken on the motion, which request was granted.

ROLL CALL

The question being on the motion of Rep. Fleming, the roll was called and there were ayes, 28; nays, 66; absent and not voting, 6.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL CALL (YEAS, N-V, NAYS), 1979 LEGISLATURE (YEAS, N-V, NAYS). Rows list representatives: BACKES, BENEVOCT, BERG, BERGE, BERGER, BJORNSON, BLACK, BOYUM, BROKAW, CHRISTENSEN, CONMY, CRABTREE, DICK, DIETZ, DOTENWOOD, DUBORD, EAGLES, ERICKSON, FLEMING, FREBORG, GACKLE, GERL, GORDER, GUNDERSON, GUNTSCH, HANSON, HAUGLAND, HAUSAUER, A. #8, HAUSAUER, R. #25, HEDSTROM, HERMAN, HICKLE, HOFFNER, HOLMANN, HOVE, JACOBSEN, R., JACOBSON, I., KELLY, KENNELLY, KERNMOTT, KINGSBURY, KLOUBEC, KNUDSON, KOSKI, KRISCHMAR, KUCHERA, LANG, LANGLEY, LARDY, LARSON, F. #24, LARSON, G. #29, LARSON, H. #7, LEE, LEIBHAN, LIPSIEA, MAIXNER, MARSDEN, MARTINSON, MATHENY, MATTSOON, MEIERS, MELBY, MERTENS, MEYER, MURPHY, MUSHIK, NICHOLAS, OLSON, OPEDAHL, PELTIER, PETERSON, POMEROY, REED, RETZER, RICHARD, RICHIE, RIEHL, RUED, SCHINDLER, SCORFIELD, SOLBERG, STENEJEM, STRINDEN, SWONTEK, THOMPSON, THORSgard, TRIM, TINLUM, TWETEN, UNHJEM, VANDER VORST, VIG, WAGNER, WALD, WALSH, WEBER, WERTZ, WESSMAN, WINKIER, MR. SPEAKER.

Motion failed.

Rep. Strinden requested that the record show that Rep. Olson is absent to be with her husband who recently underwent major surgery. He also requested that the record further show that Rep. Eagles is absent

because she was called home yesterday afternoon by a medical emergency.

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House stand adjourned until 1:30 p.m., Monday, January 8, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FOURTH DAY

Bismarck, January 8, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Dave Knecht, United McCabe Methodist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Berg, R. Hausauer, Houmann, Martin, Nicholas, Olson, Thorsgard, and Tweten.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Third Day and finds the same to be correct.

*[Signature]* Chairman  
Rep. Swiontek

Rep. Houmann moved that the report be adopted, which motion prevailed.

Rep. Kretschmar requested that the courtesy of the House be extended to Dr. James Mahoney, member of the Legislative Compensation Commission to the Forty-sixth Legislative Assembly, to discuss the report of the Commission, which request was granted, and thereupon Dr. Mahoney was introduced.

Rep. Kretschmar moved that the report of the Legislative Compensation Commission be printed in the Journal, which motion prevailed.

REPORT  
of the  
LEGISLATIVE COMPENSATION COMMISSION  
to the  
46TH LEGISLATIVE ASSEMBLY

The Legislative Compensation Commission was created by the Legislative Assembly in 1969. Its statutory authority is codified in Sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code.

The commission consists of five members appointed by the Governor, none of whom may hold state office or serve in any capacity in state government, at the time of appointment, or during service on the commission. The members are appointed for four-year terms. The current membership of the commission is Mr. Gorman King, Chairman; Mr. Lloyd Bjella; Mrs. Mavis Couchigian; Mrs. Carol Johnson; and Dr. James Mahoney.

The commission held one meeting in Bismarck at which there was not a quorum, and then held another meeting by telephone conference call. During the conference call meeting, the commission considered the results of a questionnaire which had been distributed to the 46th



Legislative Assembly during its Organizational Session on December 5-7, 1978.

Responses to the questionnaire indicated that the present constitutional compensation limitation is unrealistic; that the \$45 per diem received for interim committee work is inadequate; that the \$60 daily unvouchered expense allowance paid during each calendar day of a legislative session is inadequate; and that the \$150 monthly unvouchered expense allowance is adequate. A collation of the questionnaire is attached to this report.

The commission believed, in general, that it would be appropriate to hold any recommended compensation increases to the national inflation control guidelines of seven percent. Commissioner Mahoney dissented from this commission consensus. He believes no step should be taken at this time which would increase state expenditures.

The commission then questioned whether the seven percent increase should be spread among each item of compensation over which it had jurisdiction to make recommendations, or whether it should all be lumped in one item. The commission voted to total up a seven percent increase of each item over the biennium, divide that amount by 24, and add the result to the monthly unvouchered expense allowance. Therefore, the commission is recommending that the monthly unvouchered expense allowance contained in Section 54-03-20 of the Century Code be increased from \$150 to \$180 per month. Commissioner Mahoney also voted in the negative on this recommendation.

The commission also discussed whether it would be appropriate to recommend a change in the current constitutional provision (Section 45) dealing with legislative compensation. The commission unanimously believed that the Constitution should be changed to more realistically provide for legislative compensation. All of the commissioners, with the exception of Commissioner Mahoney, believe that constitutional provision for a Legislative Compensation Commission with authority to set legislative compensation and expense reimbursement levels was most appropriate. Commissioner Mahoney believes that the Constitution should provide that compensation be set by law.

Therefore, the commission is recommending that the Constitution be amended by changing Section 45 from a provision for a daily compensation (\$5) to provision for a Legislative Compensation Commission. The commission is submitting a bill and a resolution to accomplish its two major recommendations.

Finally, the commission discussed legislative space needs and the need for more adequate staffing for the entire Legislative Assembly. The commission recognized that the proposed new Judicial Wing and State Office Building will relieve some of the pressure for physical space placed on state government. However, the commission believes that there is particular need for more adequate legislative space. Therefore, the commission recommends that the Legislative Assembly take steps to provide itself with more adequate space and additional staffing whenever, in its judgment, funds for that action become available.

#### COLLATION OF LEGISLATIVE COMPENSATION QUESTIONNAIRE

On December 5, 1978, a questionnaire concerning legislative compensation (copy attached) was distributed to each member of the 1979 Legislative Assembly. Eighty-five of the 150 (56.7%) members of the Legislative Assembly responded by the end of the Organizational Session on Thursday, December 7, 1978. The following is a collation of the results. Not all respondents answered every question, and some respondents who answered a particular question negatively ventured an opinion as to an appropriate solution.

## QUESTION 1

The first of the six questions asked whether the monthly allowance for uncompensated expenses (\$150 per month payable semiannually) is adequate. The majority of respondents (52 or 61.2%) think the amount is adequate. Thirty-three (38.8%) think the amount is inadequate. When asked for a suggested amount, the majority of those who responded in the negative (18 or 58%) think the monthly reimbursement should be set at \$200. Other answers are: \$170 (2 or 6.5%); \$175 (2 or 6.5%); \$177.50 (1 or 3.2%); \$180 (2 or 6.5%); \$250 (2 or 6.5%); \$300 (3 or 9.6%); and \$400 (1 or 3.2%).

Comments on this question included suggestions that the monthly allowance be paid quarterly, instead of semiannually; and that the allowance should be high enough so a wage earner can serve.

## QUESTION 2

Question 2 asked whether the present constitutional limitation on daily salary (\$5 per day of session) is realistic. Six legislators (7.1%) responding think that it is. The great majority of the respondents (79 or 92.9%) believe the present provision inadequate. Seventy-four of the 79 picked one of the suggested solutions. Most of the 74 (38 or 51.3%) chose the compensation commission solution. Twenty-two (29.7%) chose the method which would have allowed legislative compensation to be set by statute. Nine respondents (12.2%) think the Constitution should set a more realistic per diem; and five (6.8%) think the Constitution should set a realistic salary figure.

## QUESTION 3

Question 3 asked whether interim committee per diem payments (\$45) are adequate. Only 84 of the respondents answered this question, and 34 or 40.5%, think the interim committee per diem is adequate. Forty-nine respondents (58.3%) think the per diem is inadequate and recommend per diem ranging from \$50 to \$100. The plurality (20 legislators or 44.4%) believe the per diem should be set at \$60, the same as the per diem received during the legislative session. The next largest number (9 or 20%) recommended a \$50 per diem.

## QUESTION 4

Question 4 concerned the adequacy of the daily unvouchered expense allowance (\$60) paid during each calendar day of a legislative session. Thirty-three respondents (38.8% of those responding) think the daily legislative unvouchered expense allowance is adequate. Fifty-two (61.2%) think it is not. Fifty-one of the latter recommend a new rate, and 36 of the 51 suggest \$65 to \$75. Eight (15.7%) suggest a \$100-per-day figure; and six (11.7%) suggest an \$80-per-day amount.

## QUESTION 5

Question 5 asked whether levels of legislative compensation have a "significant effect" on attracting persons to run for the Legislative Assembly. Eighty-two legislators answered this question, and 45 (52.9%) believe compensation has a significant effect. Comments were primarily to the effect that wage earners and those on fixed incomes are almost prohibited from running. Thirty-seven respondents (43.5%) think compensation does not have an effect on the decision to run.

## QUESTION 6

Question 6 attempted to determine legislative opinion on whether compensation levels influence legislators' decisions to remain in the legislature. Fifty-two (61.2%) of the 85 respondents said that it does. Thirty-three (38.8%) said that it does not.

## RECOGNITION

Speaker Wagner announced that a former Representative was in the

chambers, and requested that the House recognize former Rep. Stuart McDonald, and Rep. McDonald was thereupon introduced to the House.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR  
 to whom was referred House  
 Bill No. 1112, has had the same under consideration and recommends, by a vote of  
 Ayes, 16; Nays, 0; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

*L. Rued* Chairman

Rep. Rued  
 House Bill No. 1112 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
 to whom was referred House  
 Bill No. 1124, has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 0; Absent, 1, that the same  
 do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

*R. Knudson* Chairman

Rep. Knudson  
 House Bill No. 1124 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

Rep. Kloubec moved that the amendments to House Bill No. 1141 as recommended by the Committee on Natural Resources as printed on page 107 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1134.** -- A Bill for an Act to create and enact new subsections to section 20.1-02-05 and section 20.1-03-12 of the North Dakota Century Code, relating to the powers of the commissioner to establish rules and regulations for fishing contests, issuing permits and to establish a fee for a fishing contest permit.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 96; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		WATTSON	●		UNHJEM	●	
BENEDICT	●		NICKLE	●		WEIERS	●		VANDER VORST	●	
BERG	●		HOFFNER	●		MELBY	●		VIG	●	
BERGE	●		HOLMANN	●		MERTENS	●		WAGNER	●	
BERGER	●		HOVE	●		MEYER	●		WALD	●	
BJORNSON	●		JACOBSEN, R.	●		MURPHY	●		WALSH	●	
BLACK	●		JACOBSON, I.	●		MUSHIK	●		WEBER	●	
BOYUM	●		KELLY	●		NICHOLAS	●		WENTZ	●	
BROKAW	●		KENNELLY	●		OLSON	●		WESSMAN	●	
CHRISTENSEN	●		KERMOTT	●		OPEDAH	●		WINKLER	●	
CONNY	●		KINGSBURY	●		PELTIER	●				



NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●		●	●	HERMAN		●	MATTSON	●	UNHJEM
●	BEKEDICT		●	NICKLE		●	MEIERS	●	VANDER VORST
●	BERG		●	HOPFNER		●	MELBY	●	VIG
●	BERGE		●	HOUJANN		●	MERTENS	●	WAGNER
●	BERGER		●	HOYE		●	MEYER	●	WALD
●	BJORNSON		●	JACOBSEN, R.		●	MURPHY	●	WALSH
●	BLACK		●	JACOBSON, I.		●	MUSHIK	●	WEBER
●	BOYUM		●	KELLY		●	NICHOLAS	●	WENTZ
●	BROKAW		●	KENNELLY		●	OLSON	●	WESSMAN
●	CHRISTENSEN		●	KERMOTT		●	OPEDAHL	●	WINKJER
●	CONNY	●	●	KINGSBURY		●	PELTIER		
●	CRABTREE		●	KLOUBEC		●	PETERSON	●	MR. SPEAKER
●	DICK		●	KNUDSON		●	POMEROY		
●	DIETZ		●	KOSKI		●	REED		
●	DOTZENROD		●	KRETSCHMAR		●	RETZER		
●	DUBORD		●	KUCHERA		●	RICHARD		
●	EAGLES		●	LANG		●	RICHIE		
●	ERICKSON		●	LANGLEY		●	RIEHL		
●	FLEMMING		●	LARDY	●	●	RUED		
●	FREBORG		●	LARSON, F. #24		●	SCHINDLER		
●	GACKLE		●	LARSON, G. #29		●	SCOFIELD		
●	GERL		●	LARSON, H. #7		●	SOLBERG		
●	GORDER		●	LEE		●	STENEHJEM		
●	GUNDERSON		●	LEIBHAN	●	●	STRINDEN		
●	GUNSCH		●	LIPSIEA		●	SWONTEK		
●	HANSON		●	MAUXNER		●	THOMPSON		
●	HAUGLAND		●	MARSDEN		●	THORSGAR		
●	HAUSAUER, A. #48		●	MARTIN	●	●	TIMM		
●	HAUSAUER, R. #25		●	MARTINSON		●	TINJUM		
●	HEDSTROM		●	MATHEWY		●	TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1133.** — A Bill for an Act to amend and reenact subsection 37 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of "waterfowl".

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●		●	●	HERMAN		●	MATTSON	●	UNHJEM
●	BEKEDICT		●	NICKLE		●	MEIERS	●	VANDER VORST
●	BERG		●	HOPFNER		●	MELBY	●	VIG
●	BERGE		●	HOUJANN		●	MERTENS	●	WAGNER
●	BERGER		●	HOYE		●	MEYER	●	WALD
●	BJORNSON		●	JACOBSEN, R.		●	MURPHY	●	WALSH
●	BLACK		●	JACOBSON, I.		●	MUSHIK	●	WEBER
●	BOYUM		●	KELLY		●	NICHOLAS	●	WENTZ
●	BROKAW		●	KENNELLY		●	OLSON	●	WESSMAN
●	CHRISTENSEN		●	KERMOTT		●	OPEDAHL	●	WINKJER
●	CONNY		●	KINGSBURY		●	PELTIER		
●	CRABTREE		●	KLOUBEC		●	PETERSON	●	MR. SPEAKER
●	DICK		●	KNUDSON		●	POMEROY		
●	DIETZ		●	KOSKI		●	REED		
●	DOTZENROD		●	KRETSCHMAR		●	RETZER		
●	DUBORD		●	KUCHERA		●	RICHARD		
●	EAGLES		●	LANG		●	RICHIE		
●	ERICKSON		●	LANGLEY		●	RIEHL		
●	FLEMMING		●	LARDY	●	●	RUED		
●	FREBORG		●	LARSON, F. #24		●	SCHINDLER		
●	GACKLE		●	LARSON, G. #29		●	SCOFIELD		
●	GERL		●	LARSON, H. #7		●	SOLBERG		
●	GORDER		●	LEE		●	STENEHJEM		
●	GUNDERSON		●	LEIBHAN	●	●	STRINDEN		
●	GUNSCH		●	LIPSIEA		●	SWONTEK		
●	HANSON		●	MAUXNER		●	THOMPSON		
●	HAUGLAND		●	MARSDEN		●	THORSGAR		
●	HAUSAUER, A. #48		●	MARTIN	●	●	TIMM		
●	HAUSAUER, R. #25		●	MARTINSON		●	TINJUM		
●	HEDSTROM		●	MATHEWY		●	TWETEN		

So the bill passed and the title was agreed to.

**MOTIONS**

Rep. Murphy moved that House Bill No. 1090 be returned to the House from the Committee on Political Subdivisions, which motion prevailed.

Rep. Murphy moved that House Bill No. 1090 be re-referred to the Committee on Agriculture, which motion prevailed.

House Bill No. 1090 was re-referred to the Committee on Agriculture.

Rep. Murphy moved that House Bill No. 1123 be returned to the House from the Committee on Political Subdivisions, which motion prevailed.

Rep. Murphy moved that House Bill No. 1123 be re-referred to the Committee on Agriculture, which motion prevailed.

House Bill No. 1123 was re-referred to the Committee on Agriculture.

Rep. Rued moved that House Bill No. 1108 be returned to the House from the Committee on Industry, Business and Labor, which motion prevailed.

Rep. Rued requested permission to withdraw House Bill No. 1108, which request was granted.

#### FIRST READING OF HOUSE BILLS

Reps. Solberg and Scofield and Sen. Heinrich introduced:

**House Bill No. 1213.** — A Bill for an Act to amend and reenact sections 39-03A-09, 39-03A-12, and 39-03A-14 of the North Dakota Century Code, relating to the North Dakota highway patrolmen's retirement system.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Hedstrom and Fleming introduced:

**House Bill No. 1214.** — A Bill for an Act to provide authorization for the use of laetrile, limit disciplinary actions, and to provide for public hearings on the use of laetrile.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Gerl, Conny and Kretschmar and Sens. Tallackson and Wright introduced:

**House Bill No. 1215.** — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, card games, blackjack, dice games other than craps, and sports pools; and to provide for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games, bookkeeping requirements, expense requirements, a tax based on adjusted gross proceeds, examination of books and records, licensure of distributors, form and display of licensure, and rules and regulations; to repeal chapter 53-06.1 of the North Dakota Century Code, relating to games of chance; to provide a criminal penalty for the violation of this Act; and to declare an emergency.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1216.** — A Bill for an Act to amend and reenact section 43-31-08 and section 43-31-14 of the North Dakota Century Code, relating to the renewal of lapsed polygraph examiners licenses.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1217.** — A Bill for an Act to amend and reenact section 54-44-11 of the 1977 Supplement to the North Dakota Century Code, relating to the purchasing department operating fund.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1218.** — A Bill for an Act to amend and reenact section 6-01-15 of the North Dakota Century Code, requiring officers and employees of the department to be disinterested.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1219.** — A Bill for an Act to create four new sections to Chapter 43-10.1 of the North Dakota Century Code, relating to application of Chapter 28-32 to this chapter, and to fraudulent practices, orders and injunctions, and investigations and subpoenas under the pre-need funeral services laws, to amend and reenact section 43-10.1-07 of the North Dakota Century Code, relating to prosecutions for violation of the pre-need funeral services laws, to amend and reenact section 43-10.1-08 of the North Dakota Century Code, relating to penalties for violation of this act, and to repeal section 43-10.1-06 of the North Dakota Century Code, relating to special audits of funeral establishments or cemetery associations under the reporting requirements of the pre-need funeral services laws.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Constitutional Revision introduced:

**House Bill No. 1220.** — A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to raising the monthly unvouchered expense allowance for members of the legislative assembly.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Appropriations introduced:

**House Bill No. 1221.** — A Bill for an Act to appropriate money for the acquisition, operation, and maintenance of a new state park area, cross ranch state park.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Natural Resources introduced:

**House Bill No. 1222.** — A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code, relating to the powers, duties, and limitations of the director of the North Dakota parks and recreation department.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Judiciary introduced:

**House Bill No. 1223.** — A Bill for an Act to create and enact four new sections to chapter 55-08 of the North Dakota Century Code, relating to noncriminal park violations, administrative hearing, procedures, appeals, stay orders, regulations, uniform complaint and summons, promise to appear, and providing for statutory costs by the North Dakota parks and recreation department.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1224.** — A Bill for an Act to create and enact a new section to chapter 43-31 of the North Dakota Century Code, relating to

an internship period for polygraph examiners; to create and enact new subsections to sections 43-31-01 and 43-31-14 of the North Dakota Century Code, relating to the definition of a polygraph examiner internship and the license fees for a polygraph examiner intern; and to amend and reenact subsection 6 of section 43-31-07 of the North Dakota Century Code, relating to qualifications for licensing as a polygraph examiner.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Agriculture introduced:

**House Bill No. 1225.** — A Bill for an Act to amend and reenact section 4-18.1-04 of the North Dakota Century Code relating to the membership of the milk stabilization board, and an appropriation for additional board members.

Which was read the first time and referred to the Committee on Agriculture.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1226.** — A Bill for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the referral of cases of known or suspected fraud in the medical assistance program to the attorney general and the responsibilities of the attorney general upon receipt of such referral.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1148, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 12, after the word "district" and before the period insert the following: ", but in no event shall such fee be an amount greater than if such property had been subject to property tax levies"

And renumber the lines and pages accordingly

And when so amended, recommends that the same do pass.

 Chairman  
Rep. Lang

House Bill No. 1148 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR

to whom was referred House

Bill No. 1154, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same



## JOURNAL OF THE HOUSE

do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:

On page 1, line 12, delete the strike-through over the words "~~shall have power and authority to~~" and delete the word "may"

On page 1, line 17, delete the strike-through over the words "~~shall have power and authority to~~" and delete the word "may"

On page 2, line 1, delete the strike-through over the words "~~shall have power to~~" and delete the word "may"

On page 2, line 2, delete the strike-through over the word "~~to~~" and delete the word "may"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

\_\_\_\_\_ House Bill No. 1154 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1155 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:

On page 2, line 1, before the word "one" insert the words "at least"

On page 2, line 8, before the second word "two" insert the words "at least"

On page 2, line 16, before the word "three" insert the words "at least"

On page 2, line 19, delete the words "one through which a major" and insert the words "a flood plain area of a river subject to periodic and re-occurring flooding"

On page 2, line 20, delete the words "watercourse passes"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Lang*

Chairman

Rep. Lang

House Bill No. 1155 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1167, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, lines 27 through 30, delete all of the strike-throughs over the words and punctuation marks

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Lang*

Chairman

Rep. Lang

House Bill No. 1167 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 1:30 p. m., Tuesday, January 9, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FIFTH DAY

Bismarck, January 9, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. Don Klingensmith, United Methodist Church, Mandan, North Dakota.

The roll was called, and all members were present except Reps. Jacobson, Martin and Olson.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourth Day

day and recommends that the same be corrected as follows:

Page 111, line 9, delete the word "mandan" and insert in lieu thereof "Bismarck"

And when so corrected recommends that the same be approved.

Rep. Swiontek Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1141

and find the same correctly } Enrolled Engrossed

Wagner Chairman Rep. Stenehjem moved that the report be adopted, which

Representative Stenehjem motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Lang moved that the amendments to House Bill No. 1148 as recommended by the Committee on Political Subdivisions as printed on page 119 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1154 as recommended by the Committee on Industry, Business and Labor as printed on pages 119 and 120 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1155 as recommended by the Committee on Political Subdivisions as printed on page 120 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1167 as recommended by the Committee on Political Subdivisions as printed on page 121 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1112.** — A Bill for an Act to amend and reenact sections 54-30-06 and 54-30-09 of the North Dakota Century Code, relating to the maximum interest rates, coupons, and sale at less than par of real estate bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOY			● OPEDAH			● WINKJER		
● CONNY			● KINGSBUR			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 21			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOTFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STEINHEIM					
● GUNDERSON			● LEIBAH			● STRINDEN					
● GUNSC			● LUMBIA			● SWONTER					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUBAUER, A. # 4			● MARTIN			● TIMM					
● HAUBAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1124.** — A Bill for an Act to repeal section 15-37-04 of the North Dakota Century Code, relating to administering teacher's oath.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOY			● OPEDAH			● WINKJER		
● CONNY			● KINGSBUR			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		

• DICK	• KNUDSON	• POWEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIKONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAARD
• HAUSAUER A. # 48	• MARTIN	• TIMM
• HAUSAUER R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1141.** — A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the use of motor vehicles in hunting big or small game other than waterfowl.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 46; absent and not voting, 5.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BAKES		•	• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER			• MELBY		•	• VIG		•
• BERGE		•	• MOUNANN			• MERTENS		•	• WAGNER		•
• BERGER		•	• MOVE			• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R.			• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I.			• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY			• NICHOLAS		•	• WENTZ		•
• BROKAW		•	• KENNELLY			• OLSON		•	• WESSMAN		•
• CHRISTENSEN		•	• KERKOTT			• OPEDAHL		•	• WINJER		•
• CONROY		•	• KINGSBURG			• PELTER		•			
• CRABTREE		•	• KLOUBEC			• PETERSON		•	• MR. SPEAKER		
• DICK		•	• KNUDSON		•	• POWEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DUBORD		•	• KUCHERA		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG		•	• LARSON, F. # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G. # 29		•	• SCOFIELD		•			
• GERL		•	• LARSON, H. # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEM		•			
• GUNDERSON		•	• LEIBMAN		•	• STRINDEN		•			
• GUNSCH		•	• LIPSIEA		•	• SWIKONTEK		•			
• HANSON		•	• MAIXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGAARD		•			
• HAUSAUER, A. # 48		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, R. # 25		•	• MARTINSON		•	• TINJUM		•			
• HEDSTROM		•	• MATHENY		•	• TWETEN		•			

So the bill lost for want of a constitutional majority.

**MESSAGE TO THE SENATE  
HOUSE CHAMBER**

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1111
- House Bill No. 1152

ROY GILBREATH, Chief Clerk

**REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

JOURNAL OF THE HOUSE

Bill No. 1053 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 1, line 19 after the word "officer" insert the words "or correctional institution employee"

and renumber the lines accordingly

And when so amended, recommends the same do pass.

[Signature]

Rep. Winkjer Chairman

House Bill No. 1053 was placed on the 6 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR to whom was referred House

Bill No. 1106 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

[Signature]

Rep. Rued Chairman

House Bill No. 1106 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR to whom was referred House

Bill No. 1107 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

[Signature]

Rep. Rued Chairman

House Bill No. 1107 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1109, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Knudson Chairman

House Bill No. 1109 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR

to whom was referred House

Bill No. 1110, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Rued Chairman

House Bill No. 1110 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1127, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Knudson Chairman

House Bill No. 1127 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1156, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Gackie Chairman

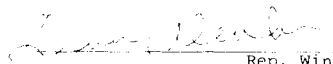
House Bill No. 1156 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1121, has had the same under consideration and recommends, by a vote of  
 Ayes, 12; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows:  without recommendation.



Rep. Winkjer Chairman

House Bill No. 1121 was placed on the 11  
 order of business on the calendar for the succeeding legislative day.

### MOTIONS

Rep. Unhjem moved that House Bill No. 1164 be returned to the House from the Committee on Judiciary, for the purpose of withdrawal, which motion prevailed.

Rep. Unhjem requested permission to withdraw House Bill No. 1164. There being no objection, it was so ordered by the Speaker.

Rep. Winkjer moved that House Bill No. 1163 be returned to the House from the Committee on Political Subdivisions, for the purpose of withdrawal, which motion prevailed.

Rep. Winkjer requested permission to withdraw House Bill No. 1163. There being no objection, it was so ordered by the Speaker.

Rep. Knudson moved that House Bill No. 1194 be returned to the House from the Committee on Education, which motion prevailed.

Rep. Knudson moved that House Bill No. 1194 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Rep. Erickson moved that House Bill No. 1183 be returned to the House from the Committee on Transportation, for the purpose of withdrawal, which motion prevailed.

Rep. Conmy requested permission to withdraw House Bill No. 1183. There being no objection, the request was granted.

### FIRST READING OF HOUSE BILLS

Rep. Berger introduced:

**House Bill No. 1227.** — A Bill for an Act to amend and reenact sections 11-11-58 and 40-05-16 and subsections 2 and 4 of section 57-15-56, relating to the expenditure of funds by cities and counties for programs and activities for senior citizens and the levying of a tax for such purposes.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Meiers, Tinjum and Brokaw introduced:

**House Bill No. 1228.** — A Bill for an Act to create and enact a new section to chapter 16-10 of the North Dakota Century Code, relating to compensation for election officials; and to amend and reenact sections 15-28-05, 16-10-12, 16-10-12.1, and 16-10-16 of the North Dakota Century Code, relating to compensation of election officials in school district elections, appointment and qualifications of poll clerks, hiring additional poll clerks in precincts having voting machines, and compensation for inspectors, judges, and clerks of elections.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Black and Maixner introduced:

**House Bill No. 1229.** — A Bill for an Act providing for the filing of statements of campaign contributions and expenditures by candidates



and political committees and parties, the audit of such statements; and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Mushik and Eagles introduced:

**House Bill No. 1230.** — A Bill for an Act to provide for the renovation of the present warden's residence or the acquisition of a house in Bismarck or Mandan for use as a women's detention facility; detention facility security; education, work training, and counseling program; inmate responsibilities; child care; alternative women's detention facilities and transfer conditions; and laws applicable to women inmates; to amend and reenact section 12-47-05 of the North Dakota Century Code, relating to officers of the penitentiary; and providing appropriations.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Wentz introduced:

**House Bill No. 1231.** — A Bill for an Act to amend and reenact sections 39-17-03 and 39-17-04.1 of the North Dakota Century Code, relating to recovery from the unsatisfied judgment fund, and empowering the attorney general to appoint special counsel, and providing for recovery from the fund in tribal court.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Black, Swiontek and Meiers, and Senator Heinrich introduced:

**House Bill No. 1232.** — A Bill for an Act to provide for licensing of marriage and family counselors by the social service board of North Dakota.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Meiers introduced:

**House Bill No. 1233.** — A Bill for an Act to amend and reenact section 26-25-15 of the North Dakota Century Code, relating to the maximum benefits and assessments under a benevolent society membership contract.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Meiers and Tinjum introduced:

**House Bill No. 1234.** — A Bill for an Act to amend and reenact section 16-11-10 of the North Dakota Century Code, relating to the county auditor's duty to distribute ballots and other election supplies, and providing that tally books or sheets are to have candidates' names listed in the same order as on the ballot.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Lipsiea introduced:

**House Bill No. 1235.** — A Bill for an Act to amend and reenact section 20.1-01-08 of the North Dakota Century Code, relating to the hunting of raccoons with an artificial light.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Nicholas introduced:

**House Bill No. 1236.** — A Bill for an Act to amend and reenact section 43-34-02 and subsection 1 of section 43-34-03 of the North Dakota Century Code, relating to the composition of the state board of

examiners for nursing home administrators, and to qualifications for licensure.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Nicholas and Peltier introduced:

**House Bill No. 1237.** — A Bill for an Act to amend and reenact subsections 4 and 5 of section 4-09-10 of the North Dakota Century Code, relating to weed seed labeling requirements for containers of agricultural seed.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Knudson and Martin introduced:

**House Bill No. 1238.** — A Bill for an Act to assist cities in relocating bridges causing flood damage; and to provide an appropriation.

Which was read the first time and referred to the Committee on Transportation.

Committee on Natural Resources introduced:

**House Bill No. 1239.** — A Bill for an Act to create and enact Chapter 38-14.2 of the North Dakota Century Code, relating to the development of a reclamation program for abandoned surface mined areas.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1240.** — A Bill for an Act to create and enact four new sections to chapter 50-25.1 of the North Dakota Century Code, relating to the reporting of child abuse and neglect; and to amend and reenact sections 50-25.1-02, 50-25.1-04, 50-25.1-05, and subsection 3 of section 50-25.1-11 of the North Dakota Century Code, relating to the reporting of child abuse and neglect.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Committee on Education introduced:

**House Bill No. 1241.** — A Bill for an Act to provide for the discontinuance of annuities from the teachers' fund for retirement on resumption of teaching, and to repeal section 15-39.1-19 of the North Dakota Century Code, relating to discontinuance of annuities from the teachers' fund for retirement on resumption of teaching.

Which was read the first time and referred to the Committee on Education.

Committee on Education introduced:

**House Bill No. 1242.** — A Bill for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to protecting the teachers' fund for retirement against fraud; and to amend sections 15-39.1-04, 15-39.1-13, 15-39.1-17, and 15-39.1-20 of the North Dakota Century Code relating to the definition of a teacher, exemptions from the legal process, the final payment on a member's account, and withdrawal from the teachers' fund for retirement; and providing a penalty.

Which was read the first time and referred to the Committee on Education.

Committee on State and Federal Government introduced:

**House Bill No. 1243.** — A Bill for an Act to amend and reenact section 4-27-11, subsection 10 of section 4-34-05, section 18-03-08, section 18-05-13 and section 18-10-09 of the North Dakota Century Code, relating to the duty of the state auditor to audit books and accounts.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Agriculture introduced:

**House Bill No. 1244.** — A Bill for an Act to amend and reenact subsection 1 of section 4-12-01, and sections 4-12-03, 4-12-03.1, 4-12-03.2, 4-12-04, 4-12-08 and 4-12-22 and to repeal section 4-12-02, of the North Dakota Century Code, relating to the keeping of bees and the powers and duties of the apiary division of the North Dakota department of agriculture with respect thereto, and declaring an emergency.

Which was read the first time and referred to the Committee on Agriculture.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1245.** — A Bill for an Act to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, and 25-16-08 of the North Dakota Century Code, relating to licensure of mental retardation facilities.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Committee on Appropriations introduced:

**House Bill No. 1246.** — A Bill for an Act to amend and reenact section 22 of chapter 587 of the 1975 Session Laws of North Dakota, relating to an appropriation for administration of the Uniform Crime Victims Reparations Act and providing retroactive application.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1247.** — A Bill for an Act to create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to assessment of premiums.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Judiciary introduced:

**House Bill No. 1248.** — A Bill for an Act to amend and reenact section 12-55-03 of the North Dakota Century Code, relating to executive meetings of the pardon board.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1249.** — A Bill for an Act to provide for the regulation and control, permitting, registration, inspection, and impounding of sources of nonionizing radiation by the state department of health and providing penalties.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Committee on Natural Resources introduced:

**House Bill No. 1250.** — A Bill for an Act to amend and reenact section 38-12-01, section 38-12-02 and section 38-12-03 of the North Dakota Century Code relating to subsurface mineral regulation.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1251.** — A Bill for an Act to amend and reenact subsection 4 of section 10-04-03 of the North Dakota Century Code, relating to the collection of fees under the Securities Act, to amend and

reenact subsection 6 of section 10-04-05 of the North Dakota Century Code, relating to the exemption from registration of certain blue chip securities with proven records, to amend and reenact section 10-04-08 of the North Dakota Century Code, relating to the registration of securities by qualification and to the fees charged for such registration, to amend and reenact subsection 6 of section 10-04-10 of the North Dakota Century Code, relating to the fees charged for registration of dealers, salesmen, and investment advisers under the Securities Act, to amend and reenact section 10-04-14 of the North Dakota Century Code, relating to service of process under the Securities Act, and to amend and reenact section 10-04-18 of the North Dakota Century Code, relating to the penalty for violations of the Securities Act.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Natural Resources introduced:

**House Bill No. 1252.** — A Bill for an act to create and enact Chapter 38-14.1 of the North Dakota Century Code, relating to surface mining and reclamation operations, the designation of areas unsuitable for mining; the necessity of a mining permit; permit terms; permit application requirements; mining and reclamation plans; extended mining plans; performance bonds; release of performance bonds; informal conference procedures; permit renewals; environmental protection performance standards; prohibited mining practices; inspections and monitoring; enforcement procedures; formal hearings; permit revocations; bond forfeitures; administrative review of regulations; judicial review; small operators; conflict of interest; citizen suits; cooperation with federal and state agencies and penalties; and to repeal chapter 38-14, relating to the regulation of surface coal mining operations.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Retzer introduced:

**House Bill No. 1253.** — A Bill for an Act to amend and reenact subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to allowing two trailers to be drawn by trucks or tractors on state highways when the trailers are empty.

Which was read the first time and referred to the Committee on Transportation.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Committee on Employment introduced:

**House Concurrent Resolution No. 3014.** — A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

Was read the first time and referred to the committee on Appropriations.

#### MESSAGE FROM THE SENATE SENATE CHAMBER

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2077

LEO LEIDHOLM, Secretary

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 1:30 p.m., Wednesday, January 10, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

SIXTH DAY

Bismarck, January 10, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

Prayer was offered by Rev. Stanley Malmgren, First Baptist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Rep. Tweten.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifth Day and finds the same to be correct.

Signature of Steven H. Swintek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Speaker of the House Howard Bier and former Speaker Bier was thereupon introduced to the House.

MOTION

Rep. Strinden moved that 500 additional copies of House Bill No. 1198 be printed, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1148
HB NO. 1154
HB NO. 1155
HB NO. 1167

and find the same correctly } Enrolled Engrossed

Signature of Wayne Stenehjem, Chairman

Representative Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Brokaw moved that the House reconsider its action whereby House Bill No. 1141 failed to pass, which motion prevailed.

Rep. Brokaw moved that House Bill No. 1141 be re-referred to the Committee on Natural Resources, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Winkjer moved that the amendments to House Bill No. 1053 as recommended by the Committee on Judiciary as printed on pages 125 and 126 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1121.** — A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks of election.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 88; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEVOICT	•		HICKLE	•		MEIERS	•		VANDERVORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUHANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJOHNSON	•		JACOBSEN R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON I	•		MUSHK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUSON	•		POMEROY	•				
DIETZ	•		KOBKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON G # 29	•		SCOFIELD	•				
GERL	•		LARSON H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENHJEM	•				
GUNDERSON	•		LEIGHAN	•		STRINDEN	•				
GUNSCH	•		LIPSEA	•		SWONTEK	•				
HANSON	•		MAKNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER A # 48	•		MARTIN	•		TIMM	•				
HAUSAUER R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

RECOGNITION

Rep. Haugland announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Roy A. Holland and Rep. Holland was thereupon introduced to the House.

RECOGNITION

Rep. Jacobson introduced Miss Renae Hermanson of Crosby, North Dakota, to the Assembly. Miss Hermanson is Miss North Dakota, U.S.A.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2025
- Senate Bill No. 2093
- Senate Bill No. 2100
- Senate Bill No. 2132

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1106.** — A Bill for an Act to amend and reenact section 6-09-04 of the North Dakota Century Code, relating to the bonding of Bank of North Dakota employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input type="checkbox"/> BACKES			<input type="checkbox"/> HERMAN			<input type="checkbox"/> WATTSON			<input type="checkbox"/> UNHJEW		
<input type="checkbox"/> BENEDICT			<input type="checkbox"/> HICKLE			<input type="checkbox"/> WEIERS			<input type="checkbox"/> VANDER VORST		
<input type="checkbox"/> BERG			<input type="checkbox"/> HOFFNER			<input type="checkbox"/> MELBY			<input type="checkbox"/> VIG		
<input type="checkbox"/> BERGE			<input type="checkbox"/> HOUMANN			<input type="checkbox"/> WERTENS			<input type="checkbox"/> WAGNER		
<input type="checkbox"/> BERGER			<input type="checkbox"/> HOVE			<input type="checkbox"/> MEYER			<input type="checkbox"/> WALD		
<input type="checkbox"/> BJORNSON			<input type="checkbox"/> JACOBSEN, R			<input type="checkbox"/> MURPHY			<input type="checkbox"/> WALSH		
<input type="checkbox"/> BLACK			<input type="checkbox"/> JACOBSON, I			<input type="checkbox"/> MUSHIK			<input type="checkbox"/> WEBER		
<input type="checkbox"/> BOYUM			<input type="checkbox"/> KELLY			<input type="checkbox"/> NICHOLAS			<input type="checkbox"/> WENTZ		
<input type="checkbox"/> BROKAW			<input type="checkbox"/> KENNELLY			<input type="checkbox"/> OLSON			<input type="checkbox"/> WESSMAN		
<input type="checkbox"/> CHRISTENSEN			<input type="checkbox"/> KERMOTT			<input type="checkbox"/> OPEDAHL			<input type="checkbox"/> WINKLER		
<input type="checkbox"/> CONMY			<input type="checkbox"/> KINGSBURY			<input type="checkbox"/> PELTIER					
<input type="checkbox"/> CRABTREE			<input type="checkbox"/> KLOUBEC			<input type="checkbox"/> PETERSON			<input type="checkbox"/> MR. SPEAKER		
<input type="checkbox"/> DICK			<input type="checkbox"/> KNUDSON			<input type="checkbox"/> POMEROY					
<input type="checkbox"/> DIETZ			<input type="checkbox"/> KOSKI			<input type="checkbox"/> REED					
<input type="checkbox"/> DOTZENROD			<input type="checkbox"/> KRETSCHMAR			<input type="checkbox"/> RETZER					
<input type="checkbox"/> DuBORD			<input type="checkbox"/> KUCHERA			<input type="checkbox"/> RICHARD					
<input type="checkbox"/> EAGLES			<input type="checkbox"/> LANG			<input type="checkbox"/> RICHIE					
<input type="checkbox"/> ERICKSON			<input type="checkbox"/> LANGLEY			<input type="checkbox"/> RIEHL					
<input type="checkbox"/> FLEMING			<input type="checkbox"/> LARDY			<input type="checkbox"/> RUED					
<input type="checkbox"/> FREBORG			<input type="checkbox"/> LARSON, F. # 24			<input type="checkbox"/> SCHINDLER					
<input type="checkbox"/> GACKLE			<input type="checkbox"/> LARSON, G. # 26			<input type="checkbox"/> SCOFIELD					
<input type="checkbox"/> GERL			<input type="checkbox"/> LARSON, H. # 7			<input type="checkbox"/> SOLBERG					
<input type="checkbox"/> GORDER			<input type="checkbox"/> LEE			<input type="checkbox"/> STENEHJEM					
<input type="checkbox"/> GUNDERSON			<input type="checkbox"/> LEIBHAN			<input type="checkbox"/> STRINDEN					
<input type="checkbox"/> GUNSON			<input type="checkbox"/> LIPSIEA			<input type="checkbox"/> SWONTEK					
<input type="checkbox"/> HANSON			<input type="checkbox"/> MAIXNER			<input type="checkbox"/> THOMPSON					
<input type="checkbox"/> HAUGLAND			<input type="checkbox"/> MARSDEN			<input type="checkbox"/> THORSGARD					
<input type="checkbox"/> HAUSAUER, A. #4			<input type="checkbox"/> MARTIN			<input type="checkbox"/> TWIN					
<input type="checkbox"/> HAUSAUER, R. #25			<input type="checkbox"/> MARTINSON			<input type="checkbox"/> TINJUM					
<input type="checkbox"/> HEDSTROM			<input type="checkbox"/> MATHENY			<input type="checkbox"/> TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1107.** — A Bill for an Act to repeal section 6-09-06 and of the North Dakota Century Code, relating to authorization of Bank of North Dakota to transact business after delivery of two million dollars in bonds as capital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input type="checkbox"/> BACKES			<input type="checkbox"/> HERMAN			<input type="checkbox"/> WATTSON			<input type="checkbox"/> UNHJEW		
<input type="checkbox"/> BENEDICT			<input type="checkbox"/> HICKLE			<input type="checkbox"/> WEIERS			<input type="checkbox"/> VANDER VORST		
<input type="checkbox"/> BERG			<input type="checkbox"/> HOFFNER			<input type="checkbox"/> MELBY			<input type="checkbox"/> VIG		
<input type="checkbox"/> BERGE			<input type="checkbox"/> HOUMANN			<input type="checkbox"/> WERTENS			<input type="checkbox"/> WAGNER		
<input type="checkbox"/> BERGER			<input type="checkbox"/> HOVE			<input type="checkbox"/> MEYER			<input type="checkbox"/> WALD		
<input type="checkbox"/> BJORNSON			<input type="checkbox"/> JACOBSEN, R			<input type="checkbox"/> MURPHY			<input type="checkbox"/> WALSH		
<input type="checkbox"/> BLACK			<input type="checkbox"/> JACOBSON, I			<input type="checkbox"/> MUSHIK			<input type="checkbox"/> WEBER		
<input type="checkbox"/> BOYUM			<input type="checkbox"/> KELLY			<input type="checkbox"/> NICHOLAS			<input type="checkbox"/> WENTZ		
<input type="checkbox"/> BROKAW			<input type="checkbox"/> KENNELLY			<input type="checkbox"/> OLSON			<input type="checkbox"/> WESSMAN		
<input type="checkbox"/> CHRISTENSEN			<input type="checkbox"/> KERMOTT			<input type="checkbox"/> OPEDAHL			<input type="checkbox"/> WINKLER		
<input type="checkbox"/> CONMY			<input type="checkbox"/> KINGSBURY			<input type="checkbox"/> PELTIER					
<input type="checkbox"/> CRABTREE			<input type="checkbox"/> KLOUBEC			<input type="checkbox"/> PETERSON			<input type="checkbox"/> MR. SPEAKER		
<input type="checkbox"/> DICK			<input type="checkbox"/> KNUDSON			<input type="checkbox"/> POMEROY					
<input type="checkbox"/> DIETZ			<input type="checkbox"/> KOSKI			<input type="checkbox"/> REED					
<input type="checkbox"/> DOTZENROD			<input type="checkbox"/> KRETSCHMAR			<input type="checkbox"/> RETZER					
<input type="checkbox"/> DuBORD			<input type="checkbox"/> KUCHERA			<input type="checkbox"/> RICHARD					
<input type="checkbox"/> EAGLES			<input type="checkbox"/> LANG			<input type="checkbox"/> RICHIE					
<input type="checkbox"/> ERICKSON			<input type="checkbox"/> LANGLEY			<input type="checkbox"/> RIEHL					
<input type="checkbox"/> FLEMING			<input type="checkbox"/> LARDY			<input type="checkbox"/> RUED					
<input type="checkbox"/> FREBORG			<input type="checkbox"/> LARSON, F. # 24			<input type="checkbox"/> SCHINDLER					
<input type="checkbox"/> GACKLE			<input type="checkbox"/> LARSON, G. # 26			<input type="checkbox"/> SCOFIELD					
<input type="checkbox"/> GERL			<input type="checkbox"/> LARSON, H. # 7			<input type="checkbox"/> SOLBERG					
<input type="checkbox"/> GORDER			<input type="checkbox"/> LEE			<input type="checkbox"/> STENEHJEM					



● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNTSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A #40	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1109.** — A Bill for an Act to repeal chapter 15-62 of the North Dakota Century Code, relating to the discontinued state scholarship revolving fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEW		
● BENEVOCT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DCK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #29			● SCOFIELD					
● GERL			● LARSON, H #7			● SOLBERG					
● GORDER			● LEE			● STEINJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNTSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A #40			● MARTIN			● TIMM					
● HAUSAUER, R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1110.** — A Bill for an Act to amend and reenact section 54-17-25 of the North Dakota Century Code, relating to maximum interest rates on student loan bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 5; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEW		
● BENEVOCT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DCK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					

• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAJNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER A. # 49	• MARTIN	• TMM
• HAUSAUER R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Reps. Unhjem, Stenehjøm, Swiontek, Eagles and Nicholas introduced:

**House Concurrent Resolution No. 3015.** — A concurrent resolution directing the Legislative Council to study public and private cost containment procedures relating to hospitals, clinics, nursing homes, insurance companies providing health care coverage, physicians, dentists, optometrists, podiatrists, and others providing health care services.

Was read the first time and referred to the committee on Industry, Business and Labor.

Committee on Natural Resources introduced:

**House Concurrent Resolution No. 3016.** — A concurrent resolution directing the Legislative Council to study floodplain management, including the construction of dikes and other devices for flood control regulation.

Was read the first time and referred to the committee on Natural Resources.

MOTION

Rep. Kretschmar moved that a committee of two be appointed to escort Mr. Floyd E. Henderson, National Commander of the Veterans of World War I to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Solberg and Dick to such committee, and Commander Henderson was subsequently escorted to the rostrum.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTION

Reps. Solberg and Wagner introduced:

**House Concurrent Resolution No. 3017.** — A concurrent resolution congratulating Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcoming his visit to North Dakota.

Which was read the first time.

Representative Solberg moved that the rules be suspended, that House Concurrent Resolution No. 3017 not be referred to committee, not printed as a bill but printed in the Journal, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 3017

Introduced by Reps. Solberg, Wagner.

A concurrent resolution congratulating Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcoming his visit to North Dakota.

WHEREAS, the North Dakota Legislative Assembly is honored by the visit of Floyd E. Henderson, National Commander of the Veterans of World War I of the U.S.A.; and

WHEREAS, his election as National Commander of the Veterans of World War I coincides with the fiftieth anniversary of his election to the

North Dakota Legislative Assembly in 1929 as a Representative from Lawton in Ramsey County; and

WHEREAS, Mr. Henderson's election as National Commander is an honor not only for Mr. Henderson but for the State of North Dakota and the North Dakota Legislative Assembly where he formerly served:

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

That the Forty-sixth Legislative Assembly congratulates Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcomes his return visit to North Dakota and the North Dakota Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives present a copy of this resolution to Mr. Floyd E. Henderson.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3017.** — A concurrent resolution congratulating Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcoming his visit to North Dakota.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

Rep. Solberg moved that the remarks of Commander Floyd Henderson be printed in the Journal, which motion prevailed.

Commander Henderson: "Mr. Speaker, Miss North Dakota, Members of the Legislature, Ladies and Gentlemen:

"It is with a great deal of pleasure for me to visit you today. As most of you heard, it was my privilege to sit as a member of this body fifty years ago, in the 1929 session of the Legislature, which was the last session in the old capitol building. I mentioned that to someone this morning, and he said it must have been a pretty hot session, since it burned down the capitol. Be that as it may, it is a pleasure to come back, and I feel highly honored to be recognized by the Veterans of World War I, to serve as their national Commander, and to be able to visit with you.

"Not long ago I was told some politician was told to put more fire in his speeches. A friend of mine felt it would be better for him to put more speeches in the fire. That goes along with another thought I had recently, that we should not take our political jokes seriously, because some of them get elected.

"I don't know exactly what I can say to you. I know that many things have changed. This building has changed a great deal since I served here. The business that is being transacted has changed. That is progress, I guess. I congratulate each of your Members. I have always felt it has been my privilege to make any contribution in any way to the State of North Dakota, as a member of the legislature, and as a member of the Veterans of World War I. It was a privilege for me to serve as State Commissioner of Veterans Affairs for fifteen years, and as Commandant of the North Dakota Soldiers Home for seven years, and in all those years it was my duty to visit both the House and Senate to secure appropriations for the agency I represented. At no time was I not graciously received by the Legislators, and I feel through their efforts, you have made it possible for me to make a slight contribution.

"You may be interested in knowing a little about me personally. As

Commander of the Veterans of World War I, I have traveled to every state in the Union except Hawaii and Alaska, and during those travels I have been accused of being a public relations employee of the State of North Dakota. I have never assumed that responsibility, but I have never hesitated to praise the State of North Dakota and what we have done here in North Dakota for our Veterans and every other phase of society. I came to North Dakota in 1913, which is sixty-six years ago this month. Subsequently, I was graduated from Valley City College, and I enlisted in the North Dakota National Guard out here at Fort Lincoln on July 26, 1917.

“An interesting thing I can recall about World War I was the support given by the citizens of North Dakota. North Dakota had a population of some 600,000, and the records show that we gave 31,269 men to the service in World War I, which is 5% of the entire population of the State of North Dakota, and I question that any other state can touch that record. There were over four million men in World War I. Of that four million men, as of September, 1978, the Veterans Administration said there were 660,000 surviving veterans, and North Dakota is charged with 2000 World War I surviving veterans. I question very much that we have that many, but those are the figures of the Veterans Administration.

“I know you have a great deal of work to do. I do want you to know that wherever I go, I am always happy to represent the State of North Dakota. Some of you may realize that the State of North Dakota has paid a bigger bonus to every war veteran who has served from North Dakota than any other state in the Union. Notwithstanding that fact, I understand we have a \$140 million surplus, which says a lot for the Legislators and citizens of our state looking after the finances of North Dakota. I am always proud to mention that as I travel about the country.

“The veterans organizations in North Dakota are probably the closest knit of any state in the Union. We have four chartered organizations in North Dakota, chartered by Congress, and they are the American Legion, Veterans of Foreign Wars, Disabled American Veterans and Veterans of World War I. Those four have combined their efforts in the interest of all veterans, and have proved most beneficial and have been accepted by the Legislature. They appreciate the cooperation given by the Legislature.

“I don't know, but I heard there is a man who I think out ranks me by some years as a former member of the Legislature, and he was here yesterday. He is Elmer Cart. I don't recall when he served, but it was before me.

“I am very happy to be here, and you may rest assured I will do the best I can to represent North Dakota creditably and serve the interests of the World War I Veterans at all times.”

Speaker Wagner announced that the record should show that Commander Henderson's son served in the North Dakota House of Representatives in 1963.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1083  
House Bill No. 1120  
House Bill No. 1133

ROY GILBREATH, Chief Clerk  
RECOGNITION

Speaker Wagner announced that a former Representative was in the

chambers, and requested that the House recognize former Rep. Bryce Streibel and Rep. Streibel was thereupon introduced to the House.

Rep. Weber announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Bruce Laughlin, and Rep. Laughlin was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1127.** — A Bill for an Act to amend and reenact section 15-45-03 of the North Dakota Century Code, relating to kindergarten teachers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 3; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOCUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		•
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEH					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON, F. #24			• SCHNIDLER					
• GACKLE			• LARSON, G. #29			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON		•			
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. #49			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TRJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1148.** — A Bill for an Act to amend and reenact section 18-10-10 of the North Dakota Century Code, relating to rural fire protection districts entering into contracts with other rural fire protection districts or state and local government agencies and requiring federal, state, and local agencies to reimburse the districts for fire protection services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOCUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					

● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1154.** — A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignment of wage claims to the commissioner of labor for recovery by civil action.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTSON			● UNHJEM		
●			● HICKLE			● MEIERS			● VANDER VORST		
●			● HOFFNER			● MELBY			● VIG		
●			● HOLMANN			● MERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD		
●			● JACOBSEN, R.			● MURPHY			● WALSH		
●			● JACOBSON, I.			● MUSHK			● WEBER		
●			● KELLY			● NICHOLAS			● WENTZ		
●			● KENNELLY			● OLSON			● WESSMAN		
●			● KERMOTT			● OPEDAHL			● WINKJER		
●			● KINGSBURY			● PELTIER					
●			● KLOUBEC			● PETERSON			● MR. SPEAKER		
●			● KNUDSON			● POMEROY					
●			● KOSKI			● REED					
●			● KRETSCHMAR			● RETZER					
●			● KUCHERA			● RICHARD					
●			● LANG			● RICHIE					
●			● LANGLEY			● RIEHL					
●			● LARDY			● RUED					
●			● LARSON, F. # 24			● SCHINDLER					
●			● LARSON, G. # 29			● SCOFIELD					
●			● LARSON, H. # 7			● SOLBERG					
●			● LEE			● STENEHJEM					
●			● LEIBHAN			● STRINDEN					
●			● LIPSIEA			● SWONTEK					
●			● MAIXNER			● THOMPSON					
●			● MARSDEN			● THORSGARD					
●			● MARTIN			● TIMM					
●			● MARTINSON			● TINJUM					
●			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1155.** — A Bill for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to membership of water management district boards of commissioners.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTSON			● UNHJEM		
●			● HICKLE			● MEIERS			● VANDER VORST		

• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUWANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSEN, I.	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKLER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DACK	• KNUDSON	• POWEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENENJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1156.** — A Bill for an Act to amend and reenact subsection 8 of section 57-37.1-01 and section 57-37.1-04 of the North Dakota Century Code, relating to estate tax definitions and providing that the rate of the estate tax shall equal the maximum federal estate tax credit for state death taxes; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSEN, I.			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENENJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1167.** — A Bill for an Act to amend and reenact sections 11-07-02, 11-07-03, and 11-07-05 of the North Dakota Century Code, relating to when county districts are changed, the method of county redistricting, and the first redistricting under the chapter, and providing for redistricting during a census interim, for contiguous

districts following township lines where practicable, for filing by April first in an even-numbered year to be effective for that year's elections, and for redistricting at least each ten years.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 9; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDERVORST
• BERG			• HOPFNER			• MELBY		• VG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK		•	• JACOBSON I			• MUSHK		• WEBER
• BOYUM		•	• KELLY			• NICHOLAS		• WENTZ
• BRCKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKLER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA		•	• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RICH		
• FLEMING			• LARDY			• RUED		•
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL		•	• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWIONTEK		
• HANSON			• MAXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49		•	• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINUJAH		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2077.** — A Bill for an Act to amend and reenact section 54-52-02.1 of the North Dakota Century Code, relating to membership of county, city, and noncertified school district employees in the public employees retirement system; and to repeal subsection 10 of section 54-52-17 of the North Dakota Century Code, relating to the opportunity for certain members of the public employees retirement system to withdraw from that system.

Which was read the first time and referred to the Committee on Political Subdivisions.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1045, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Martinson

Chairman

House Bill No. 1045 was placed on the 11th order of business on the calendar for the succeeding legislative day.



JOURNAL OF THE HOUSE

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1079, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1079 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1081, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1081 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1082, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1082 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred House

Bill No. 1085, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

House Rep. Knudson Chairman  
Bill No. 1085 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred House

Bill No. 1096 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

- [X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Knudson Chairman

House Rep. Knudson Bill No. 1096 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR to whom was referred House

Bill No. 1101 has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

- [X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Rued Chairman

House Rep. Rued Bill No. 1101 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1114 has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

- [X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Knudson Chairman

House Rep. Knudson Bill No. 1114 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1135 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

- [X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Martinson Chairman

House Rep. Martinson Bill No. 1135 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1136, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

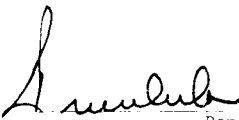
do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1136 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1161, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

  
House Rep. Winkjer Chairman  
Bill No. 1161 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

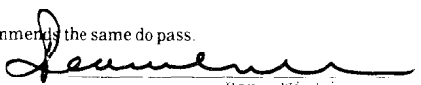
Bill No. 1168, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 8 delete the numerals "16-10-11.1" and insert  
in lieu thereof the numerals "16-01-11.1"

And renumber the lines accordingly


And when so amended, recommends the same do pass.

  
House Rep. Winkjer Chairman  
Bill No. 1168 was placed on the 6  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House Concurrent Resolution

Bill No. 3006, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

Rep. Martinson  Chairman  
House Concurrent Resolution Bill No. 3006 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House stand adjourned until 1:30 p.m., Thursday, January 11, 1979, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Langley, G. Larson and Knudson and Senators Shablow, Wright and Iszler introduced:

**House Bill No. 1254.** — A Bill for an Act to authorize the state board of higher education to enter into agreements providing for a regional veterinary medical education program.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Unhjem, Stenehjem and Swiontek introduced:

**House Bill No. 1255.** — A Bill for an Act to amend and reenact sections 15-40.1-16 and 15-40.1-16.1 of the North Dakota Century Code, relating to aid for school bus transportation within cities.

Which was read the first time and referred to the Committee on Education.

Reps. A. Hausauer and Schindler introduced:

**House Bill No. 1256.** — A Bill for an Act to restrict the sale of agricultural lands, to prohibit the recording of instruments of title for certain purchases of agricultural land, to provide for enforcement by the attorney general, and to require annual reports to the commissioner of agriculture; to amend and reenact section 47-01-11 of the North Dakota Century Code, relating to qualifications for private ownership of property; and to provide a penalty.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Freborg, Gackle and A. Hausauer and Senators Melland, Goodman and Jacobson introduced:

**House Bill No. 1257.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact office in the office of the governor; to provide for impact loans to be administered by the board of university and school lands; and to provide a penalty.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Boyum and Lee introduced:

**House Bill No. 1258.** — A Bill for an Act relating to the promotion, advertising, research and development of honey, prescribing a tax on honey production, providing for its collection, and providing penalties for the violation of the Act; and declaring an emergency.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Lipsiea introduced:

**House Bill No. 1259.** — A Bill for an Act to amend and reenact section 55-10-11 of the North Dakota Century Code, relating to the acquisition of historic sites by the state historical society.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Peltier, Gorder and Hove introduced:

**House Bill No. 1260.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to raising storage rates for warehouse and storage contracts.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Peltier, Gorder and Hove introduced:

**House Bill No. 1261.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to the grain and seed warehouse contract printed on warehouse receipts as it pertains to the amount charged for handling and delivery of grains and seeds.

Which was read the first time and referred to the Committee on Agriculture.

Committee on Natural Resources introduced:

**House Bill No. 1262.** — A Bill for an Act to create and enact subsection 5 to section 38-12.1-04 of the North Dakota Century Code, relating to the jurisdiction of the Industrial Commission; to create and enact a new section under chapter 65-11 of the North Dakota Century Code, relating to the promulgation of rules by the Workmen's Compensation Bureau regarding mine foremen; to amend and reenact sections 38-12.1-05, 38-12.1-08, and 38-16-06, subsections 2 and 4 of section 38-18-06, subsection 1 of section 38-18-07, and subsections 1 and 2 of section 38-18-08 of the North Dakota Century Code, relating to the necessity of a drilling permit, penalties, exemptions from surface mining operation reporting requirements, requirement of surface owner consent to surface mining operations, payment of damages sustained by the surface owner, and financial obligation of the mineral developer to pay the costs of reclamation; and to repeal chapters 38-03, 38-05, 38-06, and 38-07, and sections 38-01-01 and 38-01-08 of the North Dakota Century Code, relating to the state mine inspector, mine foreman examinations and qualifications, protection of the health and safety of miners, maps or surveys of mines, regulation of surface coal mining and reclamation operations, definitions, and penalties.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Education introduced:

**House Bill No. 1263.** — A Bill for an Act to create and enact a new section to chapter 15-41 of the North Dakota Century Code, providing for the adoption of accreditation standards by the superintendent of public instruction, and to amend and reenact sections 15-53.1-06 and 15-

53.1-14 and subsection 1 of section 15-53.1-17 of the North Dakota Century Code, relating to annexation and reorganization of school districts.

Which was read the first time and referred to the Committee on Education.

Committee on Political Subdivisions introduced:

**House Bill No. 1264.** — A Bill for an Act to amend and reenact subsection 30 of section 40-05-01 of the North Dakota Century Code, relating to licensing of bowling alleys, pool, billiards, theaters and motion picture theaters; and to repeal chapter 53-06 of the North Dakota Century Code, relating to licensing of games and amusements.

Which was read the first time and referred to the Committee on Political Subdivisions.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1265.** — A Bill for an Act to amend and reenact section 60-02-41 of the North Dakota Century Code, relating to voluntary closing or failure to renew warehouse license.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1266.** — A Bill for an Act to provide for a health care occupational licensing board; to create and enact a new subsection of section 43-17.1-01; to amend and reenact subsection 2 of section 43-05-01, sections 43-05-10, 43-05-11, 43-05-16, subsection 2 of section 43-06-01, sections 43-06-08, 43-06-18, subsection 3 of section 43-12-26.1, subsection 1 of section 43-12.1-02, sections 43-12.1-10, 43-12.1-14, subsection 2 of section 43-13-01, sections 43-13-11, sections 43-13-17, 43-13-20, 43-13-23, 43-13-24, 43-13-25, 43-13-26, subsection 2 of section 43-15-01, sections 43-15-18, 43-15-20, 43-15-23, 43-15-24, 43-15-26, 43-15-27, 43-15-45, subsection 3 of section 43-17-01, sections 43-17-17, 43-17-22, 43-17-24, 43-17-25, 43-17-26, 43-17-30, 43-17-35, subsection 1 of section 43-17.1-02, section 43-17.1-03, subsection 2 of section 43-17.1-05, subsection 7 of section 43-17.1-06, sections 43-17.1-07, 43-20-02, 43-20-05, 43-20-06, 43-20-07, 43-20-10, 43-26-02, 43-26-06, 43-26-07, 43-26-08, 43-26-11, subsection 2 of section 43-28-01, subsection 2 of section 43-28-02, sections 43-28-11, 43-28-12.1, 43-28-18, 43-28-19, 43-28-21, 43-28-23, 43-28-25, subsection 1 of section 43-32-01, sections 43-32-18, 43-32-20, 43-32-13, 43-32-14, subsection 1 of section 43-33-01, subsection 4 of section 43-33-01, subsection 1 of section 43-37-02; and to repeal sections 43-05-03, 43-05-04, 43-05-05, 43-05-06, 43-05-07, 43-06-03, 43-06-04, 43-06-05, 43-12.1-05, 43-12.1-06, 43-12.1-07, 43-12.1-09, 43-13-03, 43-13-04, 43-13-05, 43-13-06, 43-13-07, 43-13-08, 43-13-09, 43-13-10, 43-13-12, 43-13-14, 43-13-29, 43-15-03, 43-15-04, 43-15-05, 43-15-06, 43-15-07, 43-15-08, 43-15-09, 43-15-12, 43-15-13, 43-17-03, 43-17-04, 43-17-05, 43-17-06, 43-17-07, 43-17-08, 43-17-12, 43-17-14, 43-17-28, 43-26-03, 43-26-04, 43-26-05, 43-28-03, 43-28-04, 43-28-05, 43-28-09, 43-32-02, 43-32-03, 43-32-04, 43-32-05, 43-32-06, 43-32-07, 43-32-11, 43-33-15, 43-33-16, 43-33-17, 43-37-05, 43-37-07, and 43-37-08, all of the North Dakota Century Code, relating to health care occupations, the licensing thereof, and the promotion of competition therein.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1267.** — A Bill for an Act to amend and reenact subsections 1, 2, 3, 4, 5 and 9 of section 51-10-06, sections 51-10-10, 51-10-11, and 51-10-15 of the North Dakota Century Code, relating to the administration and enforcement of the Unfair Trade Practices Law;

and to repeal sections 51-10-12, and 51-10-13, of the North Dakota Century Code and section 51-10-14 of the 1977 Supplement to the North Dakota Century Code, relating to the powers, duties and composition of the North Dakota Trade Commission, and to the issuance of retailer's licenses.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1268.** — A Bill for an Act to create and enact two new sections to chapter 26-03.1 of the North Dakota Century Code, relating to prohibited provisions in accident and sickness insurance policies, and an insurer's responsibility to release information to the social service board of North Dakota pertaining to the coverage of an individual under an accident and sickness insurance policy.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Finance and Taxation introduced:

**House Bill No. 1269.** — A Bill for an Act to amend and reenact section 57-38.1-02 of the North Dakota Century Code, relating to the taxation of public utilities; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1270.** — A Bill for an Act to amend and reenact section 50-18-07 of the North Dakota Century Code, relating to furnishing information to communities and requiring a certificate of need before establishing or expanding boarding home for the aged and infirm.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Committee on Transportation introduced:

**House Bill No. 1271.** — A Bill for an Act to amend and reenact subsection 2 of section 2-06-13 of the North Dakota Century Code, relating to federal and state aid for airports and designation of the aeronautics commission as agent to receive and disburse federal and state moneys for all general aviation airport authorities for improvements.

Which was read the first time and referred to the Committee on Transportation.

Committee on State and Federal Government introduced:

**House Bill No. 1272.** — A Bill for an Act to create and enact section 54-52-02.4 of the North Dakota Century Code, relating to newly appointed officials entitled to participate in the public employees retirement system, and to amend and reenact subsection 2 of section 54-52-01 of the North Dakota Century Code, relating to the definition of eligible employees.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Finance and Taxation introduced:

**House Bill No. 1273.** — A Bill for an Act to amend and reenact sections 43-07-04, 57-36-08, 57-36-12, 57-36-32, subsection 2 of section 57-39.2-04, subsection 5 of section 57-39.2-14, subsection 4 of section 57-52-03, and subsection 3 of section 57-53-01 of the North Dakota Century Code, relating to the requirement that an applicant for a contractor's license must have a sales tax permit, to provisions of the cigarette tax law for refunds, sale of tax stamps, and collection of the separate and

additional tax, to provisions of the sales tax law relating to the exemption for freight transportation service, and the fee charged for reinstatement of a sales tax permit, and relating to the definition of special fuel.

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on Natural Resources introduced:

**House Bill No. 1274.** — A Bill for an Act to amend and reenact section 61-16-15 of the North Dakota Century Code, relating to the authorization of dikes and dams.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Finance and Taxation introduced:

**House Bill No. 1275.** — A Bill for an Act to amend and reenact subsection 8 of section 57-37.1-01 of the North Dakota Century Code, relating to the federalizing of the estate tax; to amend and reenact subsection 1 of section 57-37.1-03 of the North Dakota Century Code, relating to the determination of the taxable estate; and to amend and reenact subsection 1 of section 57-37.1-13 of the North Dakota Century Code, relating to notice of transfer of a decedent's assets:

Which was read the first time and referred to the Committee on Finance and Taxation.

Committee on Natural Resources introduced:

**House Bill No. 1276.** — A Bill for an Act to amend and reenact section 61-04-02.1 of the North Dakota Century Code, relating to emergency or temporary use of water.

Which was read the first time and referred to the Committee on Natural Resources.

Committee on Political Subdivisions introduced:

**House Bill No. 1277.** — A Bill for an Act to amend and reenact section 61-04-26 of the North Dakota Century Code, relating to the recording of orders affecting water rights.

Which was read the first time and referred to the Committee on Political Subdivisions.

Committee on State and Federal Government introduced:

**House Bill No. 1278.** — A Bill for an Act to create and enact section 54-14-04.2 of the North Dakota Century Code, relating to the use of automatic fund transfer systems by the office of the budget for departmental payrolls, and to authorize two pay periods a month.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Social Services and Veterans Affairs introduced:

**House Bill No. 1279.** — A Bill for an Act to amend and reenact section 25-01-01.1 of the North Dakota Century Code, relating to the coordinating committee on mental retardation.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1280.** — A Bill for an Act to amend and reenact section 49-04-04 of the North Dakota Century Code, relating to sales of securities by public utilities.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on State and Federal Government introduced:

**House Bill No. 1281.** — A Bill for an Act to amend and reenact



section 44-08-04 of the North Dakota Century Code, relating to employee expenses.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Appropriations introduced:

**House Bill No. 1282.** — A Bill for an Act making a deficiency appropriation for defraying expenses of the Payments to Fire Departments program of the State of North Dakota and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Committee on Transportation introduced:

**House Bill No. 1283.** — A Bill for an Act to amend and reenact section 39-01-13, subsections 1 and 2 of section 39-06-07, section 39-06-08, subsection 1 of section 39-06-14, section 39-06-31, subsection 1 of section 39-06-40 and section 39-16-05 of the North Dakota Century Code, relating to financial responsibility and driver's licenses.

Which was read the first time and referred to the Committee on Transportation.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1284.** — A Bill for an Act to amend and reenact section 26-17.1-17 of the North Dakota Century Code, relating to the bonding of insurance brokers and surplus lines insurance brokers.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Committee on Transportation introduced:

**House Bill No. 1285.** — A Bill for an Act to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to interstate carrier registration and identification; to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to violation of commission order or rule and penalty; to amend and reenact subsections 4, 5, 6, 7, 8, 9, 10, and 11 of section 49-18-01, subsection 6 of section 49-18-02 and sections 49-18-14 and 49-18-17 of the North Dakota Century Code, relating to definitions, exemption of agricultural commodities, factors to be considered by the commission in granting certificates, and discontinuance of service by common motor carriers by order of the commission; and to repeal sections 49-18-34.1, 49-18-35, 49-18-36, 49-18-37, 49-18-38, 49-18-38.1, 49-18-38.2, 49-18-38.3, and 49-18-39 of the North Dakota Century Code, relating to regulation of agricultural carriers.

Which was read the first time and referred to the Committee on Transportation.

Committee on State and Federal Government introduced:

**House Bill No. 1286.** — A Bill for an Act to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees paid to an examiner for installing and examining the accounting system of an elevator or public warehouse.

Which was read the first time and referred to the Committee on State and Federal Government.

Committee on Transportation introduced:

**House Bill No. 1287.** — A Bill for an Act to amend and reenact section 39-06-20 of the North Dakota Century Code, section 39-06-21 of the 1977 supplement to the North Dakota Century Code, and sections 39-06-26 and 39-06-29 of the North Dakota Century Code, relating to drivers' addresses, the reporting of convictions of nonresidents, the reporting of convictions by courts and driver's license application.

Which was read the first time and referred to the Committee on Transportation.

Committee on Transportation introduced:

**House Bill No. 1288.** — A Bill for an Act to amend and reenact sections 39-16.1-17 and 39-16.1-19 and to repeal subsection 2 of section 39-16.1-08 and section 39-16.1-14 of the North Dakota Century Code, relating to bonds for financial responsibility.

Which was read the first time and referred to the Committee on Transportation.

Committee on Industry, Business and Labor introduced:

**House Bill No. 1289.** — A Bill for an Act to create and enact a new subsection to section 65-01-02, relating to definition of disability; and to amend and reenact subsection 11 of section 65-01-02 and sections 65-01-09, 65-01-11, 65-03-02, 65-04-12, 65-05-03, 65-05-05, 65-05-07, 65-05-09, 65-05-15, 65-09-02, 65-09-04, 65-10-01, 65-10-02, and 65-13-04.1, relating to definitions, the bureau's subrogation interest, burden of proof on claimants before the bureau, penalties for violation of safety rules and regulations, penalties for failure to obtain coverage, notification of permanent disability and impairment, receipt of compensation in other states, denial of workmen's compensation benefits while incarcerated, aggravation of prior injuries, appeals from bureau decisions, and denial of benefits to crime victims while incarcerated.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:30 p.m., Thursday, January 11, 1979.

ROY GILBREATH, Chief Clerk

SEVENTH DAY

Bismarck, January 11, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. George Walker, First Evangelical Free Church, Bismarck, North Dakota.

The roll was called, and all members were present except Rep. Opedahl.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixth Day

and recommends that the same be corrected as follows:

on Page 148, line 34, delete the numerals "1068" and insert in lieu thereof "1168"

And when so corrected recommends that the same be approved.

Rep. Swintek Chairman

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

HB NO. 1053

and find the same correctly } Correct Engrossed

Rep. Stenehjem Chairman

Representative Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

RECOGNITION

Rep. Unhjem announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Charles Russell, and Rep. Russell was thereupon introduced to the House.

MOTIONS

Rep. Strinden moved that House Bill No. 1135, on the 11th order of business on the calendar of January 11, 1979, be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Backes moved that House Bill No. 1085 be moved to the head of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1065.** — A Bill for an Act to amend and reenact sections 40-38-01, 40-38-04, 40-38-05, 40-38-09, 40-38-10, 40-38-11, 54-24-01, 54-24-02, 54-24-03, 54-24-03.1, 54-24-07, 54-24-08, 54-24-09, and 54-24.1-03 of the North Dakota Century Code, relating to public libraries and the nature and duties of the state library commission; and to repeal section 55-01-09 of the North Dakota Century Code, relating to the heritage study committee.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•		BACKES	•		HERMAN	•		MATTSON	•		UNHEM
•		BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST
•		BERG	•		HOPFNER	•		WELBY	•		VIG
•		BERGE	•		HUHMANN	•		WERTENS	•		WAGNER
•		BERGER	•		HOVE	•		WEYER	•		WALD
•		BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH
•		BLACK	•		JACOBSON, I.	•		WUSHK	•		WEBER
•		BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ
•		BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN
•		CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER
•		COMNY	•		KINGSBURY	•		PELTIER	•		
•		CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER
•		DICK	•		KNUDSON	•		POMEROY	•		
•		DIETZ	•		KOSKI	•		REED	•		
•		DOTZENROD	•		KRETSCHMAR	•		REITZER	•		
•		DUBROD	•		KUCHERA	•		RICHARD	•		
•		EAGLES	•		LANG	•		RICHIE	•		
•		ERICKSON	•		LANGLEY	•		RIEHL	•		
•		FLEMING	•		LARDY	•		RUED	•		
•		FREBORG	•		LARSON, F. #24	•		SCHINDLER	•		
•		GACKLE	•		LARSON, G. #29	•		SCOFIELD	•		
•		GERL	•		LARSON, H. #7	•		SOLBERG	•		
•		GORDER	•		LEE	•		STENEHEJM	•		
•		GUNDERSON	•		LEIBMAN	•		STRINDEN	•		
•		GUNSCH	•		LIPSIE	•		SWONTEK	•		
•		HANSON	•		MAIXNER	•		THOMPSON	•		
•		HAUGLAND	•		MARSDEN	•		THORSGAARD	•		
•		HAUSAUER, A. #6	•		MARTIN	•		TIMM	•		
•		HAUSAUER, R. #25	•		MARTINSON	•		TINJUM	•		
•		HEDSTROM	•		MATHENY	•		TWETEN	•		

So the bill passed and the title was agreed to.

**MESSAGE TO THE SENATE**  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1112
- House Bill No. 1124
- House Concurrent Resolution No. 3017.

ROY GILBREATH, Chief Clerk

**RECOGNITION**

Rep. Kingsbury announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Odell Berg, and Rep. Berg was thereupon introduced to the House.

**SIXTH ORDER OF BUSINESS**

Rep. Winkjer moved that the amendments to House Bill No. 1168 as recommended by the Committee on Judiciary as printed on page 148 of the House Journal be adopted, which motion prevailed.

**MESSAGE FROM THE SENATE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:



BROKAW ●	KENNELLY	OLSON ●	WESSMAN
● CHRISTENSEN	KERMOTT ●	OPEDAHL ●	● WINKLER
● CONMY	● KINGSBURY	PELTIER	
● CRABTREE ●	● KLOUBEK ●	PETERSON ●	MR SPEAKER ●
● DICK ●	● KNUDSON ●	POMEROY ●	
● DIETZ ●	● KOSKI ●	● REED ●	
● DOTZENROD ●	● KRETSCHMAR ●	● RETZER ●	
● DUBORD ●	● KUCHERA ●	● RICHARD ●	
● EAGLES ●	● LANG ●	● RICHIE ●	
● ERICKSON ●	● LANGLEY ●	● RIEHL ●	
● FLEMING ●	● LARDY ●	● RUED ●	
● FREBORG ●	● LARSON, F # 24 ●	● SCHINDLER ●	
● GACKLE ●	● LARSON, G # 20 ●	● SCOFIELD ●	
● GERL ●	● LARSON, H # 7 ●	● SOLBERG ●	
● GORDER ●	● LEE ●	● STENEHJEM ●	
● GUNDERSON ●	● LEIBHAN ●	● STRINDEN ●	
● GUNSCH ●	● LIPSIEA ●	● SWONTEK ●	
● HANSON ●	● MAIXNER ●	● THOMPSON ●	
● HAUGLAND ●	● MARSDEN ●	● THORSGARD ●	
● HAUSAUER, A # 49 ●	● MARTIN ●	● TIMM ●	
● HAUSAUER, R # 25 ●	● MARTINSON ●	● TINJUM ●	
● HEDSTROM ●	● MATHENY ●	● TWETEN ●	

So the bill lost.

**House Bill No. 1045.** — An Act to amend and reenact section 12-47-22 of the North Dakota Century Code, relating to the confinement of and communication with penitentiary inmates and removing the prohibition against all communication between male and female inmates; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSOEN			● UNHJEM		
● BENECKT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VG		
● BERGE			● HOJWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE ●			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH ●		
● BLACK ●			● JACOBSON, I			● MUSHIK			● WEBER ●		
● BOYUM ●			● KELLY ●			● NICHOLAS ●			● WENTZ ●		
● BROKAW ●			● KENNELLY			● OLSON ●			● WESSMAN ●		
● CHRISTENSEN			● KERMOTT ●			● OPEDAHL ●			● WINKLER ●		
● CONMY			● KINGSBURY ●			● PELTIER					
● CRABTREE			● KLOUBEK ●			● PETERSON ●			● MR SPEAKER ●		
● DICK ●			● KNUDSON ●			● POMEROY ●					
● DIETZ ●			● KOSKI ●			● REED ●					
● DOTZENROD ●			● KRETSCHMAR ●			● RETZER ●					
● DUBORD ●			● KUCHERA ●			● RICHARD ●					
● EAGLES ●			● LANG ●			● RICHIE ●					
● ERICKSON ●			● LANGLEY ●			● RIEHL ●					
● FLEMING ●			● LARDY ●			● RUED ●					
● FREBORG ●			● LARSON, F # 24 ●			● SCHINDLER ●					
● GACKLE ●			● LARSON, G # 20 ●			● SCOFIELD ●					
● GERL ●			● LARSON, H # 7 ●			● SOLBERG ●					
● GORDER ●			● LEE ●			● STENEHJEM ●					
● GUNDERSON ●			● LEIBHAN ●			● STRINDEN ●					
● GUNSCH ●			● LIPSIEA ●			● SWONTEK ●					
● HANSON ●			● MAIXNER ●			● THOMPSON ●					
● HAUGLAND ●			● MARSDEN ●			● THORSGARD ●					
● HAUSAUER, A # 49 ●			● MARTIN ●			● TIMM ●					
● HAUSAUER, R # 25 ●			● MARTINSON ●			● TINJUM ●					
● HEDSTROM ●			● MATHENY ●			● TWETEN ●					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1053.** — An Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to simple assault and increasing the punishment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 5; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON			• UNKJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		•
• BERGE			• HOLMANN			• WERTENS			• WAGNER		
• BERGER	•		• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		•
• BLACK			• JACOBSON I			• WUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW		•	• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAH	•		• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE		•			
• ERICKSON			• LANGLEY			• RIED					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #29			• SCOFIELD					
• GERL			• LARSON H #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSON			• LIPSIEK			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A #49			• MARTIN			• TIMM					
• HAUSAUER R #25			• MARTINSON			• TUNJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1079.** — A Bill for an Act to repeal chapters 4-06 and 25-04.1 and section 55-01-09 of the North Dakota Century Code, relating to the federated cooperative agricultural association and agricultural code commission, compulsory sterilization, and the North Dakota heritage study committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON			• UNKJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		•
• BERGE			• HOLMANN			• WERTENS			• WAGNER		
• BERGER	•		• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		•
• BLACK			• JACOBSON I			• WUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAH	•		• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIED					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #29			• SCOFIELD					
• GERL			• LARSON H #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSON			• LIPSIEK			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A #49			• MARTIN			• TIMM					
• HAUSAUER R #25			• MARTINSON			• TUNJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Erickson moved that House Bill No. 1096 be re-referred to the

Committee on Education, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1101.** — A Bill for an Act to create and enact a new subsection to section 39-16-01 of the North Dakota Century Code, relating to the definition of consumer reporting agency; and to amend and reenact section 39-16-03.1 of the North Dakota Century Code, relating to making a driver record or abstract available to the public.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNHJEM		
BENEDICT			HOKLE			MEIERS			VANDER VORST		
BERG			HOFFNER			MELBY ●			VIG		
BERGE			HOUMANN			MERTENS			WAGNER		
BERGER ●			HOVE			MEYER			WALD		
BJORNSON			JACOBSEN, R			MURPHY			WALSH		
BLACK			JACOBSON, I			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL ●			WINKLER		
CONNY			KINGSBURY			PELTIER			MR. SPEAKER		
CRABTREE			KLOUBEC			PETERSON					
DICK			KNUDSON			POWERDY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEMING			LARDY			RUED					
FREBORG			LARSON, F. # 24			SCHINDLER					
GACKLE			LARSON, G. # 29			SCOFIELD					
GERL			LARSON, H. # 7			SOLBERG					
GORDER			LEE			STENEHJEM					
GUNDERSON			LEIBMAN			STRANDEN					
GUNSCH			LIPSIEA			SWONTEK					
HANSON			MAJNER			THOMPSON					
HAUGLAND			MARSDEN			THORSgard					
HAUSAUER, A. # 12			MARTIN			TINUM					
HAUSAUER, R. # 25			MARTINSON			TINULUM					
HEDSTROM			MATHENY			TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1114.** — A Bill for an Act to amend and reenact section 15-62.1-13 of the North Dakota Century Code, relating to the state scholarship revolving fund, guarantee loan reserve fund, and write-off of uncollectible state scholarship student loans.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNHJEM		
BENEDICT			HOKLE			MEIERS			VANDER VORST		
BERG			HOFFNER			MELBY ●			VIG		
BERGE			HOUMANN			MERTENS			WAGNER		
BERGER ●			HOVE			MEYER			WALD		
BJORNSON			JACOBSEN, R			MURPHY			WALSH		
BLACK			JACOBSON, I			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL ●			WINKLER		
CONNY			KINGSBURY			PELTIER			MR. SPEAKER		
CRABTREE			KLOUBEC			PETERSON					
DICK			KNUDSON			POWERDY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					



● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEJEM
● GUNDERSON	● LEIBHAN	● STRINDEM
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

MOTION

Rep. Martinson moved that House Bill No. 1136 be re-referred to the Committee on State and Federal Government, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1161.** — A Bill for an Act to amend and reenact sections 30.1-10-01 and 30.1-21-03 of the North Dakota Century Code, relating to renunciation of succession and closing estates under the uniform probate code; and to provide for retroactivity.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 2; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE						
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
● BACKES	●		● HERMAN			● MATSON			● UNHJEM			
● BENEWCT			● HOKLE			● MEIERS			● VANDER VORST			
● BERG			● HOFFNER			● WELBY			● VIG			
● BERGE			● HOUJANN			● WERTENS			● WAGNER			
● BERGER			● HOVE			● MEYER			● WALD			
● BJORNSON			● JACOBSEN #			● MURPHY			● WALSH			
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER			
● BOYUM			● KELLY			● NICHOLAS			● WENTZ			
● BROKAW			● KENNELLY			● OLSON			● WESSMAN			
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER			
● CONMY			● KINGSBURY			● PELTIER						
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER			
● DICK			● KNUDSON			● POWEROY						
● DIETZ			● KOSKI			● REED						
● DOTZENROW			● KRETSCHMAR			● RETZER						
● DUBORD			● KUCHERA			● RICHARD						
● EAGLES			● LANG			● RICHIE						
● ERICKSON			● LANGLEY			● RIEHL						
● FLEMING			● LARDY			● RUED						
● FREBORG			● LARSON F # 24			● SCHINDLER						
● GACKLE			● LARSON G # 29			● SCOFIELD						
● GERL			● LARSON H # 7			● SOLBERG						
● GORDER			● LEE			● STENEHEJEM						
● GUNDERSON			● LEIBHAN			● STRINDEM						
● GUNSCH			● LIPSIEA			● SWONTEK						
● HANSON			● MAXNER			● THOMPSON						
● HAUGLAND			● MARSDEN			● THORSGARD						
● HAUSAUER, A # 49			● MARTIN			● TIMM						
● HAUSAUER, R # 25			● MARTINSON			● TINJUM						
● HEDSTROM			● MATHENY			● TWETEN						

So the bill passed and the title was agreed to.

Rep. Solberg moved that the vote by which House Bill No. 1161 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3006.** — A concurrent resolution directing a Legislative Council study of community corrections programs and the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEW ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		YG ●
BERGE ●			HOUWANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●		WINKLER ●
CONMY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR SPEAKER
DICK ●			KNUDSON ●			POWEROY ●		
DETZ ●			KOSKI ●			REZZ ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON F #24 ●			SCHINDLER ●		
GACKLE ●			LARSON G #29 ●			SCOFIELD ●		
GERL ●			LARSON H #7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIGHAN ●			STRINDEN ●		
GUNSCH ●			LIPSIE ●			SWONTEK ●		
HANSON ●			MAKNER ●			THOMPSON ●		
HAUGLAND ●			WARSDEN ●			THORSSGARD ●		
HAUSAUER A #48 ●			MARTIN ●			TIMM ●		
HAUSAUER R #25 ●			WARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the House Concurrent Resolution was declared adopted.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS  
to whom was referred HOUSE  
Bill No. 1050 has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

HOUSE Bill No. 1050 Chairman  
Rep. Haugland  
was placed on the 11th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS  
to whom was referred HOUSE  
Bill No. 1051 has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

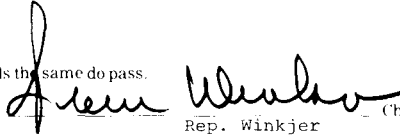
HOUSE Bill No. 1051 Chairman  
Rep. Haugland  
was placed on the 11th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House  
Bill No. 1052 has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 1, line 3 delete the words "or misdemeanor"
  - On page 1, line 21 delete the words "or misdemeanor"
  - On page 2, line 3 delete the words "OR MISDEMEANOR"
  - On page 2, line 5 delete the words "or misdemeanor"
  - On page 2, line 31 place a period after the word "court" and delete the remainder of sentence.
  - On page 2, delete all of line 32
  - On page 3, line 22 delete the words "or misdemeanor"
- And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

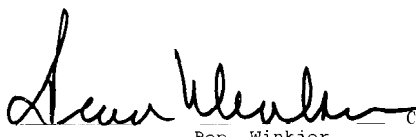
 Chairman

House Bill No. 1052 Rep. Winkjer was placed on the 6  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1054, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:


 Chairman

House Bill No. 1054 Rep. Winkjer was placed on the 11  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION  
to whom was referred HOUSE

Bill No. 1099, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

 Chairman

House Bill No. 1099 Rep. Erickson was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

JOURNAL OF THE HOUSE

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS  
to whom was referred HOUSE

Bill No. 1113, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 3, line 32, after the word "decree" insert a period

On page 3, delete all of lines 33 through 35

On page 4, line 17, after the word "promise" insert the  
word "or"

And renumber the lines and pages accordingly


And when so amended, recommends the same do pass.

HOUSE Bill No. 1113 Chairman  
Rep. Haugland  
order of business on the calendar for the succeeding legislative day. was placed on the 6th.

Mr. Speaker: Your Committee on NATURAL RESOURCES  
to whom was referred House

Bill No. 1131, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 4; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

  
House Bill No. 1131 Chairman  
Rep. Kloubec  
order of business on the calendar for the succeeding legislative day. was placed on the 11th

Mr. Speaker: Your Committee on NATURAL RESOURCES  
to whom was referred House

Bill No. 1143, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 1 delete everything after the words "A BILL" and  
delete the remainder of the bill and insert in lieu  
thereof the following: "for an Act to provide for

the disposition of animals injured or killed by being struck by a motor vehicle.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE

STATE OF NORTH DAKOTA:

SECTION 1. DISPOSITION OF ANIMALS INJURED OR

KILLED BY MOTOR VEHICLE - FEE.) Whenever any big game or furbearing animal is injured or killed by being struck by a motor vehicle on a public highway or roadway, the driver of the motor vehicle may notify the department of the location of the animal. When notified as provided in this section, the department shall arrange for the disposition of the animal.

Provided, however, that upon payment of a two dollar fee to the department, the driver of the motor vehicle may arrange for the disposition or processing of the animal. Any authorized representative of the department shall give a receipt, in the form prescribed by the commissioner, to the driver making payment pursuant to this section. That receipt shall serve as authorization to possess or dispose of the animal."

And renumber the lines accordingly.

And when so amended, recommends the same do pass. *[Signature]* Chairman

House Rep. Kloubec Bill No. 1143 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS to whom was referred HOUSE

Bill No. 1145 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the word "amend" insert the following "and reenact"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

HOUSE Rep. Haugland Bill No. 1145 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1153 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

JOURNAL OF THE HOUSE

On page 2, line 5 after the period insert the words "The office of disaster emergency services shall be responsible for promulgating the rules for the use of flashing blue lights."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep Erickson

House Bill No. 1153 Rep. Erickson Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1178 has had the same under consideration and recommends, by a vote of Ayes 14 Nays 0 Absent 1 that the same

do pass do not pass be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2 - after the word "Dakota" insert the word "Century"

On page 1, line 8 - after the numeral "6" delete the word "to" and insert in lieu thereof the word "of"

and renumber the lines accordingly.

And when so amended, recommends the same do pass.

House Bill No. 1178 Rep. Nicholas Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1188 has had the same under consideration and recommends, by a vote of Ayes 16 Nays 0 Absent 0 that the same

do pass do not pass be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21 after the word "design" and before the period insert the following: ", and shall promulgate rules and regulations governing the issuance thereof"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep Erickson

House Bill No. 1188 Rep. Erickson Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1189, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Erickson* Chairman  
Rep. Erickson

House Bill No. 1189 was placed on the 11th order of business on the calendar for the succeeding legislative day.

### FIRST READING OF HOUSE BILLS

Reps. Herman and Mushik introduced:

**House Bill No. 1290.** — A Bill for an Act to amend and reenact subsection 26 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption of ostomy supplies from the sales tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Gackle and Sen. Goodman introduced:

**House Bill No. 1291.** — A Bill for an Act to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to the exemption from property taxes of coal conversion facilities under construction.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Knudson and Martin introduced:

**House Bill No. 1292.** — A Bill for an Act to create and enact a new section to chapter 23-21.1 of the North Dakota Century Code, relating to the resale of abandoned or neglected lots in nonperpetual care cemeteries.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Langley, Berge, Hedstrom and Sens. Mutch, Strand and Vosper introduced:

**House Bill No. 1293.** — A Bill for an Act to create and enact a new section to chapter 40-33.2 of the North Dakota Century Code, relating to joint exercise of powers by a city with another public agency in respect to its electric utility system or with any project by a municipal power agency; to create and enact two new subsections to section 40-33.2-05 of the North Dakota Century Code, relating to exempting bonds and notes issued by a municipal power agency from taxation, and right of any holder of bonds or notes issued by a municipal power agency to bring suit; and to amend and reenact subsection 6 of section 40-33.2-02, subdivision g of subsection 1 of section 40-33.2-03, subsection 4 of section 40-33.2-03, subsection 9 of section 40-33.2-03, subsection 2 of section 40-33.2-05, and section 40-33.2-08 of the North Dakota Century Code, relating to definition of governing body of a city, requirements for agency agreements, bylaws for incorporation of municipal power agencies, amendment of agency agreements, issuance of bonds and notes and pledges of revenues by the municipal power agencies, and city powers in regard to municipal power agencies.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Conmy introduced:

**House Bill No. 1294.** — A Bill for an Act to repeal section 32-09-03 of the North Dakota Century Code, relating to the requirement for a

notice and demand to be served upon the debtor and the employer prior to the issuance of any garnishment summons against the earnings of any person.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Reed, Black, Wentz, Vig and Tinjum introduced:

**House Bill No. 1295.** — A Bill for an Act to create and enact a new subsection to section 15-40.1-08 of the North Dakota Century Code, relating to foundation aid payments for kindergarten; and to provide an appropriation.

Which was read the first time and referred to the Committee on Education.

Reps. Maixner, Langley, Meyer, and Sens. Roen, Krauter and Naaden introduced:

**House Bill No. 1296.** — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to the closing or limiting of hunting in counties by the action of the board of county commissioners.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Kuchera and Crabtree introduced:

**House Bill No. 1297.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact office in the office of the governor; to provide for a trust fund to be administered by the board of university and school lands; and to provide a penalty.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Winkjer and Scofield introduced:

**House Bill No. 1298.** — A Bill for an Act to create and enact a new subsection to section 5-02-02 of the North Dakota Century Code, relating to requiring liability insurance for on sale beer or liquor retailers to protect against dram shop actions.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Winkjer introduced:

**House Bill No. 1299.** — A Bill for an Act to amend and reenact section 20.1-03-08 of the North Dakota Century Code, relating to nonresident fishing license requirements.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Conmy and Martinson introduced:

**House Bill No. 1300.** — A Bill for an Act to provide for the establishment of a parent deinstitutionalization aid program for the care, custody, and control of mentally ill individuals or mentally deficient persons who are deinstitutionalized or may be deinstitutionalized.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Martinson, Kingsbury, Swiontek, Stenehjem and Unhjem introduced:

**House Bill No. 1301.** — A Bill for an Act to amend and reenact sections 54-52.1-06 and 54-52.1-07 of the North Dakota Century Code,



relating to the state contribution to the uniform group insurance program and optional coverage for employee's family.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Weber and Nicholas and Sen. Shablow introduced:

**House Bill No. 1302.** — A Bill for an Act to amend and reenact subsection 4 of section 57-02-01, and sections 57-02-27, 57-02-28, 57-02-34, and 57-05-01 of the North Dakota Century Code, relating to the definition of "true and full value" and the classification of property for assessment and taxation purposes.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Freborg and Wessman introduced:

**House Bill No. 1303.** — A Bill for an Act to provide credits against individual and corporate income taxes if the balance in the general fund exceeds the estimated balance.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Strinden introduced:

**House Bill No. 1304.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, creating a coal impact commission, setting out the powers and duties of the coal impact commission; to amend and reenact sections 14 and 15 of chapter 560 of the 1977 Session Laws of North Dakota, creating a coal impact commission and setting out the powers and duties of the coal impact commission; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Wentz and Kermott introduced:

**House Concurrent Resolution No. 3018.** — A concurrent resolution directing a Legislative Council study of the desirability and feasibility of increased use of paraprofessional medical personnel as a means of lowering the high costs of medical care in North Dakota.

Was read the first time and referred to the committee on Industry, Business and Labor.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2025.** Civil Air Patrol — A Bill for an Act making an appropriation for defraying the expenses of the civil air patrol of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2093.** — A Bill for an Act to amend and reenact subsection 3 of section 39-21-40 of the North Dakota Century Code, relating to restrictions on tire equipment.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2100.** — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code, relating to local control of entertainment in liquor establishments.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2132.** — A Bill for an Act to amend and reenact subsection 1 of section 20.1-03-11 of the North Dakota Century Code,

relating to the age a person must be before he may apply for a big game hunting license.

Which was read the first time and referred to the Committee on Natural Resources.

MOTION

Rep. Erickson moved that House Bill No. 1129 be returned to the House from the Committee on Transportation for the purpose of withdrawal, which motion prevailed.

Rep. Reed requested permission to withdraw House Bill No. 1129. There being no objection, the request was granted.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 12:30 p.m., Friday, January 12, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

EIGHTH DAY

Bismarck, January 12, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Win Stoerker of the North Dakota Conference of Churches, Bismarck, North Dakota.

Roll was called, and all members were present except Reps. Gundersen, Hedstrom, F. Larson, Olson, Pomeroy, Richard, Thorsgard, Walsh and Wentz.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventh Day

and recommends that the same be corrected as follows:

On page 166, line 20, delete the numeral "16" and insert in lieu thereof "12"; following the word "Nays" delete "0" and insert in lieu thereof the numeral "4"

And when so corrected recommends that the same be approved.

Rep. Houmann moved that the report be adopted, which motion prevailed. Chairman Rep. Swiontek

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

HB NO. 1168

and find the same correctly Engrossed

Wagner, J. Chairman Rep. Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Winkjer moved that the amendments to House Bill No. 1052 as recommended by the Committee on Judiciary as printed on pages 164 and 165 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1113 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 166 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1143 as recommended by the Committee on Natural Resources as printed on pages 166 and 167 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1145 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 167 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1153 as recommended by the Committee on Transportation as printed on pages 167 and 168 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1178 as recommended by the Committee on Agriculture as printed on page 168 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1188 as recommended by the Committee on Transportation as printed on page 168 of the House Journal be adopted, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2017  
 Senate Bill No. 2029  
 Senate Bill No. 2060  
 Senate Bill No. 2070  
 Senate Bill No. 2087  
 Senate Bill No. 2158.

LEO LEIDHOLM, Secretary

#### MOTION

Rep. Strinden moved that that portion of House Rule 36.1 and Joint Rule 25 pertaining to the printing of 700 copies of all bills be suspended, and for the duration of the 46th Legislative Assembly, 800 copies of each bill be printed, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1050.** — A Bill for an Act to allow the controlled use of marijuana to alleviate the nausea and ill effects of cancer chemotherapy and glaucoma and such other disease groups as the patient qualification review board may include, to establish a marijuana research program under the health department and a patient qualification review board to certify patient applicants, to provide for the distribution of marijuana under the Act, and for a report to the governor and the legislative assembly; to create and enact a new subsection to section 19-03.1-05 and two new subdivisions to subsection 2 of section 19-03.1-07 of the North Dakota Century Code, exempting marijuana and tetrahydrocannabinols from the schedule I list of controlled substances having no accepted medical use for purposes of this Act, and including the substances under schedule II for purposes of this Act as having currently accepted medical use; and to provide that the provisions of this Act shall be temporary.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 92; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VG	•	
BERGE	•		HOUHANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHN	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DuBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
GERL	•		LARSON, H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSOHN	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER, A # 48	•		MARTIN	•		TIMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1051.** — A Bill for an Act to create and enact a new subsection to section 23-02.1-19 of the North Dakota Century Code, relating to the reporting of alcohol or drug-related deaths on death certificates and medical certifications for statistical and informational purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 4; nays, 91; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VG	•	
BERGE	•		HOUHANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHN	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DuBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
GERL	•		LARSON, H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSOHN	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER, A # 48	•		MARTIN	•		TIMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

MOTION

Rep. Lee moved that the House reconsider its action by which House Bill No. 1081 failed to pass, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1081.** — A Bill for an Act to repeal chapter 55-09 of the North Dakota Century Code, relating to the North Dakota heritage commission; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 22; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSO			● UNHJEM		
● BENEICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOBEC			● PETERSON			● MR. SPEAKER		
● COX			● KRUSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● OUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #28			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● HANSON			● LIPSICA			● SWONTEK					
● HAUGLAND			● MAXNER			● THOMPSON					
● HAUSAUER, A. #40			● WARSDEN			● THORSGARD					
● HAUSAUER, R. #25			● MARTIN			● TIMM					
● HEDSTROM			● MARTINSON			● TINJUM					
			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Berg moved that House Bill No. 1099 be re-referred to the Committee on Transportation.

Rep. Strinden moved the previous question, which motion prevailed.

The question then was on the motion of Rep. Berg, which motion failed on a verification vote.

SECOND READING OF HOUSE BILLS

**House Bill No. 1099.** — A Bill for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to restrictions on the planting of treerows, shelterbelts, or hedges near roads or highways in the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 59; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSO			● UNHJEM		
● BENEICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					



• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON, I.	• WUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOIT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOBECC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• WARSDEN	• THORSGARD	
• HAUSAUER, A. # 48	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1168.** — A Bill for an Act to amend and reenact section 16-01-11.1 of the North Dakota Century Code, relating to the passing of the sufficiency of petitions by the secretary of state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFNER			• MELBY			• YG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• WUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER			• MR. SPEAKER		
• CRABTREE			• KLOBECC			• PETERSON					
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHEJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• WARSDEN			• THORSGARD					
• HAUSAUER, A. # 48			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1189** — A Bill for an Act to amend and reenact subsection 5 of section 39-01-15 of the North Dakota Century Code, empowering police to enforce handicapped parking privileges in public and private parking lots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 3.



REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	WATSON		•	UNHJEM	
•			•	HICKLE		•	WEIERS		•	VANDERVORST	
•			•	HOFFNER		•	WELBY		•	VIG	
•			•	HOLMANN		•	WERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN, R.		•	MURPHY	•	•	WALSH	
•			•	JACOBSON, I.		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON	•	•	WESSMAN	
•			•	KERMOTT		•	OPEDAH		•	WINKLER	
•			•	KINGSBURY	•	•	PELTIER				
•			•	KLOUBEC	•	•	PETERSON		•	MR. SPEAKER	
•			•	KNUDSON		•	POWEROY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD				
•			•	LANG		•	RICHIE				
•			•	LANGLEY		•	RIEHL				
•			•	LARDY		•	RUED				
•			•	LARSON, F. # 24		•	SCHINDLER				
•			•	LARSON, G. # 25		•	SCOFFIELD				
•			•	LARSON, H. # 7		•	SOLBERG				
•			•	LEE		•	STENHJEM				
•			•	LEIBHAN		•	STRINDEN				
•			•	LIPSEA		•	SWONTER				
•			•	MAIXNER		•	THOMPSON				
•			•	MARSDEN		•	THORSGARD				
•			•	MARTIN		•	TIMM				
•			•	MARTINSON		•	TINJUM				
•			•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House  
Bill No. 1122, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

\_\_\_\_\_  
Chairman

House Bill No. 1122 Rep. Nicholas was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS  
to whom was referred House Concurrent Resolution  
No. 3008, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same  
 do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*Lang*  
\_\_\_\_\_  
Chairman

House Concurrent Resolution No. 3008 Rep. Lang was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House Concurrent Resolution  
RM No. 3012, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0 that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 23, after the semicolon insert the word "and"

On page 1, after line 23, insert the following:

"WHEREAS, the provision for calling in crops at one hundred ten percent of parity, which is included in the federal loan program, is, in effect, a built-in safeguard for the consumer's protection;"

On page 2, after line 10, insert the following:

"BE IT FURTHER RESOLVED, that the United States trade negotiators insist on minimum commodity prices as a part of the international grains agreement being negotiated in Geneva beginning January 22, 1979.

"BE IT FURTHER RESOLVED, that if the efforts in Geneva are not successful, the United States government negotiate separate minimum selling price agreements with other wheat exporting countries."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

House Concurrent Resolution 3012 was placed on the 6th order of business on the calendar for the succeeding legislative day.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1106  
House Bill No. 1107  
House Bill No. 1109  
House Bill No. 1110  
House Bill No. 1127  
House Bill No. 1148  
House Bill No. 1154  
House Bill No. 1155  
House Bill No. 1156  
House Bill No. 1167.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Concurrent Resolution No. 3017.

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth

Order, the House stand adjourned until 1:30 p.m., Monday, January 15, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Knudson and Martin introduced:

**House Bill No. 1305.** — A Bill for an Act to authorize the state board of higher education to exchange land presently used by Hettinger experiment station for land presently owned by Hettinger public school district no. 13.

Which was read the first time and referred to the Committee on Education.

Reps. A. Hausauer and Schindler introduced:

**House Bill No. 1306.** — A Bill for an Act to create a new subsection to section 57-38-01.2 of the North Dakota Century Code, relating to a reduction in the taxable income for interest received on certain contracts for deed.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. F. Larson and Berge introduced:

**House Bill No. 1307.** — A Bill for an Act directing the board of university and school lands to delay construction of the building authorized by chapter 139 of the 1977 Session Laws of North Dakota until certain conditions are met, and requiring the board to report the meeting of those conditions to the legislative council; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Berg introduced:

**House Bill No. 1308.** — A Bill for an Act to amend and reenact subsection 12 of section 40-57-03 of the North Dakota Century Code, relating to the powers of a municipality under the Municipal Industrial Development Act, and providing that construction, reconstruction, improvement, and betterment projects where the lessee is a governmental entity or public institution are subject to chapter 48-02 which deals with government construction projects.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Unhjem introduced:

**House Bill No. 1309.** — A Bill for an Act to create and enact two new subsections to section 14-15-01 of the North Dakota Century Code, relating to definitions in the Revised Uniform Adoption Act; and to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the disclosure of adoptive information and providing for retroactive application.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Lipsiea introduced:

**House Bill No. 1310.** — A Bill for an Act to amend and reenact section 40-08-12 of the North Dakota Century Code, relating to publication of city council proceedings, and providing for a biennial vote on whether the proceedings shall be published in the official newspaper.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Koski and Timm introduced:

**House Bill No. 1311.** — A Bill for an Act to amend and reenact

subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code relating to motor vehicles exempt from registration fees.

Which was read the first time and referred to the Committee on Transportation.

Rep. Kretschmar introduced:

**House Bill No. 1312.** — A Bill for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, relating to legislative apportionment requirements.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Hedstrom, Stenehjem and Gunderson introduced:

**House Bill No. 1313.** — A Bill for an Act to amend and reenact section 43-04-07, subsection 5 of section 43-04-12, and section 43-04-42 of the North Dakota Century Code, relating to the compensation of members of the board of barber examiners, the general powers of the board, and the fees to be paid by an applicant for a barbering license.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. A. Hausauer, Black, Wald, Timm and Bjornson introduced:

**House Bill No. 1314.** — A Bill for an Act to amend and reenact section 57-39.2-02.1, subsection 2 of section 57-39.1-08.2, and section 57-40.2-02.1 of the North Dakota Century Code, relating to the sales tax imposed, sales tax to be added to purchase price and be a debt, and use tax imposed.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Tinjum introduced:

**House Bill No. 1315.** — A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, allowing school districts which are dissolving to join a contiguous district operating either an accredited or unaccredited high school.

Which was read the first time and referred to the Committee on Education.

Rep. Winkjer introduced:

**House Bill No. 1316.** — A Bill for an Act to amend and reenact section 27-17-03 of the North Dakota Century Code, relating to the services and compensation of retired judges and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Conmy and Senator Sands introduced:

**House Bill No. 1317.** — A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to the mileage reimbursement to county officials and their employees entitled by law to travel or mileage expenses.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Conmy and Senator Sands introduced:

**House Bill No. 1318.** — A Bill for an Act to amend and reenact subsections 2 and 5 of section 11-10-10 of the 1977 Supplement to the North Dakota Century Code, relating to the salaries of county officers.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Conmy, Martinson, Black and Koski introduced:

**House Concurrent Resolution No. 3019.** — A concurrent resolution directing a Legislative Council study of the real property laws of North Dakota, particularly with respect to those laws affecting mobile home ownership.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Richard, Timm, Fleming, R. Hausauer and Winkjer introduced:

**House Concurrent Resolution No. 3020.** — A concurrent resolution urging the United States Congress to allow speed limits greater than 55 miles per hour in sparsely populated areas.

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

Rep. A. Hausauer introduced:

**House Concurrent Resolution No. 3021.** — A concurrent resolution directing the Legislative Council to study the provision of health care services in North Dakota.

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

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2015.** Miscellaneous Funds and Organizations — A Bill for an Act making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2018.** State Contingent Fund — A Bill for an Act making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2051.** — A Bill for an Act to amend and reenact sections 12-46-04, 12-47-05, 12-47-06, 12-47-15, 12-47-34, 12-48-03, 12-48-14, and 12-51-09 of the North Dakota Century Code, relating to the appointment and removal of state industrial school officers, the penitentiary officers, the appointment and term of penitentiary officers, the absence of the penitentiary warden and deputy wardens, escapes from the penitentiary, the manner of employing penitentiary inmates, compensation of penitentiary inmates, and the transfer of inmates between the state farm and the penitentiary; and to repeal chapter 12-49 of the North Dakota Century Code, relating to the penitentiary twine and cordage plant.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2055.** — A Bill for an Act to amend and reenact subsection 1 of section 27-20-02, subsection 1 of section 27-20-34, and sections 27-20-35 and 27-20-36 of the North Dakota Century Code, relating to the definition of child; the transfer of a child to adult court; to the disposition of a mentally ill or mentally retarded child; and to time limitations on orders of disposition.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2067.** — A Bill for an Act to amend and reenact section 40-57-05 of the North Dakota Century Code, relating to notification to the state securities commissioner of the issuance of bonds under the Municipal Industrial Development Act of 1955 and

ensuring that the consent of any governmental body or public officer of the state is not required to authorize the issuance or sale of bonds.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2068.** — A Bill for an Act to amend and reenact section 40-57-04 of the North Dakota Century Code, relating to project authorization and bond issuance under the Municipal Industrial Development Act of 1955 and requiring a public notice and hearing prior to project authorization and bond issuance.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2074.** — A Bill for an Act to amend and reenact sections 54-03-02 and 54-03-02.1 of the North Dakota Century Code, relating to the date of convening of the legislative assembly.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2089.** — A Bill for an Act to amend and reenact section 16-13-16 of the North Dakota Century Code, relating to the compensation of members of county canvassing boards.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2090.** — A Bill for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to distribution of codes to legislators; and to amend and reenact section 46-04-01 of the North Dakota Century Code, relating to official distribution of state laws.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned to 1:30 p.m., Monday, January 15, 1979.

ROY GILBREATH, Chief Clerk

NINTH DAY

Bismarck, January 15, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Norman E. Winkelman, Calvary United Methodist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gackle, Richard, and Koski.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighth Day and finds the same to be correct.

Signature of Rep. Swiontek, Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1052
HB NO. 1113
HB NO. 1143
HB NO. 1145
HB NO. 1153
HB NO. 1178
HB NO. 1188

and find the same correctly Engrossed

Signature of Rep. Stenehjem, Chairman

Representative Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following:

- HCR NO. 3017

and find the same correctly } Enrolled  
  } ~~Proposed~~

*Wayne Stenehjem* Chairman  
Rep. Stenehjem

Representative Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Nicholas moved that the amendments to House Concurrent Resolution No. 3012 as recommended by the Committee on Agriculture as printed on pages 179 and 180 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. A. Hausauer moved that 300 additional copies of House Concurrent Resolution No. 3009 be printed, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Rep. Gackle: "Mr. Speaker and Members of the Assembly: "Due to a bit of confusion from the discussion of a bill debated on the floor last Friday, it may have been interpreted by those in the Assembly who are not members of the Transportation Committee that there was not sufficient time given to the legislation under consideration. May it be known that Rep. Erickson, Chairman of the House Transportation Committee, did extend the greatest amount of courtesy and time to this particular bill and should be commended for his kind patience and time in dealing with this and all legislation coming before his committee."

MOTION

Rep. Pomeroy moved that the House reconsider its action by which House Bill No. 1131 failed to pass, which motion failed on a verification vote.

SECOND READING OF HOUSE BILLS

House Bill No. 1052. — A Bill for an Act to create and enact section 29-28-06.1 of the North Dakota Century Code, allowing a defendant to appeal a felony sentence to the supreme court; and to amend and reenact sections 29-28-06 and 29-28-28 of the North Dakota Century Code, relating to supreme court appeals allowed a criminal defendant and to powers of the supreme court on criminal appeal.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 7; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input type="checkbox"/>	BACKES	<input type="checkbox"/>	HERMAN	<input type="checkbox"/>	WATTSON	<input type="checkbox"/>	UNHJEM	<input type="checkbox"/>
<input type="checkbox"/>	BENEDICT	<input type="checkbox"/>	HICKLE	<input type="checkbox"/>	MEIERS	<input type="checkbox"/>	VANDER VORST	<input type="checkbox"/>
<input type="checkbox"/>	BERG	<input type="checkbox"/>	HOFFNER	<input type="checkbox"/>	MELBY	<input type="checkbox"/>	VIG	<input type="checkbox"/>
<input type="checkbox"/>	BERGE	<input type="checkbox"/>	HOUMANN	<input type="checkbox"/>	MERTENS	<input type="checkbox"/>	WAGNER	<input type="checkbox"/>
<input type="checkbox"/>	BERGER	<input type="checkbox"/>	HOVE	<input type="checkbox"/>	MEYER	<input type="checkbox"/>	WALD	<input type="checkbox"/>
<input type="checkbox"/>	BLOOM	<input type="checkbox"/>	JACOBSEN R	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	WALSH	<input type="checkbox"/>
<input type="checkbox"/>	BLACK	<input type="checkbox"/>	JACOBSON I	<input type="checkbox"/>	MUSIK	<input type="checkbox"/>	WEBER	<input type="checkbox"/>
<input type="checkbox"/>	BOYUM	<input type="checkbox"/>	KELLY	<input type="checkbox"/>	NICHOLAS	<input type="checkbox"/>	WERTZ	<input type="checkbox"/>
<input type="checkbox"/>	BROKAW	<input type="checkbox"/>	KENNELLY	<input type="checkbox"/>	OLSON	<input type="checkbox"/>	WESSMAN	<input type="checkbox"/>
<input type="checkbox"/>	CHRISTENSEN	<input type="checkbox"/>	KERNDL	<input type="checkbox"/>	OPEDAH	<input type="checkbox"/>	WINKLER	<input type="checkbox"/>
<input type="checkbox"/>	CONNY	<input type="checkbox"/>	KINGSBURY	<input type="checkbox"/>	PELTER	<input type="checkbox"/>		
<input type="checkbox"/>	CRABTREE	<input type="checkbox"/>	KLOUBEC	<input type="checkbox"/>	PETERSON	<input type="checkbox"/>	MR. SPEAKER	<input type="checkbox"/>
<input type="checkbox"/>	DICK	<input type="checkbox"/>	KNUDSON	<input type="checkbox"/>	POMEROY	<input type="checkbox"/>		
<input type="checkbox"/>	DIETZ	<input type="checkbox"/>	KOSKI	<input type="checkbox"/>	REED	<input type="checkbox"/>		
<input type="checkbox"/>	DOTZENROD	<input type="checkbox"/>	KRETSCHMAR	<input type="checkbox"/>	RETZER	<input type="checkbox"/>		
<input type="checkbox"/>	DUBORD	<input type="checkbox"/>	KUCHERA	<input type="checkbox"/>	RICHARD	<input type="checkbox"/>		
<input type="checkbox"/>	EAGLES	<input type="checkbox"/>	LANG	<input type="checkbox"/>	RICHIE	<input type="checkbox"/>		
<input type="checkbox"/>	ERICKSON	<input type="checkbox"/>	LANGLEY	<input type="checkbox"/>	RUE	<input type="checkbox"/>		
<input type="checkbox"/>	FLEMING	<input type="checkbox"/>	LARRY	<input type="checkbox"/>	RYD	<input type="checkbox"/>		
<input type="checkbox"/>	FREBORG	<input type="checkbox"/>	LARSON F #24	<input type="checkbox"/>	SCHINDLER	<input type="checkbox"/>		
<input type="checkbox"/>	GACKLE	<input type="checkbox"/>	LARSON G #28	<input type="checkbox"/>	SCOFIELD	<input type="checkbox"/>		
<input type="checkbox"/>	GERL	<input type="checkbox"/>	LARSON H #7	<input type="checkbox"/>	SOLBERG	<input type="checkbox"/>		



<input type="checkbox"/> GORDER	<input type="checkbox"/> LEE	<input type="checkbox"/> STENEHJEM
<input type="checkbox"/> GUNDERSON	<input type="checkbox"/> LEIBHAN	<input type="checkbox"/> STRINDEN
<input type="checkbox"/> GUNSCH	<input type="checkbox"/> LIPPIEA	<input type="checkbox"/> SWONTEK
<input type="checkbox"/> HANSON	<input type="checkbox"/> MAXNER	<input type="checkbox"/> THOMPSON
<input type="checkbox"/> HAUGLAND	<input type="checkbox"/> MARDEN	<input type="checkbox"/> THORSGARD
<input type="checkbox"/> HAUSAUER A. #4	<input type="checkbox"/> MARTIN	<input type="checkbox"/> TIMM
<input type="checkbox"/> HAUSAUER R. #25	<input type="checkbox"/> MARTINSON	<input type="checkbox"/> TINJUM
<input type="checkbox"/> HEDSTROM	<input type="checkbox"/> MATHENY	<input type="checkbox"/> TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1113.** — A Bill for an Act to amend and reenact section 23-02.1-13 of the North Dakota Century Code, relating to the registration of births.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 9; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input type="checkbox"/> BACKES			<input type="checkbox"/> HERMAN			<input type="checkbox"/> WATTSON			<input type="checkbox"/> UNHJEM		
<input type="checkbox"/> BENEDICT			<input type="checkbox"/> HICKLE			<input type="checkbox"/> WEIERS			<input type="checkbox"/> VANDER VORST		
<input type="checkbox"/> BERG			<input type="checkbox"/> HOFFNER			<input type="checkbox"/> WELBY			<input type="checkbox"/> VIG		
<input type="checkbox"/> BERGE			<input type="checkbox"/> HOUWMANN		<input type="checkbox"/>	<input type="checkbox"/> WERTENS			<input type="checkbox"/> WAGNER		
<input type="checkbox"/> BERGER			<input type="checkbox"/> HOVE			<input type="checkbox"/> MEYER			<input type="checkbox"/> WALD		<input type="checkbox"/>
<input type="checkbox"/> BJORNSON			<input type="checkbox"/> JACOBSEN, R			<input type="checkbox"/> MURPHY	<input type="checkbox"/>		<input type="checkbox"/> WALSH		
<input type="checkbox"/> BLACK		<input type="checkbox"/>	<input type="checkbox"/> JACOBSON, I			<input type="checkbox"/> MUSHK			<input type="checkbox"/> WEBER		
<input type="checkbox"/> BOYUM			<input type="checkbox"/> KELLY			<input type="checkbox"/> NICHOLAS			<input type="checkbox"/> WENTZ		
<input type="checkbox"/> BROKAW			<input type="checkbox"/> KENNELLY			<input type="checkbox"/> OLSON			<input type="checkbox"/> WESSMAN		
<input type="checkbox"/> CHRISTENSEN		<input type="checkbox"/>	<input type="checkbox"/> KERMOTT			<input type="checkbox"/> OPEDAHL			<input type="checkbox"/> WINKJER		<input type="checkbox"/>
<input type="checkbox"/> CONNY			<input type="checkbox"/> KINGSBURY			<input type="checkbox"/> PELTIER					
<input type="checkbox"/> CRABTREE			<input type="checkbox"/> KLOUBEC			<input type="checkbox"/> PETERSON			<input type="checkbox"/> MR. SPEAKER		
<input type="checkbox"/> DICK			<input type="checkbox"/> KNUDSON			<input type="checkbox"/> POMEROY					
<input type="checkbox"/> DIETZ			<input type="checkbox"/> KOSKI			<input type="checkbox"/> REED					
<input type="checkbox"/> DOTZENROD			<input type="checkbox"/> KRETSCHMAR			<input type="checkbox"/> RENTER					
<input type="checkbox"/> DYBORD			<input type="checkbox"/> KUCHERA			<input type="checkbox"/> RICHARD	<input type="checkbox"/>				
<input type="checkbox"/> EAGLES			<input type="checkbox"/> LANG			<input type="checkbox"/> RICHIE					
<input type="checkbox"/> ERICKSON			<input type="checkbox"/> LANGLEY			<input type="checkbox"/> RIEHL					
<input type="checkbox"/> FLEMING			<input type="checkbox"/> LARDY			<input type="checkbox"/> RUED					
<input type="checkbox"/> FREBORG			<input type="checkbox"/> LARSON, F. #24			<input type="checkbox"/> SCHINDLER					
<input type="checkbox"/> GACKLE			<input type="checkbox"/> LARSON, G. #29			<input type="checkbox"/> SCOFIELD		<input type="checkbox"/>			
<input type="checkbox"/> GERL		<input type="checkbox"/>	<input type="checkbox"/> LARSON, H. #7			<input type="checkbox"/> SOLBERG					
<input type="checkbox"/> GORDER			<input type="checkbox"/> LEE			<input type="checkbox"/> STENEHJEM					
<input type="checkbox"/> GUNDERSON			<input type="checkbox"/> LEIBHAN			<input type="checkbox"/> STRINDEN					
<input type="checkbox"/> GUNSCH			<input type="checkbox"/> LIPPIEA			<input type="checkbox"/> SWONTEK					
<input type="checkbox"/> HANSON			<input type="checkbox"/> MAXNER			<input type="checkbox"/> THOMPSON					
<input type="checkbox"/> HAUGLAND			<input type="checkbox"/> MARDEN		<input type="checkbox"/>	<input type="checkbox"/> THORSGARD					
<input type="checkbox"/> HAUSAUER A. #4			<input type="checkbox"/> MARTIN			<input type="checkbox"/> TIMM					
<input type="checkbox"/> HAUSAUER R. #25			<input type="checkbox"/> MARTINSON			<input type="checkbox"/> TINJUM					
<input type="checkbox"/> HEDSTROM			<input type="checkbox"/> MATHENY			<input type="checkbox"/> TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1122.** — A Bill for an Act to set aside a percentage of the accumulated and undivided profits of the state mill and elevator association for research pertaining to new seed varieties and new uses for North Dakota seed varieties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 56; nays, 43; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input type="checkbox"/> BACKES			<input type="checkbox"/> HERMAN			<input type="checkbox"/> WATTSON			<input type="checkbox"/> UNHJEM		
<input type="checkbox"/> BENEDICT			<input type="checkbox"/> HICKLE			<input type="checkbox"/> WEIERS			<input type="checkbox"/> VANDER VORST		
<input type="checkbox"/> BERG			<input type="checkbox"/> HOFFNER			<input type="checkbox"/> WELBY			<input type="checkbox"/> VIG		
<input type="checkbox"/> BERGE			<input type="checkbox"/> HOUWMANN			<input type="checkbox"/> WERTENS			<input type="checkbox"/> WAGNER		
<input type="checkbox"/> BERGER			<input type="checkbox"/> HOVE			<input type="checkbox"/> MEYER			<input type="checkbox"/> WALD		<input type="checkbox"/>
<input type="checkbox"/> BJORNSON			<input type="checkbox"/> JACOBSEN, R			<input type="checkbox"/> MURPHY	<input type="checkbox"/>		<input type="checkbox"/> WALSH		
<input type="checkbox"/> BLACK			<input type="checkbox"/> JACOBSON, I			<input type="checkbox"/> MUSHK			<input type="checkbox"/> WEBER		
<input type="checkbox"/> BOYUM			<input type="checkbox"/> KELLY			<input type="checkbox"/> NICHOLAS			<input type="checkbox"/> WENTZ		
<input type="checkbox"/> BROKAW			<input type="checkbox"/> KENNELLY			<input type="checkbox"/> OLSON			<input type="checkbox"/> WESSMAN		
<input type="checkbox"/> CHRISTENSEN			<input type="checkbox"/> KERMOTT			<input type="checkbox"/> OPEDAHL			<input type="checkbox"/> WINKJER		
<input type="checkbox"/> CONNY			<input type="checkbox"/> KINGSBURY			<input type="checkbox"/> PELTIER					
<input type="checkbox"/> CRABTREE			<input type="checkbox"/> KLOUBEC			<input type="checkbox"/> PETERSON			<input type="checkbox"/> MR. SPEAKER		
<input type="checkbox"/> DICK			<input type="checkbox"/> KNUDSON			<input type="checkbox"/> POMEROY					

DIETZ	KOSKI	REED
DOTZENROOD	KRETSCHMAR	RETZER
DUBORD	KUCHERA	RICHARD
EAGLES	LANG	RICHIE
ERICKSON	LANGLEY	RIEHL
FLEMING	LARDY	RUED
FREBORG	LARSON, F. # 24	SCHINDLER
GACKLE	LARSON, G. # 29	SCOFIELD
GERL	LARSON, H. # 7	SOLBERG
GORDER	LEE	STENEHJEM
GUNDERSON	LEIBMAN	STRINDEN
GUNSCH	LPSREA	SWONTEK
HANSON	MAJNER	THOMPSON
HAUGLAND	MARSDEN	THORSGARD
HAUSAUER, A. # 48	MARTIN	TMM
HAUSAUER, R. # 25	MARTINSON	TJNUM
HEDSTROM	MATHENY	TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1143.** — A Bill for an Act to provide for the disposition of animals injured or killed by being struck by a motor vehicle.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 20; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN			MATTSON			UNKJEM		
BENEDICT			HICKLE			MEIERS			VANDER VORST		
BERG			HOFFNER			MELBY			YIG		
BERGE			HOLMANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER			WALD		
BJORNSON			JACOBSEN, R.			MURPHY			WALSH		
BLACK			JACOBSEN, I.			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL			WINKLER		
CONNY			KINGSBURY			PELTER			MR. SPEAKER		
CRABTREE			KLOUBEC			PETERSON					
DOK			KNUDSON			POWEROY					
DIETZ			KOSKI			REED					
DOTZENROOD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEMING			LARDY			RUED					
FREBORG			LARSON, F. # 24			SCHINDLER					
GACKLE			LARSON, G. # 29			SCOFIELD					
GERL			LARSON, H. # 7			SOLBERG					
GORDER			LEE			STENEHJEM					
GUNDERSON			LEIBMAN			STRINDEN					
GUNSCH			LPSREA			SWONTEK					
HANSON			MAJNER			THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER, A. # 48			MARTIN			TMM					
HAUSAUER, R. # 25			MARTINSON			TJNUM					
HEDSTROM			MATHENY			TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1145.** — A Bill for an Act to amend and reenact sections 12-46-15, 12-52-01, 27-21-01, 27-21-02, 27-21-05, 27-21-07, and 27-21-09 of the North Dakota Century Code, relating to granting full authority for treatment and transfer of students to administrators of the state industrial school, and to provide for public and private aftercare services for students of the state industrial school; change the terminology from public welfare to social service board, and board of administration to director of institutions; and grant the state youth authority the right to contract for services.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 3.



subsection 6 of section 4-35-12 of the North Dakota Code, relating to renewal of a pesticide dealer license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOYE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZTROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD	•				
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #28			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN	•				
• GUNSCHE			• LIPIEA			• SWONTEK					
• HANSON			• MAUKNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD	•				
• HAUSAUER, A. #8			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• WATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1188** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to authorizing the motor vehicle registrar to issue special registration plates bearing a special symbol to identify handicapped individuals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOYE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZTROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD	•				
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #28			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCHE			• LIPIEA			• SWONTEK					

● HANBON	● MADNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HALBAUER, A. #8	● MARTIN	● TIMM
● HALBAUER, N. #5	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

SECOND READING OF

A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3008.** — A concurrent resolution directing the Legislative Council to study legislative apportionment.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 83; nays, 15; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	● HERMAN			● MATTONSON			● UNHJEM		
● BENEDEC			● HICKLE			● WEIERS		●	● VANDER VORST		
● BERG			● HOPFNER			● WELBY			● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● WEVER			● WALD		
● BJORNSON			● JACOBSEN, R.			● WURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● WUSHIK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERWOTT			● OPEDAHL		●	● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI		●	● REED					
● DOTZENROD			● KRETSCHMAR			● REITZER					
● DURD			● KUCHERA			● RICHARD		●			
● ENGLE			● LANG			● RICKE					
● ERICSON			● LANGLEY			● RIEHL		●			
● FLEMING		●	● LARDY		●	● RUED					
● FRELONG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #29			● SCOFIELD					
● GERL		●	● LARSON, H. #7			● SOLBERG					
● GORDEN			● LEE			● STENEHEJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN		●			
● GUNTSCH			● LIPSIA			● SWORTEK					
● HANSON			● MAUKNER		●	● THOMPSON					
● HAUGLAND		●	● MARSDEN			● THORSGARD					
● HALBAUER, A. #8			● MARTIN			● TIMM					
● HALBAUER, N. #5			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the House Concurrent Resolution was declared adopted.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2057
- Senate Bill No. 2058
- Senate Bill No. 2069
- Senate Bill No. 2073
- Senate Bill No. 2078
- Senate Bill No. 2079
- Senate Bill No. 2094
- Senate Bill No. 2102
- Senate Bill No. 2103

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1045  
 House Bill No. 1053  
 House Bill No. 1079  
 House Bill No. 1085  
 House Bill No. 1101  
 House Bill No. 1114  
 House Bill No. 1161  
 House Concurrent Resolution No. 3006

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
 House Concurrent Resolution No. 3017.

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:  
 House Concurrent Resolution No. 3017

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on \_\_\_\_\_ Judiciary \_\_\_\_\_  
 to whom was referred \_\_\_\_\_ House \_\_\_\_\_  
 Bill No. \_\_\_\_\_ 1067 \_\_\_\_\_ has had the same under consideration and recommends, by a vote of  
 Ayes, \_\_\_\_\_ 15 \_\_\_\_\_; Nays, \_\_\_\_\_ 0 \_\_\_\_\_; Absent, \_\_\_\_\_ 0 \_\_\_\_\_, that the same

do pass.                       do not pass.                       be placed on calendar

be amended as follows:

- On page 2, line 1, delete the word "nine" and insert in lieu thereof the word "eight"
- On page 2, line 2, delete the first word "three" and insert in lieu thereof the word "two" and delete the second word "three" and insert in lieu thereof the word "two" and also in line 2 after the last word "the" insert the words "governor, two by the"
- On page 2, line 3, delete the word "three" and insert in lieu thereof the word "two"
- On page 2, line 7, delete the words "at least"
- On page 2, line 8, after the word "state" insert the words "or one judge" and also in line 8 delete the words "at least"
- On page 2, line 15, delete the word "three" and insert in lieu thereof the word "two"
- On page 2, line 30 delete the word "two" and insert in lieu thereof the word "three"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Frank Winkjer*  
Rep. Winkjer

Chairman

House Bill No. 1067 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1072, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 20, delete the strike through over the word "speaker" and also on line 20, before the word "member" insert the following: "of the house from the previous session, if reelected, or in his absence a

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

*Rep. Martinson*  
Rep. Martinson

Chairman

House Bill No. 1072 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1117, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

And be re-referred to the Committee on Appropriations

*Rep. Martinson*  
Rep. Martinson

Chairman

House Bill No. 1117 was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1125, has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 4 ; Absent, 0 , that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Knudson*  
 \_\_\_\_\_ Chairman  
 Rep. Knudson

\_\_\_\_\_ House Bill No. 1125 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR to whom was referred HOUSE

Bill No. 1151 has had the same under consideration and recommends, by a vote of

Ayes, 11 ; Nays, 5 ; Absent, 0 , that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Rued*  
 \_\_\_\_\_ Chairman  
 Rep. Rued

\_\_\_\_\_ HOUSE Bill No. 1151 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR to whom was referred HOUSE

Bill No. 1166 has had the same under consideration and recommends, by a vote of

Ayes, 16 ; Nays, 0 ; Absent, 0 , that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Rued*  
 \_\_\_\_\_ Chairman  
 Rep. Rued

\_\_\_\_\_ HOUSE Bill No. 1166 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR to whom was referred HOUSE

Bill No. 1171 has had the same under consideration and recommends, by a vote of

Ayes, 16 ; Nays, 0 ; Absent, 0 , that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Rued*  
 \_\_\_\_\_ Chairman  
 Rep. Rued

\_\_\_\_\_ HOUSE Bill No. 1171 was placed on the 11th order of business on the calendar for the succeeding legislative day.



Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1180, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15 after the word "order" insert "or rule"

line 16 delete "thirty" and insert in lieu thereof "forty" and also on line 16 strike through the comma

line 17 delete "but an emergency rule may remain effective for a"

line 18 delete everything before the period

And renumber the lines accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Kloubec

House Bill No. 1180 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1192, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 4 delete ", with a search warrant or with

line 5 delete "the owner's permission,"

line 32 delete the strike-through over the word "without" and also on line 32 delete the following "with a search" and "or with the"

line 33 delete "owner's permission"

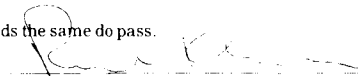
On page 3, line 2 after the word and period "furs." delete the strike-through over the remaining line

delete all the strike-through over the words in lines 3 through 5

line 18 delete "a class B misdemeanor" and insert in lieu thereof "an infraction"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Kloubec

House Bill No. 1192 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS  
to whom was referred HOUSE

Bill No. 1201 has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

HOUSE BILL 1201 AMENDMENTS

- On page 1, line 10, delete the word "NINETEEN" and insert in lieu thereof the word "TWENTY"
- Page 1, line 13, delete the word "nineteen" and insert in lieu thereof the word "twenty"
- Page 2, line 6, delete the word "nineteen" and insert in lieu thereof the word "twenty"
- Page 2, line 14, delete the word "NINETEEN" and insert in lieu thereof the word "TWENTY"
- Page 2, line 16, delete the word "nineteen" and insert in lieu thereof the word "twenty"
- Page 2, line 21, delete the word "nineteen" and insert in lieu thereof the word "twenty"
- Page 2, line 29, delete the word "nineteen" and insert in lieu thereof the word "twenty"
- Page 2, line 34, delete the word "nineteen" and insert in lieu thereof the word "twenty"
- Page 3, line 2, delete the word "nineteen" and insert in lieu thereof the word "twenty"

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

~~And when so amended, recommends the same do not pass.~~

 Chairman  
Rep. Haugland

HOUSE Bill No. 1201 was placed on the 6th order of business on the calendar for the succeeding legislative day.

PARLIAMENTARY RULING

In response to Rep. Kuchera's request for a ruling as to the acceptance of a committee report wherein the committee recommends that a bill be amended and subsequently recommends the bill Do Not Pass, Speaker Wagner announced the following:

"Rule No. 47 of the House Rules states that which a House Committee can do, but does not speak to the question of what a House Committee cannot do.

"Section 672, Paragraph 2, on page 468 of Mason's Rules states: 'A committee should report only such recommendations as have been agreed upon by a majority vote at a meeting to which all members were invited, and at which a quorum was present.'

"Section 687, Paragraph 1, on page 479 of Mason's Rules states: '...The first question should be on the adoption of the amendments, which will be followed, at the proper stage, by the question on the adoption of the bill or resolution.'

"In light of the above rules and in compliance with Speaker Solberg's ruling as shown on page 555 of the House Journal of the 45th Legislative Assembly given in response to a similar request, the Committee report recommending amendment and subsequently placing the bill on the calendar for final passage with the recommendation 'Do Not Pass' shall be accepted."

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Bill No. 1207, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Rep. Martinson Chairman House Bill No. 1207 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House Concurrent Resolution No. 3010, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Rep. Knudson Chairman House Concurrent Resolution No. 3010 was placed on the 11th order of business on the calendar for the succeeding legislative day.

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed. Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the

Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Tuesday, January 16, 1979, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Unhjem, Conmy and Kuchera and Senator Melland introduced:

**House Bill No. 1319.** — A Bill for an Act to establish a tuition assistance grant program for eligible resident students of accredited private institutions in North Dakota; and to provide an appropriation.

Which was read the first time and referred to the Committee on Education.

Rep. Berg introduced:

**House Bill No. 1320.** — A Bill for an Act to amend and reenact subsection 26 of section 20.1-03-12 and section 20.1-06-07 of the North Dakota Century Code, relating to the fee and effective period for fish house licenses.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Mattson and Richie introduced:

**House Bill No. 1321.** — A Bill for an Act to require the use of understandable language and meaningful sequence in certain consumer contracts; and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Rued introduced:

**House Bill No. 1322.** — A Bill for an Act to provide for supplementary benefits to persons receiving workmen's compensation benefits under previous benefit allowances, and establishment of a supplementary benefit fund within the workmen's compensation fund.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Weber and Senator Cussons introduced:

**House Bill No. 1323.** — A Bill for an Act to create and enact a new subsection to section 57-36-31 of the North Dakota Century Code, relating to the transfer and allocation of the cigarette tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Kloubec introduced:

**House Bill No. 1324.** — A Bill for an Act to create and enact Chapter 38-14.2 of the North Dakota Century Code, relating to the development of a reclamation program for abandoned surface coal mine areas.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Unhjem, Winkjer, Stenehjem and Eagles introduced:

**House Bill No. 1325.** — A Bill for an Act to amend and reenact sections 30.1-05-02 and 57-37.1-03 of the North Dakota Century Code, relating to the augmented estate under the Uniform Probate Code and the determination of the North Dakota taxable estate, and providing a presumption that all property owned by the decedent in joint tenancy was obtained through equal effort of the joint tenants and for full consideration in money or money's worth until it can be shown otherwise.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Berg and Mertens and Senators Jones and Smykowski introduced:

**House Bill No. 1326.** — A Bill for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to authorization for nonresidents to hunt waterfowl in specified hunting zones.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Marsden and Houmann and Senator Erdman introduced:

**House Bill No. 1327.** — A Bill for an Act to amend and reenact sections 4-19-05, 4-19-07, and 4-19-08 of the North Dakota Century Code, relating to the duties of the state forester, the authority to charge a user fee for state forest facilities, and the disposition of revenues derived from forestry activities.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Conmy introduced:

**House Bill No. 1328.** — A Bill for an Act to provide for distribution of insurance tax proceeds to cities for police department pension systems or other police purposes and providing an appropriation.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Conmy introduced:

**House Bill No. 1329.** — A Bill for an Act to create and enact sections 27-05-30 and 27-08-01.1 of the North Dakota Century Code, relating to the assignment of cases to county courts of increased jurisdiction by the presiding district judge and the establishment of county courts of increased jurisdiction; to amend and reenact sections 27-05-06, 27-08-08, 27-08-20, 27-08-21, 30-26-01, 30-26-07, 30-26-10, 30-26-11, 30-26-14, 30-26-17, 30-26-18, 30-26-19, 30-26-20, 30-26-21, 30-26-22, 30-26-23, 30-26-24, 30-26-26.1, 30-26-27, 33-11-01, 33-11-02, 33-11-04, 33-11-05, 33-11-06, 33-11-08, 33-11-12, 33-11-13, 33-11-14, 33-11-15, 33-11-16, 33-11-17, 33-12-34, and 40-18-19 of the North Dakota Century Code, relating to the jurisdiction of the district courts, the salaries of the judges of county courts of increased jurisdiction, the jurisdiction of county courts of increased jurisdiction, appeals from county courts, appeals from county justice courts, and appeals from municipal courts; and to repeal sections 27-08-01, 27-08-02, 27-08-03, 27-08-04, 27-08-05, 27-08-06, and 27-08-07 and section 30-26-26 of the North Dakota Century Code, relating to elections to establish or abolish county courts of increased jurisdiction, and to the payment of the costs of an appeal from county courts.

Which was read the first time and referred to the Committee on Judiciary.

Rep. G. Larson and Senator Melland introduced:

**House Bill No. 1330.** — A Bill for an Act to amend and reenact subsection 4 of section 23-06-03 of the North Dakota Century Code, relating to duty and cost of burial by the county social service board.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. I. Jacobson, Wentz, Black, R. Hausauer and Conmy introduced:

**House Bill No. 1331.** — A Bill for an Act to amend and reenact subsection 2 of section 15-38.1-13 of the North Dakota Century Code, providing for machinery for the resolution of impasses in professional negotiations in the public schools.

Which was read the first time and referred to the Committee on Education.

Rep. Freborg introduced:

**House Bill No. 1332.** — A Bill for an Act to amend and reenact subsection 2 of section 39-12-04 of the North Dakota Century Code, relating to removing the height limitation from farm equipment moved on the highways.

Which was read the first time and referred to the Committee on Transportation.

Reps. Maixner, Kelly and Hoffner and Senators Miller Heinrich, Orange and Krauter introduced:

**House Bill No. 1333.** — A Bill for an Act to amend and reenact sections 49-05-05 and 49-05-06 of the North Dakota Century Code, relating to notice to the public service commission of proposed rate changes with respect to cost of fuel adjustment clauses and public service commission hearings on proposed public utility rates with respect to cost of fuel adjustment clauses.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Unhjem, Stenehjem, Swiontek, Lipsiea and Mattson introduced:

**House Bill No. 1334.** — A Bill for an Act to amend and reenact section 15-62.1-01, subsection 1 of 15-62.1-02, and sections 15-62.1-04, 15-62.1-07, and 15-62.1-09 of the North Dakota Century Code, relating to the guaranteed student loan program; and to repeal sections 15-62.1-11 and 15-62.1-12 of the North Dakota Century Code, relating to the guaranteed loan program.

Which was read the first time and referred to the Committee on Education.

Reps. Gackle, Freborg, Winkjer and Scofield introduced:

**House Bill No. 1335.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal severance tax, defining the term "coal" and specifically excluding leonardite (natural oxidized lignite) from that definition.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Backes, Unhjem and Matheny introduced:

**House Bill No. 1336.** — A Bill for an Act to amend and reenact subsection 1 of section 38-18-02, subsection 10 of section 38-18-05, and subsection 2 of section 38-18-07 of the North Dakota Century Code, relating to a legislative finding of necessity to protect interests of people of North Dakota, definition of surface owner, and payments for disruption and surface damage by mineral developer.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Gerl, Wentz, Stenehjem and DuBord introduced:

**House Bill No. 1337.** — A Bill for an Act to amend and reenact sections 1-03-02 and 1-03-04 of the North Dakota Century Code, relating to days following holidays as holidays and business days; and to repeal section 1-03-02.1 of the North Dakota Century Code, relating to bank holidays.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Meiers and Tinjum introduced:

**House Bill No. 1338.** — A Bill for an Act to amend and reenact section 16-18-05 of the North Dakota Century Code, relating to the time for making application for an absent voters' ballot, and providing that an application form may be obtained from either the county or city auditor for general, special, primary, or county elections; or in the

alternative to amend and reenact section 16.1-07-05 of the North Dakota Century Code, as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the time for making application for an absent voters' ballot.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Tweten, Knudson and Senator Nelson introduced:

**House Bill No. 1339.** — A Bill for an Act to phase out the twenty-one mill county levy for schools and to replace it with additional state funds over a three-year period, and to provide for increased sales, use, and motor vehicle excise tax rates if the state general fund falls below a certain level; to amend and reenact sections 15-20.1-10, 15-40.1-01, and 15-40.1-05, subdivision a of subsection 3 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-14, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, 15-59-06, and 15-59.1-05 of the North Dakota Century Code, to provide for the elimination of the county equalization fund for schools, to provide for the distribution of school funds, and to reduce the school district equalization factor; to repeal sections 15-40.1-03 and 15-40.1-04, subdivision b of subsection 3 of section 15-40.1-06, sections 15-40.1-10, 15-40.1-11, and 15-40.1-12, subdivision b of subsection 3 of section 57-15-06, and section 57-15-24 of the North Dakota Century Code, relating to the county equalization fund for schools and to the county mill levy for schools; to provide an appropriation; and to provide an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Hanson introduced:

**House Bill No. 1340.** — A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of horses and mules in hunting big game.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Hanson introduced:

**House Bill No. 1341.** — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to hunting mourning doves on powerlines and providing a penalty; and to amend and reenact subsection 6 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of game birds to include mourning doves.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Lardy and Stenehjerm introduced:

**House Bill No. 1342.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to the exemption of certain items from the imposition of a sales tax; and to amend and reenact subdivision b of subsection 1 of section 57-39.2-02.1 and subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to the imposition of a sales tax and the penalty for selling certain items without a permit.

Which was read the first time and referred to the Committee on Finance and Taxation.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2017.** Unemployment Insurance — A Bill for an Act making an appropriation for defraying the expenses of unemployment insurance for the various departments and institutions of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2029.** Soil Conservation Committee and Districts — A Bill for an Act making an appropriation for defraying the expenses of the soil conservation committee and soil conservation districts of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2060.** — A Bill for an Act to amend and reenact sections 15-59-03, 15-59-04, and 15-59-05 of the North Dakota Century Code, relating to the advisory council on special education; and to repeal section 15-59-02 of the North Dakota Century Code, relating to the advisory council on special education.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2070.** — A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to the definitions of projects and municipalities under the Municipal Industrial Development Act of 1955.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2087.** — A Bill for an Act to amend and reenact section 40-48-05 of the North Dakota Century Code, relating to members of the planning commission.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2158.** — A Bill for an Act to amend and reenact section 50-09-07 of the North Dakota Century Code, relating to county social service board investigations of applicants for aid to dependent children.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p. m., Tuesday, January 16, 1979.

ROY GILBREATH, Chief Clerk



TENTH DAY

Bismarck, January 16, 1979

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

The prayer was offered by Rev. John Miller, Baptist Temple Church, Bismarck, North Dakota.

The roll was called and all members were present except Reps. Crabtree, Kelly, Mattson and Peterson.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Ninth Day

and recommends that the same be corrected as follows:

On page 185, line 10, delete "Gackle" and insert in lieu thereof the name "Richard";

On page 193, line 31, following "1117" delete the balance of the line, delete all of line 32, and insert in lieu thereof, "was re-referred to the Committee on Appropriations."

And when so corrected recommends that the same be approved.

Signature of Rep. Swiontek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following

HCR NO. 3012

and find the same correctly

Correct Engrossed

Signature of Rep. Stenehjem, Chairman

Representative Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.



BERGE	●	HOLMANN	●	WERTENS	●	WAGNER	●
BERGER	●	HOVE	●	MEYER	●	WALD	●
● BJORNSON	●	JACOBSEN, R.	●	MURPHY	●	WALSH	●
BLACK	●	● JACOBSON, I.	●	● MUSHK	●	WEBER	●
BOYUM	●	KELLY	●	● NICHOLAS	●	● WENTZ	●
BROKAW	●	KENNELLY	●	OLSON	●	● WESSMAN	●
CHRISTENSEN	●	KERMOTT	●	OPEDAHL	●	● WINKJER	●
CONNY	●	KINGSBURY	●	● PELTIER	●		
CRABTREE	●	● KLOBECC	●	PETERSON	●	MR. SPEAKER	●
DICK	●	● KNUDSON	●	POMEROY	●		
DIETZ	●	KOSKI	●	● REED	●		
DOTZENROD	●	● KRETSCHMAR	●	● RETZER	●		
DuBORD	●	KUCHERA	●	RICHARD	●		
● EAGLES	●	● LANG	●	● RICHIE	●		
ERICKSON	●	LANGLEY	●	RIEHL	●		
FLEWING	●	LARDY	●	RUED	●		
● FREBORG	●	● LARSON, F. # 24	●	● SCHINDLER	●		
● GACKLE	●	● LARSON, G. # 28	●	● SCOFIELD	●		
● GERL	●	● LARSON, H. # 7	●	● SOLBERG	●		
● GORDER	●	LEE	●	● STENEHJEM	●		
● GUNDERSON	●	● LEIBHAN	●	● STRINDEN	●		
● GUNSCH	●	LIPSIEA	●	● SWONTEK	●		
● HANSON	●	● MAIXNER	●	● THOMPSON	●		
● HAUGLAND	●	● MARDSEN	●	● THORSGARD	●		
● HAUSAUER, A. # 48	●	● MARTIN	●	● TIMM	●		
● HAUSAUER, R. # 25	●	● MARTINSON	●	● TINJUM	●		
● HEDSTROM	●	● MATHENY	●	● TWETEN	●		

So the bill lost.

**House Bill No. 1151.** — A Bill for an Act to repeal chapter 54-21.1 of the North Dakota Century Code, relating to the Uniform Standards Code for Mobile Homes.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 34; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●		●	●	HERMAN		●	MATTSON		●	UNHJEM	
●		●	●	HICKLE		●	WEERS		●	VANDER VORST	
●		●	●	HOPFNER		●	WELBY		●	VIG	
●		●	●	HOLMANN	●	●	WERTENS		●	WAGNER	
●		●	●	HOVE		●	MEYER		●	WALD	
●		●	●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●		●	●	JACOBSON, I.	●	●	MUSHK		●	WEBER	
●		●	●	KELLY	●	●	NICHOLAS		●	WENTZ	
●		●	●	KENNELLY		●	OLSON		●	WESSMAN	
●		●	●	KERMOTT		●	OPEDAHL		●	WINKJER	
●		●	●	KINGSBURY		●	PELTIER				
●		●	●	KLOBECC		●	PETERSON	●	●	MR. SPEAKER	
●		●	●	KNUDSON		●	POMEROY	●			
●		●	●	KOSKI		●	REED	●			
●		●	●	KRETSCHMAR		●	RETZER	●			
●		●	●	KUCHERA	●	●	RICHARD	●			
●		●	●	LANG		●	RICHIE				
●		●	●	LANGLEY		●	RIEHL				
●		●	●	LARDY	●	●	RUED	●			
●		●	●	LARSON, F. # 24		●	SCHINDLER				
●		●	●	LARSON, G. # 28		●	SCOFIELD				
●		●	●	LARSON, H. # 7		●	SOLBERG				
●		●	●	LEE		●	STENEHJEM				
●		●	●	LEIBHAN		●	STRINDEN				
●		●	●	LIPSIEA		●	SWONTEK				
●		●	●	MAIXNER	●	●	THOMPSON				
●		●	●	MARDSEN		●	THORSGARD				
●		●	●	MARTIN		●	TIMM				
●		●	●	MARTINSON		●	TINJUM				
●		●	●	MATHENY	●	●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1166.** — A Bill for an Act to amend and reenact subsection 3 of section 26-08-11 of the North Dakota Century Code, relating to authorized investments of domestic insurance companies with respect to notes secured by mortgages on improved unencumbered real estate.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNKJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 29			● SCOFIELD		
● GERL			● LARSON, H. # 7			● SOLBERG		
● GORDER			● LEE			● STENEHJEW		
● GUNDERSON			● LEIBMAN			● STRINDEN		
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A. # 49			● MARTIN			● TIMM		
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1171.** — A Bill for an Act to amend and reenact sections 26-15-01.1 and 26-15-02.1 of the North Dakota Century Code, relating to liability insurance contracts made by county mutual insurance companies.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNKJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 29			● SCOFIELD		
● GERL			● LARSON, H. # 7			● SOLBERG		
● GORDER			● LEE			● STENEHJEW		
● GUNDERSON			● LEIBMAN			● STRINDEN		
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A. # 49			● MARTIN			● TIMM		
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1207.** — A Bill for an Act to amend and reenact sections 44-08-04 and 54-06-09 of the North Dakota Century Code,

relating to expense accounts and mileage and travel expenses of state officers and employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 11; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOEN			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		•
• BERG			• HOFFNER			• MELBY			• VIG		•
• BERGE			• HOUMANN		•	• MERTENS			• WAGNER		•
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		•
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		•
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		•
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		•
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORO			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RILED					
• FREBORG		•	• LARSON # 24			• SCHINDLER					
• GACKLE		•	• LARSON, G # 25			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN		•	• THORSKARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3010.** — A concurrent resolution urging school boards to cooperate with the North Dakota national guard for the Guard Career Education Program.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

**House Concurrent Resolution No. 3012** — A concurrent resolution requesting full implementation of the Agricultural Adjustment Act of 1949, as amended in 1977, which includes ninety percent of parity loan rates on the major agricultural commodities.

Was read the second time.

The question being on the final adoption of the resolution, as amended.

So the House Concurrent Resolution was declared adopted on a voice vote.

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2019
- Senate Bill No. 2064
- Senate Bill No. 2084
- Senate Bill No. 2113

Senate Concurrent Resolution No. 4017

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return herewith the following:  
House Concurrent Resolution No. 3017  
Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1055, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 3; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

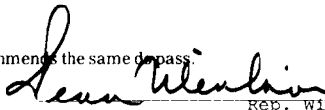
On page 4, line 17, delete the word "state"

On page 4, line 18, strike the word "state"

On page 4, line 25, delete the first and the second word "state"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



House Bill No. 1055 was placed on the 6  
order of business on the calendar for the succeeding legislative day.

Rep. Winkjer Chairman

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1073, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

Rep. Martinson Chairman

House Bill No. 1073 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1095, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

*Law Winkjer*

Chairman

Rep. Winkjer

House Bill No. 1095 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1096, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 line 16 after "or" insert the following language:

"if a petition signed by not less than twenty-five electors or five percent of the electors of the school district as indicated by the number of persons voting at the last school district election, whichever is greater, is presented to the school board and voted upon"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Knudsen*

Chairman

Rep. Knudsen

House Bill No. 1096 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR

to whom was referred HOUSE

Bill No. 1144, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 4; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*R. Rued*

Chairman

Rep. Rued

HOUSE Bill No. 1144 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1173, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

House Rep. Martinson Chairman  
 Bill No. 1173 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
 to whom was referred House

Bill No. 1176, has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, 0; Absent, 1, that the same

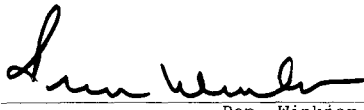
- do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:

House Rep. Martinson Chairman  
 Bill No. 1176 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
 to whom was referred House

Bill No. 1181, has had the same under consideration and recommends, by a vote of  
 Ayes, 12; Nays, 2; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:

 Chairman

House Rep. Winkjer Chairman  
 Bill No. 1181 was placed on the 11  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
 to whom was referred House

Bill No. 1199, has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:

And be re-referred to the Committee on Appropriations

House Rep. Knudson Chairman  
 Bill No. 1199

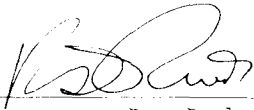
was re-referred to the Committee on Appropriations



Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR  
to whom was referred HOUSE

Bill No. 1219, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



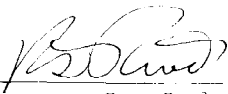
Chairman

HOUSE Bill No. 1219 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR  
to whom was referred HOUSE

Bill No. 1216, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



Chairman

HOUSE Bill No. 1216 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS, AND LABOR  
to whom was referred HOUSE

Bill No. 1224, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 1; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 21, strike the words "specialized training"

On page 2, line 22, strike the words "deemed acceptable by the attorney general"

And renumber the lines accordingly

And when so amended, recommends the same do pass



Chairman

HOUSE Bill No. 1224 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
 to whom was referred House  
 Bill No. 1241, has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 0; Absent, 1, that the same  
 do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

Rep. Knudson Chairman  
 Rep. Knudson  
House Bill No. 1241 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
 to whom was referred House  
 Bill No. 1242, has had the same under consideration and recommends, by a vote of  
 Ayes, 16; Nays, 0; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

Rep. Knudson Chairman  
 Rep. Knudson  
House Bill No. 1242 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

#### ANNOUNCEMENT

Rep. Kretschmar requested that the record show that Rep. Peterson had been absent from the session January 16, 1979, because of a medical appointment, which request was granted.

#### MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Wednesday, January 17, 1979, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Wald and Thompson and Senators Olin, Albers and Roen introduced:

**House Bill No. 1343.** — A Bill for an Act making an appropriation to the board of higher education for construction of a multipurpose classroom building at Dickinson state college.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Solberg, Richard and Winkjer and Senators Berube, Erdman and Wenstrom introduced:

**House Bill No. 1344.** — A Bill for an Act making an appropriation to the San Haven state hospital for construction of a food service, laundry, commissary complex.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Gunsch introduced:

**House Bill No. 1345.** — A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to mileage reimbursement for county officials.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Gunsch introduced:

**House Bill No. 1346.** — A Bill for an Act to amend and reenact sections 23-19-01, 23-19-04, and 23-19-05 of the North Dakota Century Code, relating to license and permit requirements for the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; license and permit fees; and licenses and license tags.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Gunsch, Freborg, Schindler and Senator Albers introduced:

**House Bill No. 1347.** — A Bill for an Act to create and enact section 63-01.1-14.1 of the North Dakota Century Code, relating to expenditure of investment money interest credited to the state game and fish fund for the purpose of destruction, prevention, and control of noxious weeds on lands owned or leased by the state game and fish department.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Kloubec and Senator Tennefos and Lodoen introduced:

**House Bill No. 1348.** — A Bill for an Act to amend and reenact section 6-09-15.3 of the North Dakota Century Code, permitting loans secured by stock in bank holding companies, eliminating prohibition of loans in excess of North Dakota correspondent balances, and extending the disposal period of bank stock acquired by Bank of North Dakota in foreclosure from one year to three years.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Pomeroy and Senator Orange introduced:

**House Bill No. 1349.** — A Bill for an Act requiring the labeling of a date on perishable food packages; providing a penalty; and providing an effective date.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Olson and Erickson and Senator Vosper introduced:

**House Bill No. 1350.** — A Bill for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to license fees for hunting moose; and to amend and reenact subsection 3 of section 20.1-03-12 and section 20.1-08-04.2 of the North Dakota Century Code, relating to license fees for hunting big game, the number of persons eligible to hunt moose, and the number of moose allowed to be taken.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Thompson introduced:

**House Bill No. 1351.** — A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, making all sales to non-North Dakotans exempt from sales tax if they are here for the express purpose of making the purchase and not as tourists.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Rued and Olson introduced:

**House Bill No. 1352.** — A Bill for an Act to amend and reenact subsection 1 of section 39-06.1-10 of the North Dakota Century Code, providing that traffic offenses, when the assigned number of points for violation are one or less, shall not be recorded on the driving record.

Which was read the first time and referred to the Committee on Transportation.

Rep. Kloubec introduced:

**House Bill No. 1353.** — A Bill for an Act to create and enact section 5-02-05.1 of the North Dakota Century Code, providing for a special Sunday convention alcoholic beverage permit which may be issued by the governing body of a city which has a population of ten thousand or more to a private club, lodge, motel, or hotel serving as a state convention headquarters; to amend and reenact section 5-02-05, subsection 11 of section 12.1-30-02, and subsection 29 of section 12.1-30-03 of the North Dakota Century Code, relating to prohibited liquor disposal on certain days, personal property sales allowable on Sunday, and businesses allowed to operate on Sunday; and providing a penalty.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Wald introduced:

**House Bill No. 1354.** — A Bill for an Act to amend and reenact section 44-08-11 of the North Dakota Century Code, relating to the defense of law enforcement officers by the State and political subdivisions.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Dick introduced:

**House Bill No. 1355.** — A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a township mill levy for the purchase and operation of mowing equipment; and to amend and reenact subsection 3 of section 63-01.1-11 of the North Dakota Century Code, relating to charges levied against landowners for not mowing land adjoining designated highways.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Berger and Black introduced:

**House Bill No. 1356.** — A Bill for an Act to amend and reenact section 15-60-04 of the North Dakota Century Code, relating to amount of loan from the state school construction fund.

Which was read the first time and referred to the Committee on Education.

Reps. Wald and Hedstrom introduced:

**House Bill No. 1357.** — A Bill for an Act to create and enact a new subsection to section 43-11-31 of the North Dakota Century Code, relating to refusal to grant a certificate of registration for hairdressers and cosmetologists; and to amend and reenact sections 43-11-11 and 43-11-12, subsection 2 of section 43-11-16, sections 43-11-17 and 43-11-19, subsection 1 of section 43-11-20.1, subsections 3 and 4 of section 43-11-21, sections 43-11-24 and 43-11-25, subsections 1 and 2 of section 43-11-26, subsections 1, 2, and 3 of section 43-11-27, subsections 1, 2, and 3 of section 43-11-28, and section 43-11-30 of the North Dakota Century Code, relating to sanitary rules, aid of the board of hairdressers and cosmetologists, registered schools, fees for certificates of registration for schools, student registration, tuition refund, operator's certificate examination, operator's certificate without examination, manager-

operator, instructor's license, renewal of certificates, and revocation of certificate.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Brokaw and Tinjum introduced:

**House Bill No. 1358.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to income for individuals and fiduciaries; and to repeal subsection 1 of section 57-38-66 of the North Dakota Century Code, relating to the business and corporation privilege tax on individuals, estates, and trusts; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Erickson, Crabtree and Kretschmar introduced:

**House Bill No. 1359.** — A Bill for an Act to create and enact a new section to chapter 20.1-07 of the North Dakota Century Code, relating to the taking of fox and coyote with dogs.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Martinson, Conmy and Meiers introduced:

**House Bill No. 1360.** — A Bill for an Act to provide a Human Rights Act to prohibit discrimination against persons; to amend and reenact section 23-21.1-10 and subsection 11 of section 26-30-04 of the North Dakota Century Code, relating to penalties for unlawful acts by cemetery organizations, and unfair insurance practices; and to repeal section 23-21.1-08 of the North Dakota Century Code, relating to denying privilege of interment because of race or color.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2057.** — A Bill for an Act to create and enact a new section to chapter 25-05 of the North Dakota Century Code, relating to transportation costs to and from the San Haven state hospital; and to amend and reenact subsection 3 of section 25-04-05 of the North Dakota Century Code, relating to transportation costs to and from the Grafton state school.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2058.** — A Bill for an Act to amend and reenact sections 25-06-04 and 25-07-04 of the North Dakota Century Code, relating to transportation of pupils of the school for the blind and the school for the deaf; and to repeal sections 25-06-06 and 25-07-07 of the North Dakota Century Code, relating to transportation of indigent persons to the school for the blind and the school for the deaf.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2069.** — A Bill for an Act to create and enact a new section to chapter 40-57 of the North Dakota Century Code, relating to limitations on a municipality's authority to issue bonds under the Municipal Industrial Development Act of 1955 if the proposed project would receive an unfair competitive advantage to the substantial detriment of existing enterprises.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2073.** — A Bill for an Act to amend and reenact

section 39-17-02 of the North Dakota Century Code, relating to unsatisfied judgment fund administrative expenses.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2078.** — A Bill for an Act to amend and reenact section 54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2079.** — A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the composition of the state board of public school education.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2094.** — A Bill for an Act to amend and reenact sections 15-63-02, 15-63-03, 15-63-04, and 15-63-05, all of the North Dakota Century Code, relating to scholarships for Indian students.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2102.** — A Bill for an Act to authorize the state board of higher education to issue revenue bonds for the construction of student housing at the state school of science at Wahpeton; to provide an appropriation; and to declare an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2103.** — A Bill for an Act to provide an appropriation for construction of a classroom-auditorium building at the state school of science; and to declare an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Wednesday, January 17, 1979.

ROY GILBREATH, Chief Clerk

ELEVENTH DAY

Bismarck, January 17, 1979

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

The prayer was offered by Rev. Stanley Malmgren, First Baptist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gerl, Hickle, Lipsiea, Maixner and Thorsgard.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Tenth Day and finds the same to be correct.

Sten J. Stenehjem Chairman

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1067
HB NO. 1072
HB NO. 1192
HB NO. 1201

and find the same correctly } Correctly Engrossed

Wayne Stenehjem Chairman
Rep. Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Winkjer moved that the amendments to House Bill No. 1055 as recommended by the Committee on Judiciary as printed on page 208 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1096 as recommended by the Committee on Education as printed on page 209 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1224 as

recommended by the Committee on Industry, Business and Labor as printed on page 211 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1144.** — A Bill for an Act to repeal subsection 6 of section 52-06-02 of the North Dakota Century Code, relating to the disqualification of students registered for full attendance at an established school, college, or university from receiving unemployment benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 57; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			HERMAN			•			MATTSON			•		
•			HICKLE	•					MEIERS			•		
•			HOFFNER						MELBY			•		
•			HOUHANN						MERTENS			•		
•			HOVE						MEYER			•		
•			JACOBSEN, R						MURPHY			•		
•			JACOBSON, I						MUSHIK			•		
•			KELLY						NICHOLAS			•		
•			KENNELLY						OLSON			•		
•			KERMOTT						OPEDAHN			•		
•			KINGSBURY						PELTIER			•		
•			KLOUBEC						PETERSON			•		
•			KNUDSON						POMEROY					
•			KOSKI						REED					
•			KRETSCHMAR						RETZER					
•			KUCHERA						RICHARD					
•			LANG						RICHIE					
•			LANGLEY						RIEHL					
•			LARDY						RUED					
•			LARSON F # 24						SCHINDLER					
•			LARSON G # 29						SCOFIELD					
•			LARSON H # 7						SOLBERG					
•			LEE						STENEHJEM					
•			LEIBHAN						STRINDEN					
•			LIPSIEA						SWIONTEK					
•			MAIXNER						THOMPSON					
•			MARSDEN						THORSGAR					
•			MARTIN						TIME					
•			MARTINSON						TANJUN					
•			MATHEWY						TWETEN					
												MR SPEAKER		

So the bill lost.

**House Bill No. 1201.** — A Bill for an Act to amend and reenact sections 5-01-08, 5-01-09, and 5-02-06 of the North Dakota Century Code, relating to the legal age for the purchase and sale of alcoholic beverages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 66; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			HERMAN			•			MATTSON			•		
•			HICKLE						MEIERS			•		
•			HOFFNER						MELBY			•		
•			HOUHANN						MERTENS			•		
•			HOVE						MEYER			•		
•			JACOBSEN, R						MURPHY			•		
•			JACOBSON, I						MUSHIK			•		
•			KELLY						NICHOLAS			•		
•			KENNELLY						OLSON			•		
•			KERMOTT						OPEDAHN			•		
•			KINGSBURY						PELTIER			•		
•			KLOUBEC						PETERSON			•		
•			KNUDSON						POMEROY					
•			KOSKI						REED					
												MR SPEAKER		



DOTZENROD ●	● KRETSCHMAR	RETZER ●
DUBORD ●	● KUCHERA	RICHARD ●
● EAGLES	LANG ●	RICHIE ●
ERICKSON ●	LANGLEY ●	● RIEHL
● FLEMING	LARDY ●	RUED ●
FREBORG ●	LARSON F #24 ●	SCHINDLER ●
GACKLE ●	LARSON G #29 ●	SCOFIELD ●
● GERL	LARSON H #7 ●	SOLBERG ●
GORDER ●	LEE ●	● STENEHEJEM
GUNDERSON ●	● LEIBHAN	STRINDEN ●
GUNSCH ●	LIPSEA ●	● SWONTEK
HANSON ●	● MAIXNER	THOMPSON ●
HAUGLAND ●	● MARSDEN	THORSGARD ●
● HAUSAUER A #49	● MARTIN	TMM ●
● HAUSAUER R #25	● MARTINSON	TINJUM ●
HEDSTROM ●	MATHENY ●	TWETEN ●

So the bill lost.

**RECOGNITION**

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Warren Allen, and Rep. Allen was thereupon introduced to the House.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1052
- House Bill No. 1113
- House Bill No. 1143
- House Bill No. 1145
- House Bill No. 1153
- House Bill No. 1178
- House Bill No. 1188
- House Concurrent Resolution No. 3008.

ROY GILBREATH, Chief Clerk

**MESSAGE FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2036
- Senate Bill No. 2086
- Senate Bill No. 2128
- Senate Bill No. 2136
- Senate Bill No. 2146.

LEO LEIDHOLM, Secretary

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1067.** — A Bill for an Act to create and enact chapter 27-25 of the North Dakota Century Code, relating to the creation of a judicial nominating committee.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE ●			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERG			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		

● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOITT	● OPEDAHL	● WINKLER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARJOY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENHEJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGAARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1072.** — A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to calling the house and senate to order on the first day of the organizational session of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATSON			● UNHEJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARJOY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENHEJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1073.** — A Bill for an Act to amend and reenact subsection 2 of section 13-03-18, sections 15-19-06, 15-28-10, 15-40.1-03, 15-52-19, 15-52-20, 15-52-21, 15-52-27, subsections 1 and 3 of section 15-61-02, sections 15-61-04, 15-62.1-13, 16-04-07, 16-11-12, 16-15-05, 16-15-07, 16-15-09, 16-16-17.1, 16-18-17, 16-20-07, subsection 5 of section 16-20-08, sections 18-03-05, 18-05-04, 18-05-13, 18-10-09, 18-11-09, 18-11-22, 19-01-12, subsections 14 through 23 of section 19-02.1-02, subsections 4 through 10 of section 19-02.1-05, sections 19-03.1-23, 19-07-02, 21-03-23, 21-04-09, 21-05-05, 21-10-10, subsection 4 of section 23-07-01.1, sections 23-15.1-07, 24-01-13, 24-01-41.1, 24-02-11, 24-06-02, 24-06-07, 25-01.1-20, subsections 1 and 3 of section

25-04-07, subsections 10 through 14 of section 26-01-02, sections 26-01-10, 26-08-13, 26-10-02, 26-10-14, 26-10-16, 26-26-14, 26-27-14, 26-27.1-18, 26-27.2-18, 26-33-04, 27-11-26, subsection 6 of section 27-14-02, sections 29-01-06.1, 29-03-20, 29-05-31, and 29-12-13, subsection 9 of section 29-15-21, sections 29-21-15, 29-21-17, 29-21-25, 29-22-20, 29-26-16, 34-01-12, 35-20-13, 36-05-10, 37-12-14, 37-20-03, 38-10-08, subsection 1 of section 39-01-01, sections 39-01-13 and 39-04-06, introductory paragraph of subsection 2 of section 39-04-18, section 39-06.1-09, paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10, and sections 39-07-11, 39-08-13, 39-23-08, 40-33-24, 43-03-02, 43-12-27, 43-12-31, 43-15-01, 43-15-14, 44-04-14, 44-08-12, 44-08-13, 47-11-01, 47-18-14, 47-19-18, 49-03-01.3, 49-09-09, 49-09-11, 52-02-09, 54-23A-04, 54-27-08, 54-48-06, 54-49.1-02, 65-05-09, 65-06-01, 65-06-02, 65-06-03, 65-06-04, and 65-06-05 of the North Dakota Century Code, relating to incorrect or obsolete references in statutes providing for insurance premium on a small loan, duties of school district election officials, budget of the division of independent study, constitution of county equalization funds, loans made from the medical center fund, procedures of the director of surplus property, collection of loans made by the state scholarship board, application for name placement on the primary election ballot, posting of material in polling places, election contest procedures, voting eligibility of former residents, absent voter ballot procedure, charitable contributions and payments by candidates, campaign contributions by corporations, appropriation desired by the state firemen's association, apportionment of insurance taxes received by cities, examinations of firemen's relief associations, deposit of funds of rural fire protection districts, seizure of products unlawful under the food and drug laws, prohibited practices under the Food, Drug, and Cosmetic Act, prohibited acts under the Uniform Controlled Substances Act, egg rules of the state laboratories department, municipal bond register, pledge of security in place of depository bond, county or township voucher form, operating cost estimates of the state investment board, reporting of physical or mental disorders, penalty for violating the model rocketry law, enforcement of highway laws, highway relocation assistance payments, highway department records, purchase of township road machinery, custody of funds of patients of state institutions, mentally deficient defendants, duties of the commissioner of insurance, insurance company examinations, insurance company property, evaluation of policies of cooperative or assessment life associations, penalty and prosecution for discrimination or misrepresentation with respect to insurance matters, licensing of sales representatives of contracts of hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations, issuance and revocation of insurance vending machine licenses, bar admission without examination, suspension or revocation of certification of admission to bar, rights of defendant charged with multiple counts, jurisdiction of prize fighting violation, uniform traffic complaint and summons, summons issuance, change of judge, mistake in charging proper offense, trial on charge after mistake, discharge of accused, sealed verdict, hearing of evidence, payment of wages due surviving spouse or heirs, house mover's lien statement, livestock inspection, state guard commissions, administration of veterans' children scholarships, order for sale of mineral rights of an estate, definition of authorized emergency vehicles, record of process served on nonresident motor vehicle users, reciprocal highway use agreements, definition of moving violation, noncriminal traffic offense, magistrate's record of traffic offense convictions, accident report forms, budgets of the vehicle equipment



relating to a presumption that a nontestamentary transfer of real or personal property between spouses is always for a consideration, and not a gift, unless stated in writing.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 3; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDERVORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM		•	• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOY			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POWEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, F. # 24			• SCHINDLER		
• GACKLE			• LARSON, G. # 29			• SCOFIELD		
• GERL			• LARSON, H. # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM	•	
• GUNDERSON			• LEDMAN			• STRINDEN		
• GUNSON			• LIPSON			• SWONEN		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER, A. # 49			• MARTIN			• TIMM		
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1173.** — A Bill for an Act to repeal section 54-44.2-05 of the North Dakota Century Code, relating to the biennial report required of the director of central data processing to the governor and the legislature.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDERVORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOY			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POWEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, F. # 24			• SCHINDLER		
• GACKLE			• LARSON, G. # 29			• SCOFIELD		
• GERL			• LARSON, H. # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		

● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAR
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1176.** — A Bill for an Act to amend and reenact subsection 15 of section 54-44-04 of the North Dakota Century Code, relating to the contents of the biennial report of the director of the department of accounts and purchases.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOJWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAH			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORO			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #29			● SCOFIELD					
● GERL			● LARSON H #7			● SOFBERG					
● GORDER			● LEE			● STENHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAR					
● HAUSAUER A #49			● MARTIN			● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1181.** — A Bill for an Act to amend and reenact subsection 1 of section 14-08-07 of the North Dakota Century Code, relating to actions for the support of married women and children.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOJWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAH			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					

● DOTZENROD	● KRETSCHMAR	● RETZER
● DuBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEJW
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWONTEK
● HANSON	● MAEKNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1192** — A Bill for an Act to create and enact a new section to chapter 20.1-10 of the North Dakota Century Code, relating to searching a building without a search warrant or permission; to amend and reenact section 20.1-02-15 of the North Dakota Century Code, relating to the police powers of the game and fish commissioner and his appointees, and prohibiting building searches without a warrant or permission; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOPFNER			● MELBY			● VIG		
● BERGER			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOWE			● MEYER			● WALD		
● BJORKSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MURPHY			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHEJW					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAEKNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1216** — A Bill for an Act to amend and reenact section 43-31-08 and section 43-31-14 of the North Dakota Century Code, relating to the renewal of lapsed polygraph examiners licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUIMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEMO					
• GUNSCH			• LIPSEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TRJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1219.** — A Bill for an Act to create four new sections to Chapter 43-10.1 of the North Dakota Century Code, relating to application of Chapter 28-32 to this chapter, and to fraudulent practices, orders and injunctions, and investigations and subpoenas under the pre-need funeral services laws, to amend and reenact section 43-10.1-07 of the North Dakota Century Code, relating to prosecutions for violation of the pre-need funeral services laws, to amend and reenact section 43-10.1-08 of the North Dakota Century Code, relating to penalties for violation of this act, and to repeal section 43-10.1-06 of the North Dakota Century Code, relating to special audits of funeral establishments or cemetery associations under the reporting requirements of the pre-need funeral services laws.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUIMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONMY		•	• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					



● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSON	● LIPSEA	● SWINTEK
● HANSON	● MAKNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER, A #49	● MARTIN	● THOM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1241.** — A Bill for an Act to provide for the discontinuance of annuities from the teachers' fund for retirement on resumption of teaching, and to repeal section 15-39.1-19 of the North Dakota Century Code, relating to discontinuance of annuities from the teachers' fund for retirement on resumption of teaching.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSON, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDALH			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● PICHE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUEO					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #29			● SCOFIELD					
● GERL			● LARSON, H #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSON			● LIPSEA			● SWINTEK					
● HANSON			● MAKNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAARD					
● HAUSAUER, A #49			● MARTIN			● THOM					
● HAUSAUER, R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1242.** — A Bill for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to protecting the teachers' fund for retirement against fraud; and to amend sections 15-39.1-04, 15-39.1-13, 15-39.1-17, and 15-39.1-20 of the North Dakota Century Code relating to the definition of a teacher, exemptions from the legal process, the final payment on a member's account, and withdrawal from the teachers' fund for retirement; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		

● BJORNSON	● JACOBSEN, R	MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOIT	● OPEHAHL	● WINKLER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUVSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCHE	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWEITEN	

So the bill passed and the title was agreed to.

#### MOTION

Rep. Wessman moved that House Bill No. 1162 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Wessman requested permission to withdraw House Bill No. 1162. There being no objection, it was so ordered by the Speaker.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4017.** — A concurrent resolution designating Henry R. Martinson of Fargo and Lydia O. Jackson of Grafton as Poets Laureate of North Dakota.

Was read the first time.

Rep. Kretschmar moved that the rules be suspended, that Senate Concurrent Resolution No. 4017 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4017.** — A concurrent resolution designating Henry R. Martinson of Fargo and Lydia O. Jackson of Grafton as Poets Laureate of North Dakota.

Was read the second time.

The question being on the final adoption of the resolution,

So the Senate Concurrent Resolution was declared adopted on a voice vote.

#### MOTION

Rep. Gerl moved that the following poem by Mr. Henry Martinson be printed in the Journal, which motion prevailed.

This poem was written by Mr. Martinson on the occasion of his 95th birthday.

Ninety-five, and still alive,  
Fooled the Grim, Old Reaper;  
Had me hooked, but when he looked,  
He said: Its not a keeper!

Five more years, with worn-out gears,  
Will be a harmless hundred!  
If hooked then, hope again,  
The Reaper found he blundered.

#### MOTION

Rep. Lipsiea moved that House Bill No. 1196 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Lipsiea requested permission to withdraw House Bill No. 1196. There being no objection, it was so ordered by the Speaker.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1042 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, after the word "to" insert the words "the timing of"

On page 1, line 3, delete "classification and"

On page 1, line 4, after the word "division" and before the period insert the following: ", and providing for exceptions"

On page 1, line 10, delete "CLASSIFICATION AND"

On page 1, line 11, delete "classification and"

On page 1, line 15, after the period insert the following: "Exceptions to the provisions of this section may be made by the central personnel division if each exception is approved by the budget section of the legislative council."

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

 Chairman

House Bill No. 1042 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR


to whom was referred HOUSE

Bill No. 1065 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman

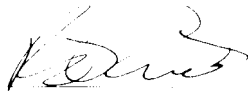
HOUSE Bill No. 1065 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1093 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 12 \_\_\_\_\_; Nays, 4 \_\_\_\_\_; Absent, 0 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:




Chairman

HOUSE Bill No. 1093 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1094 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 14 \_\_\_\_\_; Nays, 2 \_\_\_\_\_; Absent, 0 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:



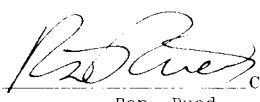
Chairman

HOUSE Bill No. 1094 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1102 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 12 \_\_\_\_\_; Nays, 3 \_\_\_\_\_; Absent, 1 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:



Chairman

HOUSE Bill No. 1102 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1105 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 9 \_\_\_\_\_; Nays, 4 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1105 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1118 has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 4 after the word "reservations" insert the following:  
", and declaring an emergency"

On page 2, after line 5 insert the following new section:  
"SECTION 2. EMERGENCY.) This Act is hereby declared  
to be an emergency measure and shall be in effect from  
and after its passage and approval."

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

HOUSE Bill No. 1118 Rep. Rued Chairman  
was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION  
to whom was referred HOUSE

Bill No. 1140 has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 4, after the word "services" insert the following:  
"; and providing an effective date"

On page 1, line 20, delete the word "and" and insert in lieu thereof  
the following: "except field grade and general officers, who are"

On page 2, line 1, delete the words "six months" and insert in lieu  
thereof the words "thirty days"

On page 2, line 2, delete the word "a" and insert in lieu thereof  
the words "an additional", and delete the words "five thousand"  
and insert in lieu thereof the words "three hundred"

On page 2, line 3, after the word "dollars" insert the words "per  
month for each month or portion of a month"

JOURNAL OF THE HOUSE

On page 2, line 4, after the word "duty" and before the period insert the words "at such location"

On page 2, after line 4, insert the following new section:

"SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective for all taxable years beginning on or after January 1, 1979."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

House Bill No. 1140 Rep. Gackle Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House Bill No. 1158 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

House Bill No. 1158 Rep. Gackle Chairman was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Bill No. 1159 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 1, that the same do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

House Bill No. 1159 Rep. Martinson Chairman was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE Bill No. 1218 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Chairman

HOUSE Bill No. 1218 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1284 has had the same under consideration and recommends, by a vote of

Ayes, 15 ; Nays, 0 ; Absent, 1 that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 14, strike the words "or surplus lines insurance"

On page 1, line 15, strike the word "broker"

On page 1, line 18, strike the word "twenty" and before the word "thousand" insert the word "two"

On page 1, line 19, after the period, insert "Prior to issuance of a license as a surplus lines insurance broker, the applicant shall file with the commissioner, and thereafter, for as long as the license remains in effect, shall keep in force a bond in the penal sum of not less than an amount equal to the taxes paid to the commissioner the previous year as required by section 26-09.2-07, with a minimum bond of five hundred dollars and a maximum bond of twenty thousand dollars required. The bond for surplus lines insurance brokers not previously licensed or whose license has lapsed, shall be set at the discretion of the commissioner, but shall not be less than five hundred dollars nor greater than twenty thousand dollars."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

Chairman

HOUSE Bill No 1284 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House Concurrent Resolution

No. 3013 has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 2 ; Absent, 0 that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Concurrent Resolution No. 3013 Rep. Gackle was placed on the 11th order of business on the calendar for the succeeding legislative day.

## MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4017.

ROY GILBREATH, Chief Clerk

## MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business, the House stand adjourned until 1:00 p.m., Thursday, January 18, 1979, which motion prevailed.

## FIRST READING OF HOUSE BILLS

Rep. Martinson introduced:

**House Bill No. 1361.** — A Bill for an Act to amend and reenact subsection 1 of section 11-15-12 of the North Dakota Century Code, relating to mileage for sheriffs.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Vig, Black and Gunsch and Sens. Holmberg, Christensen and Tallackson introduced:

**House Bill No. 1362.** — A Bill for an Act to create and enact a new subsection to section 23-02.1-18 of the North Dakota Century Code, relating to the issuance of new birth certificates after the adoption of foreign-born persons; and to amend and reenact section 14-15-18 and subsection 5 of section 23-02.1-17 of the North Dakota Century Code, relating to reports of adoption and the application for a new birth certificate after the adoption of a foreign-born person.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Strinden introduced:

**House Bill No. 1363.** — A Bill for an Act to amend and reenact subsection 2 of section 37-19.1-02 of the North Dakota Century Code, relating to the preference given to qualified veterans in public employment.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Black, Meiers and Wessman and Sen. Holmberg introduced:

**House Bill No. 1364.** — A Bill for an Act to create and enact section 57-38-29.1 of the North Dakota Century Code, relating to an income tax credit for child and dependent care expenses; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Berge introduced:

**House Bill No. 1365.** — A Bill for an Act to amend and reenact subsection 1 of section 47-16-07.1 of the North Dakota Century Code, relating to real property and dwelling security deposits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. F. Larson introduced:

**House Bill No. 1366.** — A Bill for an Act to create and enact a new section to chapter 6-05 of the North Dakota Century Code, relating to common trust funds of affiliates.



Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Kretschmar introduced:

**House Bill No. 1367.** — A Bill for an Act to authorize the public service commission to acquire abandoned railroad property to preserve its use for transportation purposes.

Which was read the first time and referred to the Committee on Transportation.

Reps. Dietz and Conmy and Sens. Schirado and Sands introduced:

**House Bill No. 1368.** — A Bill for an Act to amend and reenact section 51-21-05 of the North Dakota Century Code, relating to civil remedies against adult shoplifters or against the parent or guardian of a minor shoplifter.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Weber and Peltier introduced:

**House Bill No. 1369.** — A Bill for an Act to amend and reenact section 43-09-11 of the North Dakota Century Code, relating to qualifications for applicants for an electrician's license.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Martinson, A. Hausauer and Scofield and Sens. Jones, Miller Heinrich and Wenstrom introduced:

**House Bill No. 1370.** — A Bill for an Act to create and enact six new sections to chapter 15-18 of the North Dakota Century Code, relating to reports, annual inspections, budgets, and audits of junior colleges and educational centers; to amend and reenact sections 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to state aid, standards for state aid, and enrollment information for junior colleges and educational centers.

Which was read the first time and referred to the Committee on Education.

Rep. Martinson introduced:

**House Bill No. 1371.** — A Bill for an Act to create and enact sections 47-15-14, 47-15-15, 47-15-16, and 47-15-17 of the North Dakota Century Code, relating to the theft of hired personal property, evidence of theft intent in a hiring contract, the financial liability of a hirer for personal property theft, and providing criminal penalties for personal property theft; and to amend and reenact section 12.1-23-02 of the North Dakota Century Code, relating to the theft of property.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Berg introduced:

**House Bill No. 1372.** — A Bill for an Act to amend and reenact section 61-01-22 of the North Dakota Century Code, relating to water drainage permits.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Berger and Sen. Cussons introduced:

**House Bill No. 1373.** — A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century code, relating to definitions of the word "teacher."

Which was read the first time and referred to the Committee on Education.

Reps. Gackle, Gunsch and Meiers and Sen. Wright introduced:

**House Bill No. 1374.** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees for trailers, semitrailers, and farm trailers; to create and enact a new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemption from registration of trailers, semitrailers, and farm trucks; and to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, section 39-04-26, and subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to registration of motor vehicles, registration fees, gross weight requirements of towing vehicles, and operators' licenses; and providing an effective date.

Which was read the first time and referred to the Committee on Transportation.

Reps. Wessman and Black introduced:

**House Bill No. 1375.** — A Bill for an Act to amend and reenact sections 11-28.3-03, 11-28.3-04, 11-28.3-09, 57-15-50, 57-15-51, and 57-15-51.1 of the North Dakota Century Code, relating to increasing the city, county, township, and rural ambulance service district mill levies allowed for ambulance services and providing for a dedicated ambulance sinking fund for replacement of equipment and ambulances.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Swiontek and Kennelly and Sen. Hanson introduced:

**House Bill No. 1376.** — A Bill for an Act to authorize the state board of higher education to issue revenue bonds for the construction of student housing at North Dakota state university of agriculture and applied science; to provide an appropriation; and to declare an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Rep. I. Jacobson introduced:

**House Bill No. 1377.** — A Bill for an Act to amend and reenact section 15-39.1-28 of the North Dakota Century Code, relating to the mill levy for teachers' retirement.

Which was read the first time and referred to the Committee on Education.

Reps. G. Larson, I. Jacobson and Knudson introduced:

**House Bill No. 1378.** — A Bill for an Act to amend and reenact subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to a retirement program for employees of institutions of higher education as an alternative to chapter 15-39.1.

Which was read the first time and referred to the Committee on Education.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2019.** Division of Surplus Property — A Bill for an Act making an appropriation for defraying the expenses of the division of surplus property of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2064.** — A Bill for an Act relating to "best management practices", for farming land to be irrigated by water from the Garrison Diversion Unit of the Pick-Sloan Missouri River basin project.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2084.** — A Bill for an Act to create and enact four new sections to the North Dakota Century Code, relating to senate confirmation of gubernatorial appointments; and to amend and reenact sections 15-65-01, 15-65-02, 15-65-03, and 15-65-04 of the North Dakota Century Code, relating to the creation, membership, and duties of the public broadcasting council.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2113.** — A Bill for an Act to provide for responsibility of inpatient and outpatient care to persons afflicted or suspected of being afflicted with tuberculosis; to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to biennial reports and assistant superintendent at the San Haven state hospital; to amend and reenact subsection 5 of section 25-01-01 of the North Dakota Century Code, relating to definitions of the Grafton state school; to amend and reenact sections 25-04-01 and 25-04-03 of the North Dakota Century Code, relating to the San Haven state hospital and assistant superintendent; to repeal subsection 6 of section 25-01-01 of the North Dakota Century Code, relating to State sanatorium; and to repeal chapter 25-05 of the North Dakota Century Code relating to care of tubercular persons.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Thursday, January 18, 1979.

ROY GILBREATH, Chief Clerk

TWELFTH DAY

Bismarck, January 18, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. Bob Fisher, Wesleyan Church, Bismarck, North Dakota.

The roll was called, and all members were present except Rep. Mattson.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eleventh Day and finds the same to be correct.

Handwritten signature of Rep. Swiozek, Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1055

HB NO. 1096

HB NO. 1224

and find the same correctly } Corrected Engrossed

Handwritten signature of Rep. Stenehjem, Chairman

Representative Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Martinson moved that the amendments to House Bill No. 1042 as recommended by the Committee on State and Federal Government as printed on page 229 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1118 as recommended by the Committee on Industry, Business and Labor as printed on page 231 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1140 as recommended by the Committee on Finance and Taxation as printed on pages 231 and 232 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1284 as recommended by the Committee on Industry, Business and Labor as printed on page 233 of the House Journal be adopted, which motion prevailed.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Anna Powers, and Rep. Powers was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1093.** — A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the prohibition against dispensing of alcoholic beverages on certain days.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 89; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDEP VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGER	•		HOLMANN	•		MERTENS	•		WAGNER	•	
BLORNSON	•		HOVE	•		MEYER	•		WALD	•	
• BLACK			JACOBSEN	•		MURPHY	•		• WALSH		
BOYUM	•		JACOBSON I	•		MUSHK	•		WEBER	•	
BROKAW	•		KELLY	•		NICHOLAS	•		WENTZ	•	
CHRISTENSEN	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CONMY	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CRABTREE	•		KINGSBURY	•		PELTIER	•				
DICK	•		KLOUBEC	•		PETERSON	•		MR SPEAKER	•	
DIEZ	•		KNUDSON	•		• POMEROY					
DOTTENROD	•		KOSKI	•		REED	•				
DUBORD	•		KRETSCHMAR	•		RETZER	•				
EAGLES	•		KUCHERA	•		RICHARD	•				
ERICKSON	•		LANG	•		RICHE	•				
FLEMING	•		LANGLEY	•		RIEHL	•				
FREDBORG	•		LARDY	•		RUED	•				
GACKLE	•		LARSON F # 24	•		SCHINDLER	•				
GERL	•		LARSON G # 26	•		SCOFIELD	•				
GORDER	•		LARSON H # 7	•		SOLBERG	•				
GUNDERSON	•		LEE	•		• STENEHJEM					
GUNSON	•		LEIBMAN	•		STRINDEN	•				
HANSON	•		LIPSIA	•		SWINTEK	•				
HAUGLAND	•		MAIXNER	•		THOMPSON	•				
HAUSAUER A # 46	•		MARSDEN	•		THORSGARD	•				
HAUSAUER R # 26	•		MARTIN	•		TIMM	•				
HEDSTROM	•		MARTINSON	•		TINJUM	•				
			MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1094.** — A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the prohibition against dispensing alcoholic beverages during certain hours of the day.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 94; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDEP VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	

BERGE	●	HOLMANN	●	MERTENS	●	WAGNER	●
BERGER	●	HOVE	●	MEYER	●	WALD	●
BJORNSON	●	JACOBSEN, R.	●	MURPHY	●	WALSH	●
● BLACK	●	JACOBSON, I.	●	MUSHIK	●	WEBER	●
BOYUM	●	KELLY	●	NICHOLAS	●	WENTZ	●
BROKAW	●	KENNELLY	●	OLSON	●	WESSMAN	●
CHRISTENSEN	●	KERMOTT	●	OPEDAHL	●	WINKJER	●
● CONNY	●	KINGSBURY	●	PELTIER	●	MR. SPEAKER	●
CRABTREE	●	KLOUBEC	●	PETERSON	●		
DICK	●	KNUDSON	●	POMEROY	●		
DIETZ	●	KOSKI	●	REED	●		
DOTZENROD	●	KRETSCHMAR	●	RETZER	●		
DuBORD	●	● KUCHERA	●	RICHARD	●		
EAGLES	●	LANG	●	RICHIE	●		
ERICKSON	●	LANGLEY	●	RIEHL	●		
FLEMING	●	LARDY	●	RUED	●		
FREBORG	●	LARSON, F. #24	●	SCHINDLER	●		
GACKLE	●	LARSON, G. #28	●	SCOFIELD	●		
● GERL	●	LARSON, H. #7	●	SOLBERG	●		
GORDER	●	LEE	●	STENEHJEW	●		
GUNDERSON	●	LEIBHAN	●	STRINDEN	●		
GUNTSCH	●	LIPSIEA	●	SWONTEK	●		
HANSON	●	MAIXNER	●	THOMPSON	●		
HAUGLAND	●	MARSDEN	●	THORSGARD	●		
HAUSAUER, A. #49	●	MARTIN	●	TIMM	●		
HAUSAUER, R. #25	●	MARTINSON	●	TINJUM	●		
HEDSTROM	●	MATHENY	●	TWETEN	●		

So the bill lost.

**House Bill No. 1102.** — A Bill for an Act to amend and reenact subsection 13, 14, and 15 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits, and providing for unemployment compensation benefits for nonprofessional employees of educational institutions, other than institutions of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 70; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEW		●
● BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	● HOFFNER		●	WELBY		●	VIG		●
BERGE		●	HOLMANN		●	MERTENS		●	WAGNER		●
● BERGER		●	HOVE		●	● MEYER		●	WALD		●
BJORNSON		●	JACOBSEN, R.		●	MURPHY		●	WALSH		●
● BLACK		●	JACOBSON, I.		●	● MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	● OPEDAHL		●	WINKJER		●
● CONNY		●	KINGSBURY		●	PELTIER		●	MR. SPEAKER		●
CRABTREE		●	KLOUBEC		●	PETERSON		●			
DICK		●	KNUDSON		●	● POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	● KRETSCHMAR		●	RETZER		●			
● DuBORD		●	● KUCHERA		●	● RICHARD		●			
EAGLES		●	LANG		●	● RICHIE		●			
ERICKSON		●	● LANGLEY		●	● RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBORG		●	LARSON, F. #24		●	SCHINDLER		●			
GACKLE		●	LARSON, G. #28		●	SCOFIELD		●			
● GERL		●	LARSON, H. #7		●	● SOLBERG		●			
GORDER		●	LEE		●	STENEHJEW		●			
GUNDERSON		●	LEIBHAN		●	STRINDEN		●			
GUNTSCH		●	LIPSIEA		●	SWONTEK		●			
● HANSON		●	● MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSGARD		●			
● HAUSAUER, A. #49		●	● MARTIN		●	TIMM		●			
HAUSAUER, R. #25		●	MARTINSON		●	● TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill lost.

**House Bill No. 1158.** — A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the definition of "farmer".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 87; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION					ROLL CALL					1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●			●			●			●	●	UNHJEM	
●	BACKES		●	HERMAN		●	WATTSON		●	WANDER VORST				
●	BENEDICT		●	HICKLE		●	WELBY		●	WIG				
●	BERG		●	HOFNER		●	WERTENS		●	WAGNER				
	●	BERGE		●	HOLMANN		●	MEYER		●	WALD			
●	BERGER		●	HOVE		●	MURPHY		●	WALSH				
●	BJORNSON		●	JACOBSEN, R.		●	MUSHIK		●	WEBER				
●	BLACK		●	JACOBSON, I.		●	NICHOLAS		●	WENTZ				
●	BOYUM		●	KELLY		●	OLSON		●	WESSMAN				
●	BROKAW		●	KENNELLY		●	OPEDAH		●	WINKJER				
●	CHRISTENSEN		●	KERMOTT		●	PETLIER		●					
●	CONMY		●	KINGSBURY		●	POMEROY		●	MR. SPEAKER				
●	CRABTREE		●	KLOUBEC		●	REED		●					
●	DICK		●	KNUDSON		●	RETZER		●					
●	DIETZ		●	KRETSCHMAR		●	RICHARD		●					
●	DOTZENROD		●	KUCHERA		●	RICHIE		●					
●	DUBORD		●	LANG		●	RUED		●					
●	EAGLES		●	LANGLEY		●	SCHINDLER		●					
●	ERICKSON		●	LARDY		●	SCOFIELD		●					
●	FLEMING		●	LARSON, F. #24		●	SOLBERG		●					
●	FREBORG		●	LARSON, G. #28		●	STENHJEM		●					
●	GACKLE		●	LARSON, H. #7		●	STRONDEK		●					
●	GERL		●	LEE		●	THOMPSON		●					
●	GORDER		●	LEIBHAN		●	THORSKARD		●					
●	GUNDERSON		●	LIPSEA		●	TIMM		●					
●	GUNSON		●	MARSON		●	TINJUM		●					
●	HANSON		●	MARTIN		●	TWETEN		●					
●	HAUGLAND		●	MARTINSON		●			●					
●	HAUSAUER A. #49		●	MATHENY		●			●					
●	HAUSAUER R. #25		●			●			●					
●	HEDSTROM		●			●			●					

So the bill lost.

POINT OF PERSONAL PRIVILEGE

Rep. Solberg: "Mr. Speaker:

"I rise on a point of personal privilege and request that my remarks be printed in the record.

"I have been told my vote was recorded as 'Yes' on House Bill No. 1093. I want the Journal to show it was my intention to vote 'No'."

SECOND READING OF HOUSE BILLS

**House Bill No. 1055.** — A Bill for an Act to amend and reenact section 27-20-54 of the North Dakota Century Code, relating to the sealing and disposal of juvenile records; and to repeal section 27-20-54.1 of the North Dakota Century Code, relating to the destruction of juvenile records.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION					ROLL CALL					1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BACKES		●	HERMAN		●	WATTSON		●	UNHJEM		●		
●	BENEDICT		●	HICKLE		●	WELBY		●	WANDER VORST		●		
●	BERG		●	HOFNER		●	WERTENS		●	WAGNER				
●	BERGE	●	●	HOLMANN		●	MEYER		●	WALD				
●	BERGER		●	HOVE		●	MURPHY		●	WALSH				
●	BJORNSON		●	JACOBSEN, R.		●	MUSHIK		●	WEBER				
●	BLACK		●	JACOBSON, I.		●	NICHOLAS		●	WENTZ				
●	BOYUM		●	KELLY		●	OLSON		●	WESSMAN				
●	BROKAW		●	KENNELLY		●	OPEDAH		●	WINKJER				
●	CHRISTENSEN		●	KERMOTT		●	PETLIER		●					
●	CONMY		●	KINGSBURY		●	POMEROY		●	MR. SPEAKER				
●	CRABTREE		●	KLOUBEC		●	REED		●					
●	DICK		●	KNUDSON		●	RETZER		●					
●	DIETZ		●	KOSKI		●	RICHARD		●					
●	DOTZENROD	●	●	KRETSCHMAR		●	RICHIE		●					
●	DUBORD		●	KUCHERA		●	RUED		●					
●	EAGLES		●	LANG		●	SCHINDLER		●					
●	ERICKSON		●	LANGLEY		●	SCOFIELD		●					

• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. #24	• SCHINDLER
• GACKLE	• LARSON, G. #29	• SCOFIELD
• GERL	• LARSON, H. #7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A. #49	• MARTIN	• TIMM
• HAUSAUER R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1096.** — A Bill for an Act to amend and reenact section 57-15-52.1 of the North Dakota Century Code, relating to the school district levy for district-owned school bus costs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOJMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• EPICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #29			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A. #49			• MARTIN			• TIMM					
• HAUSAUER R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1105.** — A Bill for an Act to amend and reenact section 39-03-04 of the North Dakota Century Code, relating to the qualifications of patrolmen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 49; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSON			• UNHJEM		•
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		•
• BERG			• HOFFNER			• MELBY			• VIG		•
• BERGE			• HOJMANN		•	• WERTENS			• WAGNER		•
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		•
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		•
• BOYUM			• KELLY		•	• NICHOLAS			• WENTZ		•
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		•
• CONNY		•	• KINGSBURY		•	• PELTIER					
• CRABTREE		•	• KLOUBEC			• PETERSON		•	• MR. SPEAKER		





● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN, R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1224.** — A Bill for an Act to create and enact a new section to chapter 43-31 of the North Dakota Century Code, relating to an internship period for polygraph examiners; to create and enact new subsections to sections 43-31-01 and 43-31-14 of the North Dakota Century Code, relating to the definition of a polygraph examiner internship and the license fees for a polygraph examiner intern; and to amend and reenact subsection 6 of section 43-31-07 of the North Dakota Century Code, relating to qualifications for licensing as a polygraph examiner.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 3; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		●
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		●
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A # 49			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**SECOND READING OF**

**HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3013** — A concurrent resolution

directing the legislative council to study the feasibility and desirability of adopting a method of computing state income tax liability by taking a percentage of a taxpayer's federal income tax liability.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were yeas, 88; nays, 10; absent and not voting, 2.

REGULAR SESSION									ROLL CALL									1979 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS			YEAS			N-V			NAYS		
• BACKES			• HERMAN			• MATTSOON			• UNKHEM																	
• BENEDICT			• HCKLE			• MEIERS			• VANDERVORST																	
• BERG			• HOFFNER			• MELBY			• VIG																	
• BERGE			• HOUMANN		•	• MERTENS			• WAGNER																	
• BERGER			• HOVE			• MEYER			• WALD																	
• BJORNSON			• JACOBSEN, R			• MURPHY		•	• WALSH																	
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER																	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ																	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN																	
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER																	
• CONMY			• KINGSBURY			• PELTIER																				
• CRABTREE		•	• KLOUBEC			• PETERSON			• MR. SPEAKER																	
• DICK			• KNUDSON			• POMEROY																				
• DIETZ			• KOSKI			• REED																				
• DOTZENROD			• KRETSCHMAR			• RETZER																				
• DUBORD			• KUCHERA		•	• RICHARD																				
• EAGLES			• LANG			• RICHEL																				
• ERICKSON			• LANGLEY			• RIEHL																				
• FLEMING			• LARDY			• RUED		•																		
• FREBORG			• LARSON, F. # 24			• SCHINDLER																				
• GACKLE			• LARSON, G. # 29			• SCOFIELD																				
• GERL		•	• LARSON, H. # 7			• SOLBERG																				
• GORDER			• LEE			• STENEHJEM																				
• GUNDERSON		•	• LEIBHAN			• STRINDEN																				
• GUNSON			• LIPSIE		•	• SWONTEK																				
• HANSON			• MAUXER			• THOMPSON																				
• HAUGLAND			• MARSDEN		•	• THORSgard																				
• HAUSAUER A. # 49			• MARTIN			• TIMM		•																		
• HAUSAUER R. # 25			• MARTINSON			• TINJUM																				
• HEDSTROM			• MATHENY			• TWETEN																				

So the House Concurrent Resolution was declared adopted.

MOTIONS

Rep. Peltier moved that the House reconsider its action whereby it accepted the Committee Report on House Bill No. 1065, which motion prevailed.

Rep. Peltier moved that House Bill No. 1065 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

REPORT OF STANDING COMMITTEE

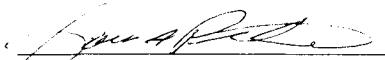
Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1026, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman

Rep. James A. Peterson  
Bill No. 1026

was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1057, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 5, after "if" delete the words "prohibited fees are required" and insert the words in lieu thereof "a school district has charged unauthorized fees and, after notification, refuses to discontinue such action"
  - On page 1, line 7, after "15-43-09," delete the word "and" and after "15-43-10" insert ", and 15-43-11"
  - On page 1, line 11, delete "and"
  - On page 1, line 12, after "textbooks" and before the period insert ",and changing of textbooks"
  - On page 2, line 13, after the period insert the following new sentence: "A use charge may be made when the "textbook" returned has had an undue amount of wear."
  - On page 2, line 33, after the period insert the following new sentence: "This shall not preclude the school district's right to withhold diplomas for a student's failure to pay for those costs incurred by his own negligence or choice, such as fines for damaged texts and school equipment, library fines, and materials purchased from the school at the option of the student."
  - On page 3, line 2, after "Act" insert "and refuses to discontinue such action following notification by the superintendent of public instruction"
  - On page 3, line 12, after "15-43-09," delete the word "and" and after "15-43-10" insert ", and 15-43-11"
- And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Knudson Chairman  
House Bill No. 1057 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1062, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. James A. Peterson Chairman  
House Bill No. 1062 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1091, has had the same under consideration and recommends, by a vote of

Ayes, 11 ; Nays, 3 ; Absent, 2 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21 delete the word "sixty" and insert in lieu thereof the word "ten" and after the word "days" insert the words and commas ", excluding Saturdays, Sundays, and legal holidays,"

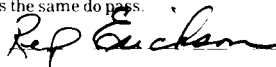
On page 1, line 22 after the period insert the following: "When a motor vehicle, subject to the provisions of this subdivision, is registered under the provisions of this chapter, it shall be subject to the registration fee from the date of gainful employment or stationing in this state."

On page 2, line 22 delete the word "sixty" and insert in lieu thereof the word "ten" and after the word "days" insert the words and commas ", excluding Saturdays, Sundays, and legal holidays,

On page 2, line 23 after the period insert the following: "When a motor vehicle, subject to the provisions of this subdivision, is registered under the provisions of this chapter, it shall be subject to the registration fee from the date of gainful employment or stationing in this state."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman  
Rep. Erickson

House Bill No. 1091

was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

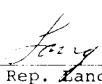
to whom was referred House

Bill No. 1177 has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 0 ; Absent, 2 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman  
Rep. Lang

House Bill No. 1177

was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1208 has had the same under consideration and recommends, by a vote of

Ayes, 15 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 7, delete the underlined material

On page 2, line 8, delete the underlined material

And when so amended, recommends the same do pass.

*Rep. Knudson* \_\_\_\_\_ Chairman  
Rep. Knudson  
House Bill No. 1208 \_\_\_\_\_ was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture \_\_\_\_\_  
to whom was referred House \_\_\_\_\_  
Bill No. 1237 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 14 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 1 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

*Rep. Hiller* \_\_\_\_\_ Chairman  
Rep. Nicholas  
House Bill No. 1237 \_\_\_\_\_ was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture \_\_\_\_\_  
to whom was referred House \_\_\_\_\_  
Bill No. 1254 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 14 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 1 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

*Rep. Hiller* \_\_\_\_\_ Chairman  
Rep. Nicholas  
House Bill No. 1254 \_\_\_\_\_ was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS \_\_\_\_\_  
to whom was referred House \_\_\_\_\_  
Bill No. 1264 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 15 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 1 \_\_\_\_\_, that the same


do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

*Lang* \_\_\_\_\_ Chairman  
Rep. Lang  
House Bill No. 1264 \_\_\_\_\_ was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS \_\_\_\_\_  
to whom was referred House \_\_\_\_\_  
Bill No. 1277 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 10 \_\_\_\_\_; Nays, 4 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

  
 \_\_\_\_\_ Chairman  
 Rep. Lang

\_\_\_\_\_ House Bill No. 1277 \_\_\_\_\_ was placed on the \_\_\_\_\_ 11th \_\_\_\_\_  
 order of business on the calendar for the succeeding legislative day.

**MESSAGE TO THE SENATE**  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1151
- House Bill No. 1166
- House Bill No. 1171
- House Bill No. 1207
- House Concurrent Resolution No. 3010
- House Concurrent Resolution No. 3012

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2041
- Senate Bill No. 2083
- Senate Bill No. 2088
- Senate Bill No. 2109
- Senate Bill No. 2120
- Senate Bill No. 2129
- Senate Bill No. 2142
- Senate Bill No. 2175
- Senate Concurrent Resolution No. 4001
- Senate Concurrent Resolution No. 4005
- Senate Concurrent Resolution No. 4020

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Concurrent Resolution No. 4017  
Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS AND RESOLUTIONS**

Chief Clerk announced that the Speaker was about to sign:  
Senate Concurrent Resolution No. 4017  
And the Speaker signed the same in the presence of the House of Representatives.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. C. R. 3017

..... was ..... delivered to the } **STENEHJEM** for his approval at the hour of  
 Secretary of State

2:00 o'clock P.M., January 18, 1979

*Wayne Stenehjem*  
 Rep. W. Stenehjem Chairman.  
1977 NORTH DAKOTA PRODUCTS

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:  
 Senate Concurrent Resolution No. 4017  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MOTIONS

Rep. Kretschmar moved that the absent member be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 12:30 p.m., Friday, January 19, 1979, which motion prevailed.

FIRST READING OF HOUSE BILLS

Reps. Richie, Langley and Wald, and Senators Krauter and Strand introduced:

**House Bill No. 1379.** — A Bill for an Act to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Stenehjem and Senator Holmberg introduced:

**House Bill No. 1380.** — A Bill for an Act requiring full, adequate, and timely notice of the meetings of all public bodies.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Olson, Lee and Stenehjem introduced:

**House Bill No. 1381.** — A Bill for an Act to provide that alcoholic beverage consumption in state parks and campgrounds must be restricted to within twenty-five feet of a camping unit or vehicle; and providing a penalty.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Hanson introduced:

**House Bill No. 1382.** — A Bill for an Act to amend and reenact section 20.1-05-03 of the North Dakota Century Code, relating to the number of big game animals that may be taken in any one year.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Dick and Thompson introduced:

**House Bill No. 1383.** — A Bill for an Act to amend and reenact subsection 1 of section 57-13-04 of the North Dakota Century Code, relating to limiting the difference on assessments for comparable agricultural land lying on the boundary between two assessment districts.



Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Richie and Nicholas and Senators Shablow, Tallackson and Vosper introduced:

**House Bill No. 1384.** — A Bill for an Act to provide for the creation of an agriculturally derived alcohol motor vehicle fuel tax fund, for its administration by the agricultural products utilization commission to further the production and marketing of agriculturally derived alcohol-blended motor vehicle fuels; to amend and reenact sections 57-50-01, 57-50-03.1, 57-50-05, and 57-54-08 of the North Dakota Century Code, relating to refunding the motor vehicle fuel tax and to the amount of the motor vehicle fuel tax on fuel with an agriculturally derived alcohol blend; and to provide an appropriation.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Tweten and Senator Strand introduced:

**House Bill No. 1385.** — A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. A. Hausauer introduced:

**House Bill No. 1386.** — A Bill for an Act to amend and reenact section 16-07-07 of the North Dakota Century Code, relating to filling a vacancy in the office of United States senator; and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

Reps. A. Hausauer and Schindler introduced:

**House Bill No. 1387.** — A Bill for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the distribution of excess funds appropriated for the foundation program.

Which was read the first time and referred to the Committee on Education.

Rep. Conmy introduced:

**House Bill No. 1388.** — A Bill for an Act to create and enact a new subsection to section 51-13-01 of the North Dakota Century Code; to amend and reenact subsections 7 and 16 of section 51-13-02 of the North Dakota Century Code; to create and enact a new subsection to section 51-13-02 of the North Dakota Century Code; and to amend and reenact subsection 1 of section 51-13-03 of the North Dakota Century Code; all relating to retail installment sales.

Which was read the first time and referred to the Committee on Transportation.

Reps. Olson and Kretschmar introduced:

**House Bill No. 1389.** — A Bill for an Act to amend and reenact subsection 4 of section 23-06.1-04 of the North Dakota Century Code, relating to the manner of executing anatomical gifts.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Stenehjem and Conmy introduced:

**House Bill No. 1390.** — A Bill for an Act to amend and reenact sections 27-06-01, 27-06-02, 27-06-03, 27-06-04, 27-06-05, 27-06-06, 27-06-07,

and 27-06-08 of the North Dakota Century Code, relating to district court reporters, their appointment, their qualifications, their duties, preparation and certification of transcripts, fees set for transcripts, and to payment of the salary and expenses of court reporters by the state.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Hedstrom and Langley introduced:

**House Bill No. 1391.** — A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the compensation for board members of irrigation districts.

Which was read the first time and referred to the Committee on Agriculture.

Rep. R. Hausauer introduced:

**House Bill No. 1392.** — A Bill for an Act making an appropriation to the board of higher education for the purpose of constructing a central receiving and storage building at the North Dakota state school of science.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Lipsiea and Tweten introduced:

**House Bill No. 1393.** — A Bill for an Act to amend and reenact section 61-01-23 of the North Dakota Century Code, relating to the removal of obstructions in the channel of a nonnavigable stream.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Boyum introduced:

**House Bill No. 1394.** — A Bill for an Act to create and enact a new subsection to section 41-08-36, and two new sections to chapter 10-18.1, relating to the holding and transferring of securities deposited with clearing corporations, and the deposit of certain securities with federal reserve banks under certain conditions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Dotzenrod introduced:

**House Bill No. 1395.** — A Bill for an Act to create and enact two new sections to chapter 23-29 of the North Dakota Century Code, relating to prohibiting the location of solid waste management facilities over aquifers; providing an effective date; and declaring an emergency.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

#### FIRST READING OF HOUSE RESOLUTIONS

Reps. Berg, Wessman and Weber, and Senators Thane, Fritzell and Nelson introduced:

**House Concurrent Resolution No. 3022.** — A concurrent resolution directing the Legislative Council to study and review the powers, duties, and jurisdictional boundaries of water management districts and legal drain boards.

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

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2036.** Agricultural Councils and Commissions — A Bill for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2086.** — A Bill for an Act to amend and reenact the second table of subdivision b of subsection 2 of section 39-04-19, subsection 3 of section 39-12-04, subsection 2 of section 39-12-05, and subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to motor vehicle registration fees, length limitations on vehicles and combinations of vehicles, weight limitations for vehicles on the interstate system, and gross weight limitations on designated highways.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2128.** — A Bill for an Act to amend and reenact subsection 2 of section 15-60-03 of the North Dakota Century Code, relating to the state school construction fund.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2136.** — A Bill for an Act to amend and reenact sections 54-23-12 and 54-23-18 of the North Dakota Century Code, relating to required inspections of the director of institutions within his institutions, and meetings with heads of institutions and the director of institutions.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2146.** — A Bill for an Act to create and enact a new section to chapter 20.1-03 and three new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to frog licenses and frog license fees; and to amend and reenact subsection 31 of section 20.1-03-12 and section 20.1-06-17 of the North Dakota Century Code, relating to resident frog license fees and regulations governing commercial frogging.

Which was read the first time and referred to the Committee on Natural Resources.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p.m., Friday, January 19, 1979.

ROY GILBREATH, Chief Clerk

THIRTEENTH DAY

Bismarck, January 19, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Win Stoerker, North Dakota Conference of Churches, Bismarck.

The roll was called, and all members were present except Reps. Backes and Haugland.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twelfth Day and finds the same to be correct.

Handwritten signature of Rep. Swiontek, Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1042
HB NO. 1118
HB NO. 1140
HB NO. 1284

and find the same correctly } Rechecked Engrossed

Handwritten signature of Rep. Stenehjem, Chairman

Representative Lipsea moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Stenehjem moved that the House reconsider its action whereby House Bill No. 1159 failed to pass for lack of a constitutional majority, which motion failed on a verification vote.

Rep. Nicholas moved that the House reconsider its action whereby the House accepted the Committee Report on House Bill No. 1254, which motion prevailed.

Rep. Nicholas moved that House Bill No. 1254 be re-referred to the Committee on Agriculture, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Knudson moved that the amendments to House Bill No. 1057 as recommended by the Committee on Education as printed on pages 246 and 247 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1091 as recommended by the Committee on Transportation as printed on pages 247 and 248 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1208 as recommended by the Committee on Education as printed on pages 248 and 249 of the House Journal be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1062.** — A Bill for an Act to provide for an appropriation for adult basic and secondary education programs.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 86; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I.		•	MUSHK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOKKI		•	REED		•			
DOTZENROOD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREIBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
FRACKLE		•	LARSON, G. # 29		•	SCHOFELD		•			
GERL		•	LARSON, H. # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSOM		•	LEIBMAN		•	STRINDEN		•			
GUNSCH		•	LIPSIA		•	SWIONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSgard		•			
HAUSAUER, A. # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1177.** — A Bill for an Act to create and enact a new section to chapter 57-47 of the North Dakota Century Code, relating to limitation of county deficiency loans.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 1; nays, 97; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•

• BJORNSON	•	JACOBSEN, R.	•	MURPHY	•	WALSH	•
• BLACK	•	JACOBSON, I.	•	MUSHK	•	WEBER	•
• BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
• BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
• CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	• WINKER	•
• CONWAY	•	KINGSBURY	•	• PELTER	•		
• CRABTREE	•	• KLOUBEC	•	• PETERSON	•		
• DICK	•	• KNUDSON	•	• POMEROY	•	MR. SPEAKER	•
• DIETZ	•	• KOSKI	•	• REED	•		
• DOTZENROD	•	• KRETSCHMAR	•	• RETZER	•		
• DUBORD	•	• KUCHEBA	•	• RICHARD	•		
• EAGLES	•	• LANG	•	• RICHIE	•		
• ERICKSON	•	• LANGLEY	•	• RIEHL	•		
• FLEMING	•	• LARDY	•	• RUED	•		
• FREBORG	•	• LARSON, F. # 24	•	• SCHINDLER	•		
• GACKLE	•	• LARSON, G. # 29	•	• SCOFIELD	•		
• GERL	•	• LARSON, H. # 7	•	• SOLBERG	•		
• GORDER	•	• LEE	•	• STENEHEW	•		
• GUNDERSON	•	• LEIBAN	•	• STRINDEN	•		
• GUNSCH	•	• LIPSIEA	•	• SWONTEK	•		
• HANSON	•	• MAIXNER	•	• THOMPSON	•		
• HAUGLAND	•	• MARSDEN	•	• THORSGARD	•		
• HAUSAUER, A. # 49	•	• MARTIN	•	• TIMM	•		
• HAUSAUER, R. # 25	•	• MARTINSON	•	• TINJUM	•		
• HEDSTROM	•	• MATHENY	•	• TWETEN	•		

So the bill lost.

**House Bill No. 1026.** Abandoned Motor Vehicles — A Bill for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 2; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BACKES	•		• HERMAN	•	• MATTSON	•		• UNHJEM			
• BENEDICT	•		• HICKLE	•	• WEERS	•		• VANDER VORST			
• BERG	•		• HOFFNER	•	• WELBY	•		• VIG			
• BERGE	•		• HOGUMANN	•	• WERTENS	•		• WAGNER			
• BERGER	•		• HOVE	•	• MEYER	•		• WALD			
• BJORNSON	•		• JACOBSEN, R.	•	• MURPHY	•		• WALSH			
• BLACK	•	•	• JACOBSON, I.	•	• MUSHK	•		• WEBER			
• BOYUM	•		• KELLY	•	• NICHOLAS	•		• WENTZ			
• BROKAW	•		• KENNELLY	•	• OLSON	•		• WESSMAN			
• CHRISTENSEN	•		• KERMOTT	•	• OPEDAHL	•		• WINKER	•		
• CONWAY	•		• KINGSBURY	•	• PELTER	•					
• CRABTREE	•		• KLOUBEC	•	• PETERSON	•		• MR. SPEAKER			
• DICK	•		• KNUDSON	•	• POMEROY	•					
• DIETZ	•		• KOSKI	•	• REED	•					
• DOTZENROD	•		• KRETSCHMAR	•	• RETZER	•					
• DUBORD	•		• KUCHEBA	•	• RICHARD	•					
• EAGLES	•		• LANG	•	• RICHIE	•					
• ERICKSON	•		• LANGLEY	•	• RIEHL	•					
• FLEMING	•		• LARDY	•	• RUED	•					
• FREBORG	•		• LARSON, F. # 24	•	• SCHINDLER	•					
• GACKLE	•		• LARSON, G. # 29	•	• SCOFIELD	•					
• GERL	•		• LARSON, H. # 7	•	• SOLBERG	•					
• GORDER	•		• LEE	•	• STENEHEW	•					
• GUNDERSON	•		• LEIBAN	•	• STRINDEN	•					
• GUNSCH	•		• LIPSIEA	•	• SWONTEK	•					
• HANSON	•		• MAIXNER	•	• THOMPSON	•					
• HAUGLAND	•		• MARSDEN	•	• THORSGARD	•					
• HAUSAUER, A. # 49	•		• MARTIN	•	• TIMM	•					
• HAUSAUER, R. # 25	•		• MARTINSON	•	• TINJUM	•					
• HEDSTROM	•		• MATHENY	•	• TWETEN	•					

So the bill passed and the title was agreed to.

**House Bill No. 1042.** — A Bill for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to the timing of revisions to the compensation plan established by the central personnel division, and providing for exceptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.



**House Bill No. 1140.** — A Bill for an Act to amend and reenact subdivision k of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to individual income for amounts received from the armed services; and providing an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 3; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUIMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON, I.		•	MUSHK	•	•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER				
•	CRABTREE	•	•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON, F. # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, G. # 29		•	SCOFIELD				
•	GER		•	LARSON, H. # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRONEN				
•	GUNSCH		•	LIPSIEA		•	SWONTEK				
•	HANSON		•	MAIXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A. # 49		•	MARTIN		•	TIMM		•		
•	HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1237.** — A Bill for an Act to amend and reenact subsections 4 and 5 of section 4-09-10 of the North Dakota Century Code, relating to weed seed labeling requirements for containers of agricultural seed.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 6; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUIMANN	•	•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	•
•	BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON, I.		•	MUSHK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•	DICK	•	•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD	•	•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY	•	•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON, F. # 24		•	SCHINDLER				



● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSIGARD
● HAUSAUER, A # 40	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1264.** — A Bill for an Act to amend and reenact subsection 30 of section 40-05-01 of the North Dakota Century Code, relating to licensing of bowling alleys, pool, billiards, theaters and motion picture theaters; and to repeal chapter 53-06 of the North Dakota Century Code, relating to licensing of games and amusements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HCKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER			● MR. SPEAKER		
● CRABTREE			● KLUDBEC			● PETERSON	●				
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSK			● REED					
● DOTENWROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD		●			
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSIGARD					
● HAUSAUER, A # 40			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1277.** — A Bill for an Act to amend and reenact section 61-04-26 of the North Dakota Century Code, relating to the recording of orders affecting water rights.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 68; nays, 30; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HCKLE			● MEIERS		●	● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUWMANN			● MERTENS		●	● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		●
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM		●	● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON		●	● WESSMAN		

CHRISTENSEN	•	•	KERMOTT	•	•	OPEDAHL	•	•	WINKJER
CONNY	•	•	KINGSBURY	•	•	PELTIER	•	•	PETERSON
CRABTREE	•	•	KLOUBEC	•	•	PETERSON	•	•	MR. SPEAKER
DICK	•	•	KNUDSON	•	•	POMEROY	•	•	
DIETZ	•	•	KOSKI	•	•	REED	•	•	
DOTZENROD	•	•	KRETSCHMAR	•	•	RETZER	•	•	
DUBORD	•	•	KUCHERA	•	•	RICHARD	•	•	
EAGLES	•	•	LANG	•	•	RICHIE	•	•	
ERICKSON	•	•	LANGLEY	•	•	RIEHL	•	•	
FLEMING	•	•	LARDY	•	•	RUED	•	•	
FREBORG	•	•	LARSON, F. # 24	•	•	SCHINDLER	•	•	
GACKLE	•	•	LARSON, G. # 29	•	•	SCOFIELD	•	•	
GERL	•	•	LARSON, H. # 7	•	•	SOLBERG	•	•	
GORDER	•	•	LEE	•	•	STENEHJEM	•	•	
GUNDERSON	•	•	LEIBHAN	•	•	STRINDEN	•	•	
GUNNSCH	•	•	LIPSIA	•	•	SWONTEK	•	•	
HANSON	•	•	MAXNER	•	•	THOMPSON	•	•	
HAUGLAND	•	•	WARBEN	•	•	THORSgard	•	•	
HAUSAUER, A. # 48	•	•	MARTIN	•	•	TMM	•	•	
HAUSAUER, R. # 25	•	•	MARTINSON	•	•	TINJUM	•	•	
HEDSTROM	•	•	MATHENY	•	•	TWETEN	•	•	

So the bill passed and the title was agreed to.

**House Bill No. 1284.** — A Bill for an Act to amend and reenact section 26-17.1-17 of the North Dakota Century Code, relating to the bonding of insurance brokers and surplus lines insurance brokers.

Which has been read.

Rep. Wald requested that he be excused from voting on House Bill No. 1284 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Wald and all other members with a conflict of interest be allowed to vote on House Bill No. 1284, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 91; nays, 5; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	MATTSON	•	UNHJEM	•		
•			•	HICKLE	•	MEIERS	•	VANDER VORST	•		
•			•	HOFFNER	•	MELBY	•	VIG	•		
•			•	HOUWMANN	•	MERTENS	•	WAGNER	•		
•			•	HOVE	•	MEYER	•	WALD	•		
•			•	JACOBSEN, R.	•	MURPHY	•	WALSH	•		
•			•	JACOBSON, J.	•	MUSHIK	•	WEBER	•		
•			•	KELLY	•	NICHOLAS	•	WENTZ	•		
•			•	KENNELLY	•	OLSON	•	WESSMAN	•		
•			•	KERMOTT	•	OPEDAHL	•	WINKJER	•		
•			•	KINGSBURY	•	PELTIER	•				
•			•	KLOUBEC	•	PETERSON	•	•	MR. SPEAKER		
•			•	KNUDSON	•	POMEROY	•				
•			•	KOSKI	•	REED	•				
•			•	KRETSCHMAR	•	RETZER	•				
•			•	KUCHERA	•	RICHARD	•				
•			•	LANG	•	RICHIE	•				
•			•	LANGLEY	•	RIEHL	•				
•			•	LARDY	•	RUED	•				
•			•	LARSON, F. # 24	•	SCHINDLER	•				
•			•	LARSON, G. # 29	•	SCOFIELD	•				
•			•	LARSON, H. # 7	•	SOLBERG	•				
•			•	LEE	•	STENEHJEM	•				
•			•	LEIBHAN	•	STRINDEN	•				
•			•	LIPSIA	•	SWONTEK	•				
•			•	MAXNER	•	THOMPSON	•				
•			•	WARBEN	•	THORSgard	•				
•			•	MARTIN	•	TMM	•				
•			•	MARTINSON	•	TINJUM	•				
•			•	MATHENY	•	TWETEN	•				

So the bill passed and the title was agreed to.

**EXPLANATION OF VOTE**

Rep. Maixner: "Mr. Speaker:

"I would like to explain my vote.

"I voted 'No' on this measure because it was introduced at the request of the Insurance Department. The Insurance Department was not prepared to testify on the bill, did not know the bill was being heard, ar-

rived without a copy of the bill, and did not understand the bill after it had been read.”

FIRST READING OF

SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4001.** — A concurrent resolution directing a Legislative Council study of the feasibility and benefits of reorganizing the executive branch of state government.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4005.** — A concurrent resolution to recreate a special Garrison Diversion Legislative Overview Committee to review matters concerning Garrison diversion through the upcoming interim and the next legislative session and to represent legislative interests in the Garrison Diversion Project.

Which was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF

SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4020.** — A concurrent resolution of greetings to the participants of the 14th International Rare Earth Conference to be held at North Dakota State University, Fargo, North Dakota, on June 25-28, 1979.

Was read the first time.

Rep. Kretschmar moved that the rules be suspended, that Senate Concurrent Resolution No. 4020 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

SECOND READING OF

SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4020.** — A concurrent resolution of greetings to the participants of the 14th International Rare Earth Conference to be held at North Dakota State University, Fargo, North Dakota, on June 25-28, 1979.


Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS  
 to whom was referred HOUSE  
 Bill No. 1060, has had the same under consideration and recommends, by a vote of  
 Ayes, 13; Nays, 2; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

HOUSE Bill No. 1060  (Chairman  
 Rep. Haugland was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS  
 to whom was referred HOUSE

Bill No. 1061, has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

HOUSE Bill No. 1061 was placed on the 11th.  
 order of business on the calendar for the succeeding legislative day.

*Haugland* Chairman  
 Rep. Haugland

Mr. Speaker: Your Committee on Education  
 to whom was referred House

Bill No. 1064, has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

~~And who so amended, recommends the same do pass:~~

HOUSE Bill No. 1064 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

*Rep. Knudson* Chairman  
 Rep. Knudson

Mr. Speaker: Your Committee on TRANSPORTATION  
 to whom was referred HOUSE

Bill No. 1103, has had the same under consideration and recommends, by a vote of  
 Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

- On page 1, line 4 delete the word "Regulation" and insert in lieu thereof the word "Regulatory"
- On page 1, line 8 after the word "utilization" and before the period insert the following ", and declaring an emergency"
- On page 1, line 15 after the word "department" insert the following: ", with the approval of the commissioner,"
- On page 1, line 18 delete the word "Regulation" and insert in lieu thereof the word "Regulatory"
- On page 2, line 4 delete the word and commas ", supervise,"
- On page 2, line 19 delete the word "regulation" and insert in lieu thereof the word "regulations"
- On page 2, line 25 delete the word "Regulation" and insert in lieu thereof the word "Regulatory"
- On page 2, line 27 after the word "department" insert the following: ", with the approval of the commissioner,"
- On page 2, line 30 delete the word "Regulation" and insert in lieu thereof the word "Regulatory" and also on line 30 delete the word "The"

On page 2, delete all of lines 31 and 32

On page 2, line 34 after the word "department" insert the following:  
", with the approval of the commissioner,"

On page 3, line 8 delete the words "the commission, other state agencies, or with other states" and insert in lieu thereof "the necessary parties to accomplish the purposes of this Act"

On page 3, line 9 after the word "department" insert the following:  
", with the approval of the commissioner,"

On page 3, line 13 delete the word "Regulation" and insert in lieu thereof the word "Regulatory"

On page 3, line 21 delete the word "or" and insert in lieu thereof the word "and"

On page 3, line 25 delete the word "or" and insert in lieu thereof the word "and" and also on line 25 delete the word "believes" and insert in lieu thereof the word "believe"

On page 3, after line 26 insert the following new section:  
"SECTION 7. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages and sections accordingly

And when so amended, recommends the same do pass.

*Rep. Erickson* Chairman

Rep. Erickson

House Bill No. 1103 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION to whom was referred HOUSE

Bill No. 1150 has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, delete the word "rental"

On page 1, line 3, after the word "property" insert the following:  
"; and providing an effective date"

On page 1, line 12, delete the word "rental" and after the word "taxpayer" insert the words "and constructed prior to July 1, 1974"

On page 1, line 14, after the word "year" insert the words and commas ", the tax credit would not exceed seventy-five dollars per year,"

On page 1, line 15, after the word "from" insert the words and commas " but may not exceed,"

On page 1, line 20, after the period insert the words "If a structure is both residential and nonresidential in nature, only the costs of acquiring and installing insulation for the residential portion of the structure may be subtracted from the owner's tax liability."

On page 2, after line 2, insert the following new section:

"SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective for all taxable years beginning on or after January 1, 1979."

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

Rep. Gackie Chairman

House Bill No. 1150 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1174 has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

do pass. [XX] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Rep. Nicholas Chairman

House Bill No. 1174 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1180 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

- On page 1, line 13 after the word "order" delete "or rule"
On page 1, line 16 delete "thirty" and insert in lieu thereof "forty" and also on line 16 strike the comma
On page 1, delete all the underlined material on lines 17 and 18

And renumber the lines accordingly.

And when so amended, recommends the same do pass.

Rep. Kloubec Chairman

House Bill No. 1180 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS to whom was referred HOUSE

Bill No. 1200 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 2, line 3 delete the words "department of" and after the word "health" insert the word "council"

On page 3, line 3 delete the words "department of" and after the word "health" insert the word "council"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Haugland*  
Rep. Haugland Chairman

House \_\_\_\_\_ Bill No. 1200 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS to whom was referred HOUSE

Bill No. 1214, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 6; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

*Haugland*  
Rep. Haugland Chairman

HOUSE Bill No. 1214 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1225, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

on page 3, line 1 - after the word "twenty-five" insert the word "fifty"

on page 3, line 2 - delete all the underlined material

on page 3, line 3 - delete all the underlined material

and renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas* Chairman  
Rep. Nicholas

House Bill No. 1225 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1283 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 4 after the second word "section" delete the numbers "39-06-40" and insert in lieu thereof the following: "39-06-40.1, section 39-08-09,"

On page 4, line 30 after the period insert the following section:

"SECTION 8. AMENDMENT.) Section 39-08-09 of the 1977 supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-08-09. IMMEDIATE NOTICE AND WRITTEN REPORT OF ACCIDENT.) The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of ~~three~~ four hundred dollars or more shall immediately give notice of such accident to the local police department if such accident occurs within a municipality, otherwise to the office of the county sheriff or the state highway patrol. Within ten days after such accident, the driver shall also forward a written report of the accident to the highway commissioner.

The highway commissioner may suspend the license or permit to drive and any nonresident operating privileges of any person failing to report an accident as provided in section 39-08-06 through 39-08-09 until such report has been filed, and the commissioner may extend such suspension not to exceed thirty days."

On page 5, line 3 delete the word "three" and insert in lieu thereof the word "four"

And renumber the lines and pages and sections accordingly

And when so amended, recommends the same do pass.

*Rep. Erickson* Chairman  
Rep. Erickson

House Bill No. 1283 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1287 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 21 strike through the word "his" and insert in lieu thereof the words "such persons"



JOURNAL OF THE HOUSE

On page 1, line 23 after the word "license" insert the words "or permit"

On page 1, line 23 strike through the word "him" and insert in lieu thereof the words "such person"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Erickson*

Chairman

Rep. Erickson

House Bill No. 1287

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1288, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Erickson*

Chairman

Rep. Erickson

House Bill No. 1288

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred Senate

Bill No. 2077, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Lang*

Chairman

Rep. Lang

Senate Bill No. 2077

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred Senate

Bill No. 2100, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Lang*

Chairman

Rep. Lang

Senate Bill No. 2100

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1067  
House Bill No. 1072  
House Bill No. 1073  
House Bill No. 1095  
House Bill No. 1173  
House Bill No. 1176  
House Bill No. 1181  
House Bill No. 1192  
House Bill No. 1216  
House Bill No. 1219  
House Bill No. 1241  
House Bill No. 1242

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4020

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2065  
Senate Bill No. 2071  
Senate Bill No. 2115  
Senate Bill No. 2131  
Senate Bill No. 2135  
Senate Bill No. 2163  
Senate Bill No. 2164  
Senate Bill No. 2174  
Senate Bill No. 2176  
Senate Bill No. 2178  
Senate Bill No. 2222

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Monday, January 22, 1979, which motion prevailed.

FIRST READING OF HOUSE BILLS

Rep. Martinson introduced:

**House Bill No. 1396.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide for a coal impact office as a division of the public service commission.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Nicholas and Crabtree introduced:

**House Bill No. 1397.** — A Bill for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for all sales to hospitals licensed by the state health department:

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Wald introduced:

**House Bill No. 1398.** — A Bill for an Act to create and enact five new subsections to section 43-11-01 and three new sections to chapter 43-11 of the North Dakota Century Code, relating to the definitions of terms relating to electrology, qualifications and examinations of electrologists and electronic hair removal technicians, and the special licensing of electrologists and electronic hair removal technicians and their establishments; and declaring an emergency.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Conmy introduced:

**House Bill No. 1399.** — A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Stenehjem, Houmann and Swiontek and Senators Holmberg, Lodoen and Farrington introduced:

**House Bill No. 1400.** — A Bill for an Act to amend and reenact subsection 1 of section 51-18-01 of the North Dakota Century Code, relating to definitions, regulation of home solicitation sales; to amend and reenact section 51-18-02 of the North Dakota Century Code, relating to cancellation period, method of cancellation and intent, regulation of home solicitation sales; to amend and reenact section 51-18-03 of the North Dakota Century Code, relating to referral sales, rebate or discount violations, regulation of home solicitation sales; to amend and reenact section 51-18-04 of the North Dakota Century Code, relating to agreement requirement, regulation of home solicitation sales; to amend and reenact section 51-18-05 of the North Dakota Century Code, relating to evidence of indebtedness, regulation of home solicitation sales; to amend and reenact subsection 1 of section 51-18-06 of the North Dakota Century Code, relating to time limitation, regulation of home solicitation; to amend and reenact section 51-18-07 of the North Dakota Century Code, relating to buyer responsibility, services, regulation of home solicitation sales.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Winkjer introduced:

**House Bill No. 1401.** — A Bill for an Act to amend and reenact subsection 18 of section 26-41-03 of the North Dakota Century Code, relating to the definition of serious injury under the North Dakota Auto Accident Reparations Act.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. A. Hausauer introduced:

**House Bill No. 1402.** — A Bill for an Act to create and enact a new

section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide for the allocation of coal severance tax moneys to coal-producing and non-coal-producing counties.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Kretschmar and Benedict introduced:

**House Bill No. 1403.** — A Bill for an Act to repeal section 49-06-17 of the North Dakota Century Code, relating to limitation on number of valuation or revaluation orders.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Wessman, Black and Kuchera and Senators Fritzell and Goodman introduced:

**House Bill No. 1404.** — A Bill for an Act to authorize the state board of higher education to deed property owned by the state of North Dakota for the use and benefit of the university of North Dakota to the United States; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Wessman, Kuchera, and Black and Senators Fritzell and Goodman introduced:

**House Bill No. 1405.** — A Bill for an Act to authorize the state board of higher education to exchange lands.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Kingsbury and Murphy introduced:

**House Bill No. 1406.** — A Bill for an Act to amend and reenact sections 15-40.1-05, 15-40.1-06, 15-40.1-07, and 15-40.1-08, subsection 2 of section 15-40.1-10, and section 57-15-24 of the North Dakota Century Code to eliminate the school district equalization factor, to adjust the level of state support per pupil, to provide for disbursement of state money from county equalization funds, to distribute funds raised by the twenty-one mill county levy on an equal per-pupil share basis, and to provide that the twenty-one mill county levy for schools not be adjusted for varying assessment levels; and to repeal section 15-40.1-04 of the North Dakota Century Code, relating to adjustment of the twenty-one mill county levy for schools and the deduction of the sum raised by that levy from the state aid payment.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Peltier introduced:

**House Bill No. 1407.** — A Bill for an Act to amend and reenact sections 4-10.2-03 and 4-10.3-03 of the North Dakota Century Code, allowing the commissioner of agriculture or a designated county agent to conduct an election for the North Dakota sunflower council or the North Dakota edible bean council and to allow for the elections to be conducted within one hundred twenty days prior to July first.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Wald introduced:

**House Bill No. 1408.** — A Bill for an Act to create and enact a new section to chapter 26-07 of the North Dakota Century Code, relating to requirements for termination of fire or casualty insurance agency contracts.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Mertens introduced:

**House Bill No. 1409.** — A Bill for an Act to amend and reenact section 40-55-06 of the North Dakota Century Code, relating to rural representation on recreation boards.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Gorder introduced:

**House Bill No. 1410.** — A Bill for an Act to amend and reenact section 15-34.1-03 of the North Dakota Century Code, relating to exceptions to the compulsory attendance law and providing an exception for pupils attending certain private schools.

Which was read the first time and referred to the Committee on Education.

Reps. Vander Vorst and Leibhan and Senator Walsh introduced:

**House Bill No. 1411.** — A Bill for an Act to provide for a study by the industrial commission of North Dakota on the feasibility of the construction of a state-operated grain alcohol production plant at the state mill and elevator; and providing an appropriation.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Freborg introduced:

**House Bill No. 1412.** — A Bill for an Act to amend and reenact section 27-07-40 of the North Dakota Century Code, relating to the fees for filing estate and guardianship petitions.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Freborg introduced:

**House Bill No. 1413.** — A Bill for an Act directing the office of the budget to control appropriations for salaries and wages.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Kennelly introduced:

**House Bill No. 1414.** — A Bill for an Act to create and enact a new section to chapter 57-55 of the North Dakota Century Code, relating to governmental exemptions on mobile home tax; to amend and reenact section 57-55-03 of the North Dakota Century Code, relating to interest due on delinquent mobile home tax; to amend and reenact section 57-55-11 of the North Dakota Century Code, relating to the collection of the mobile home tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Mertens and Berg introduced:

**House Bill No. 1415.** — A Bill for an Act to amend and reenact subsection 6 of section 39-04-19 of the North Dakota Century Code, relating to custom combine registration.

Which was read the first time and referred to the Committee on Transportation.

Rep. Kuchera introduced:

**House Bill No. 1416.** — A Bill for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to the election of beneficiaries of certain deceased college teachers.

Which was read the first time and referred to the Committee on Education.

Rep. Freborg introduced:

**House Bill No. 1417.** — A Bill for an Act to amend and reenact sections 11-17-04 and 28-20.1-05 of the North Dakota Century Code, relating to fees charged by the clerk of the district court, and to the fee charged by the clerk of the district court for filing foreign judgments.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Freborg introduced:

**House Bill No. 1418.** — A Bill for an Act to amend and reenact subsection 2 of section 14-08-07 of the North Dakota Century Code, relating to the transfer of proceedings for enforcement of a child support decree.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Winkjer introduced:

**House Bill No. 1419.** — A Bill for an Act to amend and reenact section 39-16-05 and subsection 2 of section 39-16.1-11 of the North Dakota Century Code, relating to the minimum liability limits in automobile insurance policies under the financial responsibility laws.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Winkjer introduced:

**House Bill No. 1420.** — A Bill for an Act to repeal section 26-41-14 of the North Dakota Century Code, relating to the equitable allocation of losses among insurers under the North Dakota Auto Accidents Reparations Act.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Rued introduced:

**House Bill No. 1421.** — A Bill for an Act to amend and reenact subsection 21 of section 26-41-03 and sections 26-41-09 and 27-41-10 of the North Dakota Century Code, relating to the definition of work loss under the Auto Accident Reparations Act and the payment of basic and optional excess no-fault benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Wessman introduced:

**House Bill No. 1422.** — A Bill for an Act to amend and reenact sections 43-10-05, 43-10-13, 43-10-14, 43-10-15, and 43-10-22 of the North Dakota Century Code, relating to the power of the board of embalmers to establish license fees, the fees for embalmer licenses issued after examination and without examination, license renewal fees, and license and renewal fees for funeral establishments.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. G. Larson, Hanson, Retzer and Unhjem introduced:

**House Bill No. 1423.** — A Bill for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to liability of manufacturers to retailers for performing warranty services on certain items.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. A. Hausauer introduced:

**House Bill No. 1424.** — A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 of the North Dakota Century Code, relating to the duty of the state supervisor of assessments to make the sales ratio study; and to repeal sections 57-01-06, 57-01-06.1, and 57-01-07 of the North Dakota Century Code, relating to the sales ratio study.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Brokaw introduced:

**House Bill No. 1425.** — A Bill for an Act to amend and reenact section 4-27-06 of the North Dakota Century Code, relating to assessments of gross receipts of milk or milk products for dairy products promotion.

Which was read the first time and referred to the Committee on Agriculture.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Peltier and Koski introduced:

**House Concurrent Resolution No. 3023.** — A concurrent resolution directing the Legislative Council to study the appropriate sections of the North Dakota Century Code which relate to the operation of emergency vehicles, and lighting systems and other equipment emergency vehicles are authorized to use, with emphasis on the assignment of the responsibility for adopting rules, and requiring specific training and equipment, for safe operation of emergency vehicles.

Was read the first time and referred to the committee on Transportation.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2041.** Transfer of Motor Vehicle Fuel Tax — A Bill for an Act to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor vehicle fuel tax laws.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2063.** — A Bill for an Act to provide for the referral of proposed and existing administrative rules to an interim committee of the legislative council.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2068.** — A Bill for an Act to amend and reenact sections 53-02-05 and 53-02-08 of the North Dakota Century Code, relating to permits to hold public dances or music festivals and the presence of law officers at public dances or music festivals.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2109.** — A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to increase maximum loan value of farmland from one-half to sixty-five percent.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2120.** — A Bill for an Act to amend and reenact section 36-01-04 of the North Dakota Century Code, relating to the compensation and expenses of members of the board.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2129.** — A Bill for an Act to amend and reenact section 15-37-01 of the North Dakota Century Code, relating to teachers' oath.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2142.** — A Bill for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2175.** — A Bill for an Act to provide for fees for applications presented to the state banking board; and to amend and reenact sections 6-02-06 and 6-03-15 of the North Dakota Century Code, relating to fees for applications presented to the state banking board.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Pursuant to Rep. Kretschmar's motion, the House adjourned until 1:00 p.m., Monday, January 22, 1979.

ROY GILBREATH, Chief Clerk



FOURTEENTH DAY

Bismarck, January 22, 1979

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

The prayer was offered by Rev. Bob Fisher, Wesleyan Church, Bismarck, North Dakota.

The roll was called and all members were present except Reps. Berger, Unhjem and Winkjer.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirteenth Day and finds the same to be correct.

Handwritten signature of Rep. Swiontek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1057
HB NO. 1091
HB NO. 1208

and find the same correctly } Reported Engrossed

Handwritten signature of Rep. Stenshjem, Chairman

Representative Dietz moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Nicholas moved that the House reconsider its action whereby it accepted the Committee Report on House Bill No. 1225, which motion prevailed.

Rep. Nicholas moved that House bill No. 1225 be re-referred to the Committee on Agriculture, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Rep. Murphy: "Mr. Speaker and Members of the House: "I rise on a point of personal privilege.

"I would like to explain my 'No' vote on House Bill No. 1118 — Branch Banking on Indian Reservations. I support any community that needs a bank, but it should not be based on race, creed or color. To discriminate against is wrong, and I think to discriminate for, in the long run, may do more harm. I think that all men are equal, and I try to live that way."

#### MOTIONS

Rep. Retzer moved that House Bill No. 1253 be returned to the House from the Committee on Transportation, for the purpose of withdrawal, which motion prevailed.

Rep. Retzer requested permission to withdraw House Bill No. 1253. There being no objection, it was so ordered by the Speaker.

Rep. Knudson moved that the House reconsider the action whereby the House accepted the Committee Report on House Bill No. 1064, which motion prevailed.

Rep. Knudson moved that House Bill No. 1064 be re-referred to the Committee on Education, which motion prevailed.

Rep. A. Hausauer moved that House Bill No. 1256 be returned to the House from the Committee on Agriculture for the purpose of withdrawal, which motion prevailed.

Rep. A. Hausauer requested permission to withdraw House Bill No. 1256. There being no objection, it was so ordered by the Speaker.

#### SIXTH ORDER OF BUSINESS

Rep. Erickson moved that the amendments to House Bill No. 1103 as recommended by the Committee on Transportation as printed on pages 263 and 264 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1150 as recommended by the Committee on Finance and Taxation as printed on pages 264 and 265 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1180 as recommended by the Committee on Natural Resources as printed on page 265 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1200 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 265 and 266 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1283 as recommended by the Committee on Transportation as printed on page 267 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1287 as recommended by the Committee on Transportation as printed on pages 267 and 268 of the House Journal be adopted, which motion prevailed.

#### MESSAGE TO THE SENATE

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1055

House Bill No. 1096

House Bill No. 1218

House Bill No. 1224

House Concurrent Resolution No. 3013.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1174.** — A Bill for an Act to amend and reenact section 4-02.1-15 of the North Dakota Century Code, relating to the retention of profits from the operation of the state fair.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 94; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN, R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON, I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTTENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHIE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBORG		●	LARSON, F. # 24		●	SCHINDLER		●			
GACKLE		●	LARSON, G. # 28		●	SCOFIELD		●			
GERL		●	LARSON, H. # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBHAN		●	STRINDEN		●			
GUNSCH		●	LIPSIEA		●	SWONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSgard		●			
HAUSAUER, A. # 49		●	MARTIN		●	TIMM		●			
HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill lost.

**House Bill No. 1288.** — A Bill for an Act to amend and reenact sections 39-16.1-17 and 39-16.1-19 and to repeal subsection 2 of section 39-16.1-08 and section 39-16.1-14 of the North Dakota Century Code, relating to bonds for financial responsibility.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 1; nays, 96; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN, R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON, I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON	●		MR. SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTTENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHIE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBORG		●	LARSON, F. # 24		●	SCHINDLER		●			
GACKLE		●	LARSON, G. # 28		●	SCOFIELD		●			
GERL		●	LARSON, H. # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBHAN		●	STRINDEN		●			
GUNSCH		●	LIPSIEA		●	SWONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSgard		●			
HAUSAUER, A. # 49		●	MARTIN		●	TIMM		●			
HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill lost.

**House Bill No. 1057.** — A Bill for an Act to prohibit school boards from selling textbooks to pupils or otherwise charging unauthorized fees, to allow school boards to establish authorized fees, to allow the superintendent of public instruction to withhold foundation payments if a school district has charged unauthorized fees and, after notification, refuses to discontinue such action, to exempt postsecondary instructional programs; to repeal sections 15-43-07, 15-43-08, 15-43-09, 15-43-10, and 15-43-11 of the North Dakota Century Code, relating to selling textbooks to pupils, purchase of textbooks from families moving from a school district, discretionary authority of school districts to provide free textbooks, prescribing the duty of parents or guardians of pupils to furnish textbooks, and changing of textbooks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 9; absent and not voting, 2.

REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOEN			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS		●	● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY	●		● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN	●		● KERMOTT			● OPEDAHL			● WINKLER	●	
● CONMY			● KINGSBURY			● PELTIER			MR. SPEAKER		●
● CRABTREE			● KLOUBEC			● PETERSON					
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZEP					
● DVBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG	●		● LARSON, F. #24			● SCHINDLER					
● GACKLE	●		● LARSON, G. #29			● SCORFELD					
● GERL	●		● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEBMAN			● STRINDEN					
● GUNSON			● LURIE			● SWONTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN		●	● THORSGARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY		●	● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1060.** — A Bill for an Act to create and enact a new section to chapter 25-10 of the North Dakota Century Code, relating to the authority of the mental health and retardation division; and to amend and reenact sections 25-12-01, 25-12-02, 25-12-03, and 25-12-04 of the North Dakota Century Code, relating to the operation of mental health and retardation service units.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 6; absent and not voting, 1.

REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOEN			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		

• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHIEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1061** — A Bill for an Act to improve the quality, and efficiency in delivery, of human services through the collocation of social services and mental health services in each of the eight regions of the state; providing for joint intake, interagency referral, and interprogram planning and coordination; encouraging regional collocation of other related human services; providing for a fiscal incentive for the collocation of county social services in the regional centers; providing for the North Dakota social service board to reimburse qualifying mental health and retardation service units and human service centers for provision of clinical services to medical assistance individuals; and to amend and reenact section 50-24.1-03 of the North Dakota Century Code, relating to medical assistance.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 6; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY		• VIG			
• BERGE			• HOUWANN			• MERTENS			• WAGNER		
• BERGER			• HOVE	•		• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD		•			
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER	•		• LEE			• STENEHIEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Berg moved that the House reconsider its action whereby the House adopted the amendments to House Bill No. 1091.

Rep. Peterson moved the previous question, which motion prevailed.

The question then was on the motion of Rep. Berg to reconsider the action whereby the House adopted the amendments to House Bill No. 1091, which motion failed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1091.** — A Bill for an Act to amend and reenact subdivision c and e of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exempting certain motor vehicles from registration.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 30; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			HERMAN	●		●	MATTSON	●	UNHJEM
●			HICKLE	●		●	MEIERS	●	VANDER VORST
●			HOFFNER	●		●	MELBY	●	VIG
●			HOUWMANN	●		●	MERTENS	●	WAGNER
●			HOVE	●		●	MEYER	●	WALD
●			JACOBSEN, R.	●		●	MURPHY	●	WALSH
●			JACOBSON, I.	●		●	MUSHIK	●	WEBER
●			KELLY	●		●	NICHOLAS	●	WENTZ
●			KENNELLY	●		●	OLSON	●	WESSMAN
●			KERMOTT	●		●	OPEDAHL	●	WINKJER
●			KINGSBURY	●		●	PELTIER	●	
●			KLOUBEC	●		●	PETERSON	●	MR. SPEAKER
●			KNUDSON	●		●	POMEROY	●	
●			KOSKI	●		●	REED	●	
●			KRETSCHMAR	●		●	RETZER	●	
●			KUCHERA	●		●	RICHARD	●	
●			LANG	●		●	RICHIE	●	
●			LANGLEY	●		●	RIEHL	●	
●			LARDY	●		●	RUED	●	
●			LARSON, F. # 24	●		●	SCHINDLER	●	
●			LARSON, G. # 28	●		●	SCOFIELD	●	
●			LARSON, H. # 7	●		●	SOLBERG	●	
●			LEE	●		●	STENEHJEM	●	
●			LEIBHAN	●		●	STRINDEN	●	
●			LIPSIA	●		●	SWONTEK	●	
●			MAXNER	●		●	THOMPSON	●	
●			WARSDEN	●		●	THORSGARD	●	
●			WARTL	●		●	TMM	●	
●			MARTINSON	●		●	TINJUM	●	
●			MATHENY	●		●	TWETEN	●	

So the bill passed and the title was agreed to.

**House Bill No. 1208.** — A Bill for an Act to amend and reenact sections 15-38.1-04, 15-38.1-05, and paragraphs (1) and (2) of subdivision b of subsection 2 of section 15-38.1-13 of the North Dakota Century Code, relating to the compensation, powers and procedure of the education factfinding commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 13; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			HERMAN	●		●	MATTSON	●	UNHJEM
●			HICKLE	●		●	MEIERS	●	VANDER VORST
●			HOFFNER	●		●	MELBY	●	VIG
●			HOUWMANN	●		●	MERTENS	●	WAGNER
●			HOVE	●		●	MEYER	●	WALD
●			JACOBSEN, R.	●		●	MURPHY	●	WALSH
●			JACOBSON, I.	●		●	MUSHIK	●	WFBP

● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOY	● OPEDAH	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RIJED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWINTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER, A # 4	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1214.** — A Bill for an Act to provide authorization for the use of laetrile, limit disciplinary actions, and to provide for public hearings on the use of laetrile.

Which has been read.

Speaker Wagner called Rep. Kretschmar to the rostrum to preside.

Rep. Wagner requested that he be excused from voting on House Bill No. 1214 because of a conflict of interest.

Rep. Strinden moved that Rep. Wagner and any other member who would declare a conflict of interest in voting on this measure be allowed to vote, which motion prevailed.

Rep. Gunsch moved the previous question, which motion failed.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 40; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN		●	● MATTSON			● UNHJEM		●
● BENEDICT			● HICKLE		●	● MEIERS			● VANDER VORST		●
● BERG		●	● HOFFNER		●	● MELBY			● VIG		●
● BERGE			● HOUMANN		●	● MERTENS			● WAGNER		●
● BERGER		●	● HOVE		●	● MEYER			● WALD		●
● BJORNSON			● JACOBSEN, R		●	● MURPHY			● WALSH		●
● BLACK			● JACOBSON, I		●	● MUSHK			● WEBER		●
● BOYUM			● KELLY		●	● NICHOLAS			● WENTZ		●
● BROKAW			● KENNELLY		●	● OLSON			● WESSMAN		●
● CHRISTENSEN		●	● KERMOTT		●	● OPEDAH			● WINKJER		●
● CONMY			● KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON			● MR. SPEAKER		●
● DICK		●	● KNUDSON			● POMEROY					
● DIETZ			● KOSKI		●	● REED		●			
● DOTZENROD			● KRETSCHMAR		●	● RETZER					
● DUBORD			● KUCHERA		●	● RICHARD					
● EAGLES			● LANG		●	● RICHE		●			
● ERICKSON		●	● LANGLEY		●	● RIEHL					
● FLEMING			● LARDY		●	● RIJED					
● FREBORG			● LARSON, F # 24			● SCHINDLER		●			
● GACKLE			● LARSON, G # 29		●	● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM		●			
● GUNDERSON		●	● LEIBMAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWINTEK		●			
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND		●	● MARSDEN		●	● THORSgard		●			
● HAUSAUER, A # 4			● MARTIN		●	● TIMM					
● HAUSAUER, R # 25		●	● MARTINSON		●	● TINJUM					
● HEDSTROM			● MATHENY		●	● TWETEN					

So the bill passed and the title was agreed to.

Speaker Wagner returned to the rostrum to preside.

**EXPLANATION OF VOTE**

Rep. Gerl: "Mr. Speaker and Members of the Assembly:

“I would like to explain my vote on House Bill No. 1057 — the free textbook measure.

“I voted against this bill. I do believe all aspects of an education should be free to school children. I do feel some children are being literally held up — specifically for the purchase of activity tickets, and that is why I voted against the bill.”

SECOND READING OF SENATE BILLS

**Senate Bill No. 2077.** — A Bill for an Act to amend and reenact section 54-52-02.1 of the North Dakota Century Code, relating to membership of county, city, and noncertified school district employees in the public employees retirement system; and to repeal subsection 10 of section 54-52-17 of the North Dakota Century Code, relating to the opportunity for certain members of the public employees retirement system to withdraw from that system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYLUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWITT			● OPEDJHL			● WINKLER	●	
● CONRY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 25			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSEI			● SWONTEK					
● HANSON			● MAUKNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAR	●				
● HAUSAUER, A. # 8			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**Senate Bill No. 2100.** — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code, relating to local control of entertainment in liquor establishments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 9; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		



• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWITT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARBY	• RUED	
• FREIBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENCHJEM	
• GUNDERSON	• LEIBMAN	• STENDEW	
• GUNSON	• LIPSIA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1043, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Martinson Chairman

House Bill No. 1043 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1046, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL", delete the remainder of the bill, and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to annual fire inspection of all state institutions and buildings by the state fire marshall or an authorized representative of a city.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 18-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

ANNUAL INSPECTION OF STATE BUILDINGS AND INSTITUTIONS.) An annual fire inspection shall be performed at each state institution and building. The annual inspection may be voluntarily performed by a person authorized to act in that

## JOURNAL OF THE HOUSE

capacity by the city in which the building or institution is located. The results of an inspection shall be forwarded to the state fire marshall who shall accept the report as the annual fire inspection. If an inspection is not voluntarily performed by an authorized representative of a city, the state fire marshall or his designated representative shall perform the fire inspection. The state fire marshall shall prepare an annual report based upon the findings of the fire inspections. The report, which shall contain specifications of any violations, shall be submitted to the board, agency, commission or officer in charge of a building or institution, the attorney general, and the legislative audit and fiscal review committee.

If the report indicates that any violations can be corrected within the current budget of the responsible board, agency, or commission, action to correct the violations, unless good cause can be demonstrated to the attorney general, shall be initiated within thirty days of receipt of the report.

For the purposes of this section, a "fire inspection" is a procedure performed in accordance with standards set forth in the uniform building code, the code of the building officials and code administrators (BOCA) or the code of the national fire protection association (NFPA)."

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations.

HOUSE Bill No. 1046 Rep. Haugland Chairman  
 was placed on the 6th.  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1047, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

be amended as follows:

On page 1, line 2, delete the numbers "23-01" and insert in lieu thereof the numbers "23-09"

On page 1, line 7, delete the numbers "23-01" and insert in lieu thereof the numbers "23-09"

On page 1, line 10, after the word "state" insert the word "laboratories"

On page 1, line 11, delete the words "of health"

On page 1, line 13, delete the words "and medical" and also on line 13 after the period insert the following: "where medical services are provided by a state institution, the department shall notify the state health department and the health department may inspect the medical services."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

HOUSE Bill No. 1047 Rep. Haugland Chairman  
 was placed on the 6th.  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1049, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Wm. E. Kretschmar*  
 \_\_\_\_\_ Vice Chairman  
 \_\_\_\_\_ Rep. Kretschmar  
 \_\_\_\_\_ House Bill No. 1049 was placed on the 11  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1068, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Wm. E. Kretschmar*  
 \_\_\_\_\_ Vice Chairman  
 \_\_\_\_\_ Rep. Kretschmar  
 \_\_\_\_\_ House Bill No. 1068 was placed on the 11  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT  
to whom was referred House

Bill No. 1078, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 4; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

\_\_\_\_\_  
 \_\_\_\_\_ Chairman  
 \_\_\_\_\_ Rep. Martinson  
 \_\_\_\_\_ House Bill No. 1078 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT  
to whom was referred House

Bill No. 1084, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

\_\_\_\_\_ Chairman  
Rep. Martinson

\_\_\_\_\_ House Bill No. 1084 \_\_\_\_\_ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT to whom was referred \_\_\_\_\_ House

Bill No. 1086 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of Ayes, 13 ; Nays, 2 ; Absent, 0 \_\_\_\_\_, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

\_\_\_\_\_ Chairman  
Rep. Martinson

\_\_\_\_\_ House Bill No. 1086 \_\_\_\_\_ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT to whom was referred \_\_\_\_\_ House

Bill No. 1087 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of Ayes, 10 ; Nays, 5 ; Absent, 0 \_\_\_\_\_, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

\_\_\_\_\_ Chairman  
Rep. Martinson

\_\_\_\_\_ House Bill No. 1087 \_\_\_\_\_ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT to whom was referred \_\_\_\_\_ House

Bill No. 1116 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of Ayes, 14 ; Nays, 1 ; Absent, 0 \_\_\_\_\_, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

\_\_\_\_\_ Chairman  
Rep. Martinson

\_\_\_\_\_ House Bill No. 1116 \_\_\_\_\_ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred \_\_\_\_\_ House

Bill No. 1119 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of Ayes, 15 ; Nays, 0 ; Absent, 0 \_\_\_\_\_, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1119 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1136 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 0 that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 18, after the word "published" insert the words "once each week" and also on line 18, delete the word "days" and insert in lieu thereof the words "consecutive weeks"

On page 1, line 20, after the period insert the following: "In the case of scrap material it may be sold to established scrap dealers at current prices."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

House Rep. Martinson Chairman  
Bill No. 1136 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1141 has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 5; Absent, 1 that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, of the engrossed bill, line 13 delete all of the underlined material

On page 1, line 14 delete "operator,"

On page 1, line 16 before the word "may" insert "statewide,"

On page 2, line 8 before the word "may" insert "statewide,"

On page 2, line 15 before the word "may" insert "statewide,"

On page 2, line 18 delete all of the underlined material

On page 2, line 19 delete all underlined material before the period

And renumber the lines and pages accordingly.

JOURNAL OF THE HOUSE

And when so amended, recommends the same do pass.

*[Signature]*

Chairman

House Rep. Kloubec Bill No. 1141 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT to whom was referred House

Bill No. 1149, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 1, that the same

- do pass. [ ] do not pass. [x] be placed on calendar without recommendation. [ ] be amended as follows: [ ]

*[Signature]*

Chairman

House Rep. Martinson Bill No. 1149 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1157, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 0, that the same

- do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows: [x]

On page 1, delete lines 11 through 16 and insert in lieu thereof the following: "Such persons engaged in foreign travel, excluding Canada, shall receive actual travel expenses and a daily allowance for meals not to exceed fifty dollars. Verification by receipt for such foreign travel expenses shall be required only for lodging expenses claimed."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*[Signature]*

Chairman

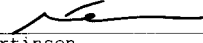
House Rep. Martinson Bill No. 1157 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1175, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass. [x] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows: [ ]

But be re-referred to the Committee on Appropriations

  
Rep. Martinson

Chairman

House Bill No. 1175 was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1191, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 8, line 20 after the word "business" and before the comma insert the words "in this state"

And renumber the lines accordingly

And when so amended, recommends the same do pass



Vice Chairman

Rep. Kretschmar

House

Bill No. 1191

was placed on the 6

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1197, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 1 delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact two new subsections to section 20.1-02-05 of the North Dakota Century Code, relating to the establishment of a special game and fish department private land habitat improvement fund and the establishment of a habitat improvement program."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Two new subsections to section 20.1-02-05 of the North Dakota Century Code are hereby created and enacted to read as follows:

Provide for the funding of a private lands habitat improvement program with moneys derived from the interest earned on the game and fish fund. The state treasurer shall place the interest money in a special fund called the "game and fish department private land habitat improvement fund".

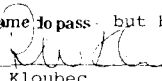
JOURNAL OF THE HOUSE

Carry out a private land habitat improvement program by:

- a. Entering into cost-sharing agreements with landowners or agencies working on private land to help defray all or a portion of their share of certain federally sponsored conservation practices considered beneficial to fish and wildlife.
- b. Annual leasing and development of fish and wildlife habitat or sport fishing areas on private land.
- c. Carrying out practices which will alleviate depredations caused by big game animals or fur-bearers."

And renumber the lines and pages accordingly

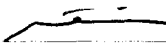
And when so amended, recommends the same to pass, but be re-referred to the Committee on Appropriations.

 Chairman  
 Rep. Kloubec  
 House Bill No. 1197 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1204 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same


do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

 Chairman  
 Rep. Martinson  
 House Bill No. 1204 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION to whom was referred HOUSE

Bill No. 1211 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 1; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

 Chairman  
 Rep. Gackle  
 House Bill No. 1211 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1235 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same



do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19 strike everything after the period

On page 1, strike all of line 20

On page 1, line 21 delete the word "four" and strike the remainder of the line

On page 1, line 22 strike "such animal" and insert in lieu thereof the following: "It is permissible to use an artificial light of not more than two cells in the aggregate of four volts while hunting afoot for raccoon during the open season on such animal. A red or amber filter must be placed on any artificial light used in the hunting of raccoon, except when taking a raccoon treed or at bay" and also on line 22 delete "It is permissible to use an unfiltered flashlight"

On page 2, delete all of lines 1, 2, and 3

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Kloubec  
Bill No. 1235

House \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1269, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. Gackie

House \_\_\_\_\_ Bill No. 1269 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1275, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19, delete the following: "except that if the effective date of any"

JOURNAL OF THE HOUSE

On page 1, delete all of lines 20, 21, and 22

On page 1, line 23, delete the words "this chapter"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle* Chairman

House Bill No. 1275 Rep. Gackle was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1286 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

*Rep. Martinson* Chairman

House Bill No. 1286 Rep. Martinson was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE CONCURRENT RESOLUTION

No. 3019 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

*Rep. Rued* Chairman

HOUSE CONCURRENT RESOLUTION No. 3019 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

MESSAGE FROM THE SENATE Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2122
Senate Bill No. 2130
Senate Bill No. 2139
Senate Bill No. 2153
Senate Bill No. 2173
Senate Bill No. 2194.

LEO LEIDHOLM, Secretary

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the Conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business, the House stand adjourned until 1:00 p.m., Tuesday, January 23, 1979, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Kloubec and Rued introduced:

**House Bill No. 1426.** — A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to extending powers granted federally chartered savings and loan associations to state-chartered savings and loan associations.

Which has been read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Winkjer introduced:

**House Bill No. 1427.** — A Bill for an Act to adopt the Revised Uniform Limited Partnership Act; to amend sections 45-12-01 and 45-12-04 of the North Dakota Century Code, relating to existing limited partnerships and citation of partnership acts; and to repeal chapter 45-10 of the North Dakota Century Code, relating to limited partnerships.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Rued, Kloubec and Lang introduced:

**House Bill No. 1428.** — A Bill for an Act to amend and reenact sections 6-03-13.1 and 6-03-17 of the North Dakota Century Code, relating to bank paying and receiving stations and separate drive-in facilities.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Winkjer introduced:

**House Bill No. 1429.** — A Bill for an Act to amend and reenact subsection 3 of section 27-17-01 of the North Dakota Century Code, relating to the retirement benefits received by certain retired judges.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Richard and Pomeroy introduced:

**House Bill No. 1430.** — A Bill for an Act to create and enact a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to an exemption from the motor vehicle excise tax for assembled motor vehicles on which taxes have been paid on materials used.

Which was read the first time and referred to the Committee on Transportation.

Rep. Wald introduced:

**House Bill No. 1431.** — A Bill for an Act to amend and reenact section 26-24-13 of the North Dakota Century Code, relating to additional premium assessments for the state fire and tornado fund and the reporting of premiums and losses pertaining to the state fire and tornado fund.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Strinden introduced:

**House Bill No. 1432.** — A Bill for an Act to repeal sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code, relating to the creation, membership, and powers and duties of the legislative compensation commission.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Winkjer introduced:

**House Bill No. 1433.** — A Bill for an Act to amend and reenact subsection 3 of section 14-15-13 of the North Dakota Century Code, relating to the time at which an interlocutory decree of adoption may become a final decree.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Thompson introduced:

**House Bill No. 1434.** — A Bill for an Act to amend and reenact section 24-05-01 of the North Dakota Century Code, relating to the amount of the county road tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Unhjem introduced:

**House Bill No. 1435.** — A Bill for an Act to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-05, 25-16-06, 25-16-07, 25-16-08, 25-16-09, 25-16-09, 25-16-10, 25-16-11, and 25-16-12 of the North Dakota Century Code, relating to definitions relating to treatment or care centers for mentally retarded; requiring a license; requirements of a license; a conviction as not barring licensure and exceptions; license content; forms and regulations; confidential records of the treatment or care center; revocation of licenses; hearings on denial or revocation of a license; purchase of services; funds for purchasing residential care, custody, treatment and education for mentally handicapped; and efforts to obtain private and governmental grants; and setting forth legislative intent.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Unhjem introduced:

**House Bill No. 1436.** — A Bill for an Act relating to the effect of a named driver exclusion clause contained in a motor vehicle liability policy.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Kloubec and Senator Strinden introduced:

**House Bill No. 1437.** — A Bill for an Act to establish the North Dakota cultural endowment fund under the jurisdiction of the council on the arts.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Mertens and Sen. Solberg introduced:

**House Bill No. 1438.** — A Bill for an Act to create and enact a new section to chapter 39-03 of the North Dakota Century Code, and to amend and reenact sections 39-03-04, 39-03A-07, 39-03A-09 and 39-06-13 of the North Dakota Century Code, relating to the classification of truck regulatory employees, the appointment of highway patrolmen, the highway patrol retirement plans and driver testing.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Wentz introduced:

**House Bill No. 1439.** — A Bill for an Act to provide for the recall of city officials in cities which have not adopted a home rule charter.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Christensen and Lee introduced:

**House Bill No. 1440.** — A Bill for an Act to create and enact a new subdivision to subsection 5 of section 39-24-09 of the North Dakota Century Code, prohibiting persons operating snowmobiles, except game and fish department personnel, from carrying firearms.

Which was read the first time and referred to the Committee on Transportation.

Reps. Kretschmar, Mushik, and Richie and Senators Holmberg, Melland and Redlin introduced:

**House Bill No. 1441.** — A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Tweten, A. Hausauer and Wessman and Senators Nelson, Tallackson and Thane introduced:

**House Bill No. 1442.** — A Bill for an Act to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Lardy and Senator Krauter introduced:

**House Bill No. 1443.** — A Bill for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, increasing the membership of the health council, and providing representation of the state chiropractic association and the state health care association on the health council and its health committee.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Wald and Lardy introduced:

**House Bill No. 1444.** — A Bill for an Act allowing nonreorganized school districts the option of charging a fee for bus transportation which they provide.

Which was read the first time and referred to the Committee on Education.

Rep. Richie introduced:

**House Bill No. 1445.** — A Bill for an Act to create and enact two new sections to chapter 20.1-13 of the North Dakota Century Code, relating to possession and sale of outboard motors without serial numbers; and providing penalties.

Which was read the first time and referred to the Committee on Natural Resources.

Reps. Stenhjem and Swiontek introduced:

**House Bill No. 1446.** — A Bill for an Act to amend and reenact section 12.1-21-01 of the North Dakota Century Code, relating to the crime of arson.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Peltier introduced:

**House Bill No. 1447.** — A Bill for an Act to repeal sections 6-09-16 and 6-09-17 of the North Dakota Century Code, relating to funds transferred to state departments, how credited by state treasurer, and to

department of accounts and purchases issuance of warrants against transferred funds.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Wentz and Senators Christensen, Sorum and Walsh introduced:

**House Bill No. 1448.** — A Bill for an Act to create and enact a new subsection to section 32-15-22 of the North Dakota Century Code, allowing a jury, court, or referee to award special or consequential damages in condemnation cases.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Timm, Wald, Scofield, Dietz and Kermott introduced:

**House Bill No. 1449.** — A Bill for an Act to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, relating to a graduated system of fines and points assessed against drivers' licenses for violation of the speed limit, and to the definition of moving violation, and removing certain violations related to motorcycles from that definition.

Which was read the first time and referred to the Committee on Transportation.

Reps. Wald, Lee and Olson introduced:

**House Bill No. 1450.** — A Bill for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to indecent exposure; and to amend and reenact subsection 1 of section 12.1-20-03 and section 12.1-20-05 of the North Dakota Century Code, relating to gross sexual imposition and the corruption or solicitation of minors.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Timm, Walsh, Schindler, Maixner and Kermott introduced:

**House Bill No. 1451.** — A Bill for an Act to create and enact a new subsection to section 39-24-09 of the North Dakota Century Code, relating to rules for operation of snowmobiles and providing a penalty; and to amend and reenact section 20.1-01-11 of the North Dakota Century Code, relating to hunting and harassing game from aircraft and motor vehicles and providing a penalty.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Nicholas and Senator Redlin introduced:

**House Bill No. 1452.** — A Bill for an Act to amend and reenact subsection 3 of section 1 and section 6 of chapter 59 of the 1977 Session Laws of North Dakota, relating to the purpose and use of assessments by the beef commission and effective date of the Act.

Which was read the first time and referred to the Committee on Agriculture.

Reps. I. Jacobson and Tinjum introduced:

**House Bill No. 1453.** — A Bill for an Act to amend and reenact section 39-04-13 of the North Dakota Century Code, relating to duplicate plates, tabs, sticker, or registration card for motor vehicles.

Which was read the first time and referred to the Committee on Transportation.

Reps. Vander Vorst, Leibhan and Kretschmar introduced:

**House Bill No. 1454.** — A Bill for an Act to provide for the distribution of statewide library borrower's cards; to provide for the distribution of funds to participating libraries; and to provide an appropriation.

Which was read the first time and referred to the Committee on Education.

Reps. Hanson, Black and I. Jacobson introduced:

**House Bill No. 1455.** — A Bill for an Act to create and enact a new subsection to section 15-38-04.1 of the North Dakota Century Code, providing for a school holiday on George Washington's birthday; and to amend and reenact sections 15-40.1-09 and 15-47-33 of the North Dakota Century Code, increasing the holidays includable in determining "average daily membership" for purposes of determining school aid and in counting the number of days in a full school year.

Which was read the first time and referred to the Committee on Education.

Rep. Martinson introduced:

**House Bill No. 1456.** — A Bill for an Act to prohibit discrimination in the choice of optometric services.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Richie introduced:

**House Bill No. 1457.** — A Bill for an Act to repeal Chapter 51-11 of the North Dakota Century Code, relating to fair trade.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Wald introduced:

**House Bill No. 1458.** — A Bill for an Act to amend and reenact subsection 45 of section 39-01-01, sections 39-16-05, 39-16.1-02, 39-16.1-05, and subsection 2 of section 39-16.1-11 of the North Dakota Century Code, relating to the level of motor vehicle liability coverage necessary to fulfill the requirements of the definition "proof of financial responsibility", the amount of motor vehicle liability coverage required to avoid suspension of operator's license, the level of motor vehicle liability coverage necessary to fulfill the requirements of the definition "proof of financial responsibility", the satisfaction of judgments arising out of motor vehicle accidents, and the amount of coverage specified in motor vehicle liability insurance policies.

Which was read the first time and referred to the Committee on Transportation.

Reps. Conmy and Dotzenrod introduced:

**House Bill No. 1459.** — A Bill for an Act to create and enact section 43-19.1-33 of the North Dakota Century Code, relating to the indemnification of members of the Board of Registration for Professional Engineers and Land Surveyors.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Conmy, Kelly and Dotzenrod introduced:

**House Bill No. 1460.** — A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Dietz, Erickson and Crabtree and Senators Naaden and Smykowski introduced:

**House Bill No. 1461.** — A Bill for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to payment terms of easements for transmission facilities.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Berg introduced:

**House Bill No. 1462.** — A Bill for an Act to amend and reenact sections 27-08.1-03 and 27-08.1-06 of the North Dakota Century Code, relating to informal hearings before the small claims court and the examination of judgment debtors, and execution of judgments.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Berg introduced:

**House Bill No. 1463.** — A Bill for an Act to provide landowners adjoining abandoned railroad right-of-way options to acquire the right of way, and to regulate the acquisition of abandoned railroad right of way for wildlife programs or projects.

Which was read the first time and referred to the Committee on Transportation.

Reps. Thorsgard and Langley introduced:

**House Bill No. 1464.** — A Bill for an Act to amend and reenact section 6-03-05.1 of the North Dakota Century Code, relating to advancement of funds to protect liens and providing for subordination of such advancements with respect to certain mortgages, liens, and judgments.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Kingsbury, A. Hausauer and Gackle introduced:

**House Bill No. 1465.** — A Bill for an Act to amend and reenact subsection 4 of section 57-02-01 and sections 57-02-27 and 57-02-28 of the North Dakota Century Code, relating to property tax assessments and the definition of "true and full value" and providing a formula for the assessment of agricultural property based on cash rent.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Weber introduced:

**House Bill No. 1466.** — A Bill for an Act to amend and reenact subsection 1 of section 30.1-23-01 of the North Dakota Century Code, relating to the value of estates that may be collected as personal property by affidavit.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Strinden introduced:

**House Bill No. 1467.** — A Bill for an Act to amend and reenact subdivisions j and l of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, increasing the amount of certain retirement funds which may be deducted in determining North Dakota taxable income; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Strinden and Backes introduced:

**House Bill No. 1468.** — A Bill for an Act to amend and reenact section 54-03-20 and subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to the living allowance received by legislators during the legislative session and the compensation of members of the legislative council and its committees for attending sessions of the legislative council or its committees; and declaring an emergency.



Which was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Reps. Strinden and Martinson and Senator Tennesos introduced:

**House Concurrent Resolution No. 3024.** — A concurrent resolution urging the President and Congress to maintain diplomatic relations and uphold treaty obligations with the Republic of China -Taiwan.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. Winkjer and Scofield introduced:

**House Concurrent Resolution No. 3025.** — A concurrent resolution of the North Dakota Legislative Assembly calling for an amendment to the United States Constitution prohibiting federal estate taxes.

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

Reps. Marsden, Dotzenrod, Gackle, Houmann and Lee introduced:

**House Concurrent Resolution No. 3026.** — A concurrent resolution to rescind North Dakota's ratification of the Equal Rights Amendment.

Was read the first time and referred to the Committee on Judiciary.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2065.** — A Bill for an Act to amend and reenact section 15-20.2-08 of the North Dakota Century Code, relating to assessment of participating districts for expenses of multidistrict vocational education centers using mobile units.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2071.** — A Bill for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to requirements governing the sale or purchase of banking institutions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2115.** — A Bill for an Act to amend and reenact section 26-03-49 of the North Dakota Century Code, relating to the inception and expiration dates for insurance policies; and declaring an emergency.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2131.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 15-40.2-05 of the North Dakota Century Code, relating to payment of tuition by school district.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2135.** — A Bill for an Act to amend section 54-21-25 of the North Dakota Century Code, relating to contracting of services if suitable facilities or services are not available for adult inmates.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2163.** — A Bill for an Act to amend and reenact subsection 3 of section 54-44.2-02 of the North Dakota Century Code, relating to the powers and duties of the office of central data processing.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2164.** — A Bill for an Act to amend and reenact section 15-61-05 of the North Dakota Century Code, relating to disposition of surplus property.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2174.** — A Bill for an Act to amend and reenact section 6-06-08 of the North Dakota Century Code, relating to the supervision of credit unions by the state credit union board, examinations, and fees.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2176.** — A Bill for an Act to amend and reenact section 6-06-11 of the North Dakota Century Code, relating to annual meetings, election of directors and committees of credit unions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2178.** — A Bill for an Act to create and enact a new section to chapter 7-02 of the North Dakota Century Code, relating to savings and loan association account insurance; to amend and reenact section 7-01-07 of the North Dakota Century Code, relating to insurance requirement and certificates of authority of state savings and loan associations; and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2222.** — A Bill for an Act to provide for the leasing of certain lands managed and controlled by the state board of higher education.

Which was read the first time and referred to the Committee on Education.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p. m., Tuesday, January 23, 1979.

ROY GILBREATH, Chief Clerk

FIFTEENTH DAY

Bismarck, January 23, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding.  
The prayer was offered by Rev. John Nicolai, Trinity Lutheran Church,  
Bismarck, North Dakota.  
The roll was called, and all members were present.  
A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the  
Journal has carefully examined the Journal of the Fourteenth

day and recommends that the same be corrected as follows:  
Page 283, line 36, delete the word "prevailed" and  
insert in lieu thereof "failed"

And when so corrected recommends that the same be approved.

*Steve Swiortek* Chairman  
Rep. Swiortek

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1103
- HB NO. 1150
- HB NO. 1180
- HB NO. 1200
- HB NO. 1283
- HB NO. 1287

and find the same correctly } ~~Engrossed~~  
Engrossed

*Wayne Stenejem* Chairman  
Rep. Stenejem

Representative Hanson moved that the report be adopted, which motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Haugland moved that the amendments to House Bill No. 1046 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 285 and 286 of the House Journal be adopted, which motion prevailed.

House Bill No. 1046 was re-referred to the Committee on Appropriations.

Rep. Haugland moved that the amendments to House Bill No. 1047 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 286 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1136 as recommended by the Committee on State and Federal Government as printed on page 289 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1141 as recommended by the Committee on Natural Resources as printed on page 289 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1157 as recommended by the Committee on State and Federal Government as printed on page 290 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1191 as recommended by the Committee on Judiciary as printed on page 291 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1197 as recommended by the Committee on Natural Resources as printed on pages 291 and 292 of the House Journal be adopted, which motion prevailed.

House Bill No. 1197 was re-referred to the Committee on Appropriations.

Rep. Kloubec moved that the amendments to House Bill No. 1235 as recommended by the Committee on Natural Resources as printed on pages 292 and 293 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1275 as recommended by the Committee on Finance and Taxation as printed on pages 293 and 294 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1078.** — A Bill for an Act to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to a historical study of the Yellowstone and Missouri River confluence; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to gubernatorial appointments; and to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri-Fort Union commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 8; nays, 90; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES		●	HERMAN		●	MATTSON		●	UNHEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUWMANN		●	WERTENS		●	WAGNER		●

BERGER	•	HOVE	•	MEYER	•	WALD	•
BJORNSON	•	JACOBSEN, R.	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON, I.	•	MUSHIK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKJER	•
CONNY	•	KINGSBURG	•	PELTIER	•	MR. SPEAKER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUSDON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F. # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G. # 29	•	SCOFIELD	•		
GERL	•	LARSON, H. # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIEK	•	SWONTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER, A. # 49	•	MARTIN	•	TIMM	•		
HAUSAUER, R. # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Clarence Jaeger, and Rep. Jaeger was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1086.** — A Bill for an Act to require the state personnel board to advertise all employment opportunities by all state boards, councils, committees, and commissions, except occupational and professional licensing boards; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 88; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•		•	HERMAN	•		MATTSON	•		•		UNHJEM	•
•		•	NICKLE	•		MEIERS	•		•		VANDER VORST	•
•		•	HOFFNER	•		MELBY	•		•		VIG	•
•		•	HOUMANN	•		MERTENS	•		•		WAGNER	•
•		•	HOVE	•		MEYER	•		•		WALD	•
•		•	JACOBSEN, R.	•		MURPHY	•		•		WALSH	•
•		•	JACOBSON, I.	•		MUSHIK	•		•		WEBER	•
•		•	KELLY	•		NICHOLAS	•		•		WENTZ	•
•		•	KENNELLY	•		OLSON	•		•		WESSMAN	•
•		•	KERMOTT	•		OPEDAHL	•		•		WINKJER	•
•		•	KINGSBURG	•		PELTIER	•		•		MR. SPEAKER	•
•		•	KLOUBEC	•		PETERSON	•		•			
•		•	KNUSDON	•		POMEROY	•		•			
•		•	KOSKI	•		REED	•		•			
•		•	KRETSCHMAR	•		RETZER	•		•			
•		•	KUCHERA	•		RICHARD	•		•			
•		•	LANG	•		RICHIE	•		•			
•		•	LANGLEY	•		RIEHL	•		•			
•		•	LARDY	•		RUED	•		•			
•		•	LARSON, F. # 24	•		SCHINDLER	•		•			
•		•	LARSON, G. # 29	•		SCOFIELD	•		•			
•		•	LARSON, H. # 7	•		SOLBERG	•		•			
•		•	LEE	•		STENEHJEM	•		•			
•		•	LEIBHAN	•		STRINDEN	•		•			
•		•	LIPSIEK	•		SWONTEK	•		•			
•		•	MAIXNER	•		THOMPSON	•		•			
•		•	MARSDEN	•		THORSGARD	•		•			
•		•	MARTIN	•		TIMM	•		•			
•		•	MARTINSON	•		TINJUM	•		•			
•		•	MATHENY	•		TWETEN	•		•			

So the bill lost.

**House Bill No. 1087.** — A Bill for an Act to limit the creation of statutory boards, councils, committees, and commissions, except occupational and professional licensing boards; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 49; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			MATTSON		UNHJEM
			HICKLE			MEIERS		VANDER VORST
			HOFFNER			MELBY		VIG
			HOLMANN			MERTENS		WAGNER
			HOVE			WEYER		WALD
			JACOBSEN, R.			MURPHY		WALSH
			JACOBSON, I.			MUSHIK		WEBER
			KELLY			NICHOLAS		WENTZ
			KENNELLY			OLSON		WESSMAN
			KERMOTT			OPEDAHL		WINKJER
			KINGSBURY			PELTIER		MR. SPEAKER
			KLOUBEC			PETERSON		
			KNUDSON			POMEROY		
			KOSKI			REED		
			KRITSCHMAR			RETZER		
			KUCHERA			RICHARD		
			LANG			RICHIE		
			LANGLEY			RIEHL		
			LARDY			RUED		
			LARSON, F. # 24			SCHINDLER		
			LARSON, G. # 29			SCOFIELD		
			LARSON, H. # 7			SOLBERG		
			LEE			STENEHJEM		
			LEIBHAN			STRINDEN		
			LIPSIE			SWONTEK		
			MAXNER			THOMPSON		
			MARSDEN			THORSGARD		
			MARTIN			TMM		
			MARTINSON			TINJUM		
			MATHENY			TWETEN		

So the bill lost.

**House Bill No. 1149.** — A Bill for an Act to amend and reenact sections 54-05.1-02, 54-05.1-03, 54-05.1-05, and 54-05.1-06 of the North Dakota Century Code, relating to the registration and activities of lobbyists.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 58; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			MATTSON		UNHJEM
			HICKLE			MEIERS		VANDER VORST
			HOFFNER			MELBY		VIG
			HOLMANN			MERTENS		WAGNER
			HOVE			WEYER		WALD
			JACOBSEN, R.			MURPHY		WALSH
			JACOBSON, I.			MUSHIK		WEBER
			KELLY			NICHOLAS		WENTZ
			KENNELLY			OLSON		WESSMAN
			KERMOTT			OPEDAHL		WINKJER
			KINGSBURY			PELTIER		MR. SPEAKER
			KLOUBEC			PETERSON		
			KNUDSON			POMEROY		
			KOSKI			REED		
			KRITSCHMAR			RETZER		
			KUCHERA			RICHARD		
			LANG			RICHIE		
			LANGLEY			RIEHL		
			LARDY			RUED		
			LARSON, F. # 24			SCHINDLER		
			LARSON, G. # 29			SCOFIELD		
			LARSON, H. # 7			SOLBERG		
			LEE			STENEHJEM		
			LEIBHAN			STRINDEN		
			LIPSIE			SWONTEK		
			MAXNER			THOMPSON		
			MARSDEN			THORSGARD		
			MARTIN			TMM		
			MARTINSON			TINJUM		
			MATHENY			TWETEN		

So the bill lost.

MOTION

Rep. Gackle moved that House Bill No. 1150 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1211.** — A Bill for an Act to provide for the deduction of 1975 federal income taxes on an amended 1975 North Dakota income tax return for individuals, estates, and trusts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 82; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON	•	UNHJEM
BENEDICT		•	HICKLE			MEIERS		VANDER VORST
BERG		•	HOFFNER			MELBY	•	VIG
BERGE		•	HOUWMANN			MERTENS		WAGNER
BERGER		•	HOVE			MEYER		WALD
BJORNSON		•	JACOBSEN, R			MURPHY		WALSH
BLACK	•		JACOBSON, I			MUSHIK		WEBER
BOYUM		•	KELLY			NICHOLAS		WENTZ
BROKAW		•	KENNELLY			OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT			OPEDAH		WINKLER
CONNY		•	KINGSBURY			PELTIER		
CRABTREE		•	KLOUBEC			PETERSON	•	MR. SPEAKER
DICK	•		KNUDSON			POMERROY		
DIETZ		•	KOSKI			REED		
DOTZENROD		•	KRETSCHMAR			RETZER		
DUBORD		•	KUCHER			RICHARD		
EAGLES		•	LANG			RICHIE		
ERICKSON		•	LANGLEY			RIEHL		
FLEMING		•	LARDY			RUED		
FREBORG		•	LARSON, F. # 24			SCHINDLER		
GACKLE		•	LARSON, G. # 29			SCOFELD		
GERL		•	LARSON, H. # 7			SOLBERG		
GORDER	•		LEE			STENEHJEM		
GUNDERSON		•	LEIBHAN			STRINDEN		
GUNSCH		•	LIPSIEA			SWONTEK		
HANSON		•	MAIKER			THOMPSON		
HAUSLAND		•	MARSDEN			THORSSGARD		
HAUSAUER, A # 49		•	MARTIN			TIMM		
HAUSAUER, R # 25		•	MARTINSON			TINJUM		
HEOSTROM		•	MATHENY			TWETEN		

So the bill lost.

**House Bill No. 1043.** — A Bill for an Act to amend and reenact sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON	•	UNHJEM
BENEDICT		•	HICKLE			MEIERS		VANDER VORST
BERG		•	HOFFNER			MELBY	•	VIG
BERGE		•	HOUWMANN			MERTENS		WAGNER
BERGER		•	HOVE			MEYER		WALD
BJORNSON		•	JACOBSEN, R			MURPHY		WALSH
BLACK	•		JACOBSON, I			MUSHIK		WEBER
BOYUM		•	KELLY			NICHOLAS		WENTZ
BROKAW		•	KENNELLY			OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT			OPEDAH		WINKLER
CONNY		•	KINGSBURY			PELTIER		
CRABTREE		•	KLOUBEC			PETERSON	•	MR. SPEAKER
DICK	•		KNUDSON			POMERROY		
DIETZ		•	KOSKI			REED		
DOTZENROD		•	KRETSCHMAR			RETZER		
DUBORD		•	KUCHER			RICHARD		
EAGLES		•	LANG			RICHIE		
ERICKSON		•	LANGLEY			RIEHL		

● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F. # 24	● SCHINDLER
● GACKLE	● LARSON G. # 29	● SCOFIELD
● GERL	● LARSON H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWIONTEK
● HANSON	● WAUXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A. # 48	● MARTIN	● TMM
● HAUSAUER R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1049.** — A Bill for an Act to amend and reenact section 19-03.1-36 of the North Dakota Century Code, relating to the forfeiture of conveyances used to illegally transport controlled substances, raw materials, products, and equipment; for the seizure of such conveyances by law enforcement agencies; and allowing for the sale of conveyances and the deposit of remainder proceeds in the state, county, or city general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	1979 LEGISLATURE
● BACKES	●		● HERMAN			● MATTSOON			● UNHJEM
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST
● BERG			● HOFFNER			● MELBY			● VIG
● BERGE			● HOUMANN			● MERTENS			● WAGNER
● BERGER			● HOVE			● MEYER			● WALD
● BJORNSON			● JACOBSEN R.			● MURPHY			● WALSH
● BLACK			● JACOBSON I.			● MUSHIK			● WEBER
● BOYUM			● KELLY			● NICHOLAS			● WENTZ
● BROKAW			● KENNELLY			● OLSON			● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER
● CONMY			● KINGSBURG			● PELTER			
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER
● DICK			● KNUDSON			● PETERSON			
● DIETZ			● KOSKI			● REED			
● DOTZENROD			● KRETSCHMAR			● RETZER			
● DUBORD			● KUCHERA			● RICHARD			
● EAGLES			● LANG			● RICHE			
● ERICKSON			● LANGLEY			● RIEHL			
● FLEMING			● LARDY			● RUED			
● FREBORG			● LARSON F. # 24			● SCHINDLER			
● GACKLE			● LARSON G. # 29			● SCOFIELD			
● GERL			● LARSON H. # 7			● SOLBERG			
● GORDER			● LEE			● STENEHJEM			
● GUNDERSON			● LEIBHAN			● STRINDEN			
● GUNSCH			● LIPSIEA			● SWIONTEK			
● HANSON			● WAUXNER			● THOMPSON			
● HAUGLAND			● MARSDEN			● THORSGARD			
● HAUSAUER A. # 48			● MARTIN			● TMM			
● HAUSAUER R. # 25			● MARTINSON			● TINJUM			
● HEDSTROM			● MATHENY			● TWETEN			

So the bill passed and the title was agreed to.

**House Bill No. 1068.** — A Bill for an Act to require the assignment of justices of the supreme court to temporary duty in district court.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	1979 LEGISLATURE
● BACKES	●		● HERMAN			● MATTSOON			● UNHJEM
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST
● BERG			● HOFFNER			● MELBY			● VIG
● BERGE			● HOUMANN			● MERTENS			● WAGNER
● BERGER			● HOVE			● MEYER			● WALD
● BJORNSON			● JACOBSEN R.			● MURPHY			● WALSH



● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to

**House Bill No. 1084.** — A Bill for an Act to amend and reenact subsection 1 of section 54-07-01.2 and section 54-54-02 of the North Dakota Century Code, relating to the North Dakota council on the arts and humanities.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 5; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● LINHJEM		
● BENEDICT			● HCKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● MOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER			● MR. SPEAKER		
● CRABTREE			● KLOUBEC			● PETERSON					
● DICK			● KNUDSON		●	● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE		●	● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER		●	● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1103.** — A Bill for an Act to authorize the state highway department, upon approval by the public service commission, to apply for rail service assistance under the Railroad Revitalization and Regulatory Reform Act of 1976, to authorize the highway department to act as the designated state agency to receive rail service assistance, and to authorize cooperation between the highway department and the public service commission to take steps necessary to improve transportation utilization; and declaring an emergency.

Which has been read.

Rep. Eagles moved that House Bill No. 1103 be re-referred to the Committee on Appropriations, which motion failed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 6; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN		●	MATTSON	●	UNHJEM
●			●	HICKLE		●	MEIERS	●	VANDER VORST
●			●	HOFFNER		●	MELBY	●	VG
●			●	HOUWMANN		●	MERTENS	●	WAGNER
●			●	HOVE		●	MEYER	●	WALD
●			●	JACOBSEN R	●	●	MURPHY	●	WALSH
●			●	JACOBSON I		●	MUSHIK	●	WEBER
●			●	KELLY		●	NICHOLAS	●	WENTZ
●			●	KENNELLY		●	OLSON	●	WESSMAN
●			●	KERMOTT		●	OPEDAH	●	WINKJER
●			●	KINGSBURY		●	PELTIER		
●			●	KLOUBEC		●	PETERSON	●	MR. SPEAKER
●			●	KNUDSON		●	POMEROY		
●			●	KOSKI		●	REED		
●			●	KRETZSCHMAR		●	RETZER		
●			●	KUCHERA	●	●	RICHARD		
●			●	LANG		●	RICHIE		
●			●	LANGLEY		●	RIEHL		
●			●	LARDY	●	●	RUED		
●			●	LARSON F # 24		●	SCHINDLER		
●			●	LARSON G # 29		●	SCOFIELD		
●			●	LARSON H # 7		●	SOLBERG		
●			●	LEE		●	STENEHJEM		
●			●	LEIBHAN		●	STRINDEN		
●			●	LIPSIEA		●	SWONTEK		
●			●	MAIXNER		●	THOMPSON		
●			●	MARSDEN		●	THORSGARD		
●			●	MARTIN		●	TIMM		
●			●	MARTINSON		●	TINJUM		
●			●	MATHENY	●	●	TWETEN	●	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1116.** -- A Bill for an Act to amend and reenact sections 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota Century Code, relating to the administration and purpose of the Indian development fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 3; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN		●	MATTSON	●	UNHJEM
●			●	HICKLE		●	MEIERS	●	VANDER VORST
●			●	HOFFNER		●	MELBY	●	VG
●			●	HOUWMANN		●	MERTENS	●	WAGNER
●			●	HOVE		●	MEYER	●	WALD
●			●	JACOBSEN R	●	●	MURPHY	●	WALSH
●			●	JACOBSON I		●	MUSHIK	●	WEBER
●			●	KELLY		●	NICHOLAS	●	WENTZ
●			●	KENNELLY		●	OLSON	●	WESSMAN
●			●	KERMOTT		●	OPEDAH	●	WINKJER
●			●	KINGSBURY		●	PELTIER		
●			●	KLOUBEC		●	PETERSON	●	MR. SPEAKER
●			●	KNUDSON		●	POMEROY		
●			●	KOSKI		●	REED		
●			●	KRETZSCHMAR		●	RETZER		
●			●	KUCHERA	●	●	RICHARD		
●			●	LANG		●	RICHIE		
●			●	LANGLEY		●	RIEHL		
●			●	LARDY	●	●	RUED		
●			●	LARSON F # 24		●	SCHINDLER		
●			●	LARSON G # 29		●	SCOFIELD		
●			●	LARSON H # 7		●	SOLBERG		
●			●	LEE		●	STENEHJEM		
●			●	LEIBHAN		●	STRINDEN		
●			●	LIPSIEA		●	SWONTEK		
●			●	MAIXNER		●	THOMPSON		

● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. # 49	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1119.** — A Bill for an Act to amend and reenact subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to retirement dates under the public employees retirement system.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● YIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURG			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENERHEIM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSON			● LIPSICA			● SWONKE					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1180.** — A Bill for an Act to amend and reenact subsection 3 of section 38-08-11 of the North Dakota Century Code, relating to emergency rules of the industrial commission.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● YIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURG			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					

● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1200.** — A Bill for an Act to amend and reenact sections 23-27-01; 23-27-02, 23-27-03, 23-27-04, and 23-27-05 of the North Dakota Century Code, relating to licensing of ambulance services.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 10; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●		●	●	HERMAN		●	WATTSOON		●	UNKJEW	
	●		●	HCKLE		●	MEIERS		●	VANDERVORST	
●			●	HOFFNER		●	MELBY		●	VG	
●			●	HOUWANN	●	●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	●
●			●	JACOBSEN, R		●	MURPHY	●	●	WALSH	
●			●	JACOBSON, I		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON	●		MR. SPEAKER	
	●		●	KNUDSON		●	POMEROY				
	●		●	KOSKI		●	REED				
	●		●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA	●	●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
	●		●	LARSON, F # 24		●	SCHINDLER				
●			●	LARSON, G # 29		●	SCOFIELD				
●			●	LARSON, H # 7		●	SOLBERG	●			
●			●	LEE		●	STENEHJEM				
●			●	LEIBHAN		●	STRINDEN				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAIXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSGARD				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1204.** — A Bill for an Act to amend and reenact sections 15-04-13, 15-04-15, 15-04-16, and 15-08-11 relating to the issuance of receipts by the state land department.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	WATTSOON		●	UNKJEW	
●			●	HCKLE		●	MEIERS		●	VANDERVORST	
●			●	HOFFNER		●	MELBY		●	VG	
●			●	HOUWANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R		●	MURPHY		●	WALSH	
●			●	JACOBSON, I		●	MUSHIK		●	WEBER	
●			●	KELLY	●	●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				

● CRABTREE	● KLOUBEC	PETERSON ●	MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1269.** — A Bill for an Act to amend and reenact section 57-38.1-02 of the North Dakota Century Code, relating to the taxation of public utilities; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		
● BERG			● HOFNER			● MELBY			● YG		
● BERGE			● HOUHANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			PETERSON ●			MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1283.** — A Bill for an Act to amend and reenact section 39-01-13, subsections 1 and 2 of section 39-06-07, section 39-06-08, subsection 1 of section 39-06-14, section 39-06-31, subsection 1 of section 39-06-40.1, section 39-08-09, and section 39-16-05 of the North Dakota Century Code, relating to financial responsibility and driver's licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		

• BENEDICT	• HICKLE	• MEIERS	• VANDER VORST
• BERG	• HOFFNER	• MELBY	• VG
• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOOT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RIED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDEP	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSON	• LPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1286.** — A Bill for an Act to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees paid to an examiner for installing and examining the accounting system of an elevator or public warehouse.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 8; absent and not voting, 0.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY	•	• WALSH
• BLACK			• JACOBSON I			• MUSHK		• WEBER
• BOYUM	•		• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOOT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• MEYER		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY	•		• RIED	•	
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDEP			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN	•		• STRINDEN		
• GUNSON			• LPSIEA			• SWONTEK		
• HANSON			• MAXNER			• THOMPSON	•	
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN	•	

So the bill passed and the title was agreed to.

**House Bill No. 1287.** — A Bill for an Act to amend and reenact section 39-06-20 of the North Dakota Century Code, section 39-06-21 of the 1977 supplement to the North Dakota Century Code, and sections 39-06-26 and 39-06-29 of the North Dakota Century Code, relating to drivers' addresses, the reporting of convictions of nonresidents, the reporting of convictions by courts and driver's license application.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARO					
● HAUSAUER, A # 49			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3019.** — A concurrent resolution directing a Legislative Council study of the real property laws of North Dakota, particularly with respect to those laws affecting mobile home ownership.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 95; nays, 5; absent and not voting, 0.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					

● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the House Concurrent Resolution was declared adopted.

#### MOTIONS

Rep. R. Hausauer moved that House Bill No. 1392 be returned to the House from the Committee on Appropriations for the purpose of withdrawal, which motion prevailed.

Rep. R. Hausauer requested permission to withdraw House Bill No. 1392. There being no objection, it was so ordered by the Speaker.

#### MESSAGES FROM THE SENATE

##### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on :

Senate Bill No. 2005  
 Senate Bill No. 2035  
 Senate Bill No. 2044  
 Senate Bill No. 2046  
 Senate Bill No. 2047  
 Senate Bill No. 2048  
 Senate Bill No. 2049  
 Senate Bill No. 2072  
 Senate Bill No. 2075  
 Senate Bill No. 2076  
 Senate Bill No. 2255  
 Senate Concurrent Resolution No. 4014.

LEO LEIDHOLM, Secretary

##### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
 Senate Concurrent Resolution No. 4020.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGE TO THE SENATE

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1026  
 House Bill No. 1042  
 House Bill No. 1118  
 House Bill No. 1140  
 House Bill No. 1237  
 House Bill No. 1264  
 House Bill No. 1277  
 House Bill No. 1284

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
 Senate Concurrent Resolution No. 4020.

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

##### House Chamber

Mr. President: I have the honor to return herewith the following:



Senate Concurrent Resolution No. 4020.  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1019, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10, delete the numerals "366,969" and insert in lieu thereof the numerals "372,293"

On page 1, delete line 15 and insert in lieu thereof the following:

"Salaries and wages \$305,179  
(Including salary of commissioner  
not to exceed \$63,971 for the biennium)"

On page 1, line 21, delete the numerals "366,969" and insert in lieu thereof the numerals "372,293"

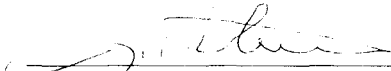
And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the salaries and wages line item by \$5,324 to provide adequate salary moneys to bring the salaries of three employees to the minimum of their salary ranges as classified under central personnel.

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

  
Rep. James A. Peterson Chairman

House Bill No. 1019 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1038, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line three, delete the word "workmens" and insert in lieu thereof the word "workmen's"

On page 1, line thirteen, delete the word "workmens" and insert in lieu thereof the word "workmen's"

On page 2, line six, delete the word "section" and insert in lieu thereof the word "chapter"


On page 2, line six, delete the abbreviation "NDCC" and insert in lieu thereof the words "North Dakota Century Code"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment corrects errors in spelling and abbreviations.

 Chairman  
Rep. Peterson  
Bill No. 1038

House \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education \_\_\_\_\_ to whom was referred House \_\_\_\_\_

Bill No. 1064 \_\_\_\_\_ has had the same under consideration and recommends, by a vote of

Ayes, 13 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 3 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 9, delete the words "SCHOOL DISTRICT" and strike the word "APPROPRIATION", and after the word "LEVY" insert the word "FUNDING"

On page 2, line 12, delete the word "may"

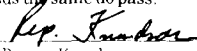
On page 2, line 13, strike the words "make an annual appropriation"

On page 2, line 15, after the word and comma "amount," insert the words "may use school district funds"

On page 2, line 17, after the word "district" and before the period insert the following: ", and may charge reasonable fees to persons enrolled in adult education programs"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman  
Rep. Knudson  
Bill No. 1064

House \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House \_\_\_\_\_

Bill No. 1135 \_\_\_\_\_ has had the same under consideration and recommends, by a vote of

Ayes, 17 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 17, delete the numerals "10,000" and insert in lieu thereof the numerals "2,500.00."

On page 2, line 5, delete the numerals "10,000" and insert in lieu thereof the numerals "2,500.00"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This is a decrease of \$7,500.00 and it is felt that \$2,500.00 should be adequate funding.



Rep. James A. Peterson Chairman

House Bill No. 1135 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1137, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. Winkjer Chairman

House Bill No. 1137 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1139, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 7; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 9, delete the numerals "550,000" and insert in lieu thereof the numerals "550,000.00"

On page 1, line 14, delete the word "bienniums" and insert in lieu thereof the word "biennium"

On page 1, line 14, delete the numerals "1983" and insert in lieu thereof the numerals "1981"

On page 1, line 16, delete the word "sections" and insert in lieu thereof the word "section"


On page 1, line 16, delete the following: "and 54-44.1-11"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment appropriates monies for only one biennium.



Chairman

Rep. James A. Peterson

House Bill No. 1139 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1160, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 20 after the period insert the following:

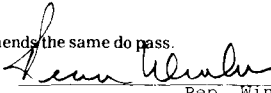
"For the purpose of this section, notice may be served in any reasonable manner which actually informs the tenant of the changes in the terms of the lease."

On page 2, line 16 after the word "may" delete ", within five days of receiving"

On page 2, line 17 delete "the notice of the change of terms,"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Winkjer

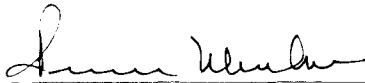
House Bill No. 1160 was placed on the 6 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1182, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 6; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



Chairman

Rep. Winkjer

House Bill No. 1182 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1185, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 1, that the same

- do pass, do not pass, be placed on calendar without recommendation, be amended as follows:

- On page 1, line 17 delete the words "shall be" and insert in lieu thereof the word "is"
On page 2, line 16 delete the word "Any" and insert in lieu thereof the word "An" and delete the words "the provisions"
On page 2, line 17 delete the word "of" and also delete the words "shall be" and insert in lieu thereof the word "is" and also in line 17 following the word "inadmissible" insert the words "over objection"
On page 2, line 18 delete the words "brought under" and insert in lieu thereof a period
On page 2, delete all of lines 19 and 20

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Winkjer Chairman

House Bill No. 1185 was placed on the 6 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1213, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass, do not pass, be placed on calendar without recommendation, be amended as follows:

Rep. Martinson Chairman

House Bill No. 1213 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1231, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 7; Absent, 0, that the same

JOURNAL OF THE HOUSE

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

*[Handwritten Signature]*

Rep. Winkjer Chairman  
House Bill No. 1231 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE Bill No. 1251 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

*[Handwritten Signature]*

Rep. Rued Chairman  
HOUSE Bill No. 1251 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 1263 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Page 1 line 17 after the word "adopt" delete the word "any"  
Page 2 line 21 after the word "committees" delete the word "shall" and insert in lieu thereof the word "may"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*[Handwritten Signature]*

Rep. Knudson Chairman  
House Bill No. 1263 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 1315 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

*Rep. Knudson*

Chairman

Rep. Knudson

Bill No. 1315

was placed on the 11th

order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1342, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Gackle*

Chairman

House

Bill No. 1342

Rep. Gackle was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Concurrent Resolution

No. 3014, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after "A concurrent resolution" delete the remainder of the line, delete the remainder of the resolution, and insert in lieu thereof the following:  
"providing and designating House and Senate employees and fixing their compensation.

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

SECTION 1.) That for and during the Forty-sixth Legislative Assembly the following named persons are employed and appointed as employees of the House and Senate and shall be paid the daily wages opposite their respective names in accordance with their positions as shown below:

<u>HOUSE</u>		
Roy Gilbreath, Chief Clerk		\$70.00
Barbara King, Desk Reporter		65.00
Robert Kniefel, Sergeant-at-Arms		52.50
Del Wawers, Assistant Chief Clerk		57.50
Gladys Derrick, Bill Clerk		52.50
Theola Stetson, Chief Stenographer & Payroll Clerk		52.50
Betty Perkins, Appropriations Committee Clerk		52.50
Kathleen Steidler, Assistant Appropriations Committee Clerk		45.00
Lela Knudsen, Chief Committee Clerk		52.50
Janice Thon, Committee Clerk		47.50
Robert Rose, Committee Clerk		47.50
Dorothy Johnson, Committee Clerk		47.50
Helen Soma, Committee Clerk		47.50
Robert Nelson, Committee Clerk		47.50
Mary LaDuke, Committee Clerk		47.50
Barbara Middaugh, Committee Clerk		47.50
Amy Morris, Committee Clerk		47.50
Fran Gronberg, Committee Clerk		47.50
Maude Grambs, Assistant Committee Clerk		45.00

## JOURNAL OF THE HOUSE

Betty Lou Mitzel, Assistant Committee Clerk	45.00
Craig Sinclair, Calendar Clerk	45.00
Gerry Patchen, Chief Page & Bill Book Clerk	45.00
Janna Tjaden, Desk Page	40.00
Becky Huelskamp, Desk Page	40.00
Dotty Neils, Secretary to the Speaker	52.50
Mavis Patchen, Secretary to the Majority Floor Leader	52.50
Arlene Haunson, Secretary to the Minority Floor Leader	52.50
Jack Whereatt, Deputy Sergeant-at-Arms	42.50
Phyllis Connolly, Assistant Sergeant-at-Arms	40.00
Tim Dwyer, Assistant Sergeant-at-Arms	40.00
Edgar Beyers, Assistant Sergeant-at-Arms	40.00
David Hillesland, Assistant Sergeant-at-Arms	40.00
Mark Zimmerman, Assistant Sergeant-at-Arms	40.00
Eunice Anderson, Information Desk Attendant	40.00
Al Larson, Chief Journal & Bill Room Clerk	47.50
Evelyn Sholts, Bill Room Clerk	40.00
Hazel Ludeman, Bill Room Clerk	40.00
Selmer Severinson, Bill Room Clerk	40.00
Vida Mae Petersen, Bill Room Clerk	40.00
Neal Schlosser, Journal Room Clerk	40.00
Chuck Zander, Journal Room Clerk	40.00
Sue Mollison, Telephone Page	40.00
Julie Stromberg, Telephone Attendant	40.00
Susie Thompson, Telephone Attendant	40.00
Pat Ness, Telephone Attendant	40.00
Earl Boyd, Parking Lot Attendant	40.00
Sue Feland, Stenographer	42.50
Myrtle Sloan, Stenographer	42.50
Ardith Lippert, Stenographer	42.50
Barb Stickland, Stenographer	42.50
Nancy Turnbow, Stenographer	42.50
Judy Hoffman, Typist	42.50
Alma Opp, Typist	42.50
Renae Doan, Page and Bill Book Clerk	40.00
Laurie Jensen, Page and Bill Book Clerk	40.00
Sandy Gehrke, Page and Bill Book Clerk	40.00
Kristi Rud, Page and Bill Book Clerk	40.00
Debra Rude, Page and Bill Book Clerk	40.00
Cindy Wright, Page and Bill Book Clerk	40.00
Dorothy Duhr, Page and Bill Book Clerk	40.00
Steve Weiler, Page and Bill Book Clerk	40.00
Marsha Huffman, Page and Bill Book Clerk	40.00
Lance Hagen, Page and Bill Book Clerk	40.00
Dennis Bier, Page and Bill Book Clerk	40.00
Brad Scott, Page and Bill Book Clerk	40.00
Rita Wolberg, Page and Bill Book Clerk	40.00
Georgia Seil, Page & Bill Book Clerk	40.00
Dave Harter, Page and Bill Book Clerk	40.00
Hilda Knittel, Journal Proofreader	42.50
Jon Nelson, Journal Proofreader	42.50
Gene Reynolds, Janitor (partial pay only)	28.00
Arnold Schmitt, Janitor (partial pay only)	28.00
Wayne LaCoe, Janitor (partial pay only)	28.00
Melvin Nelson, Janitor (partial pay only)	28.00
<u>SENATE</u>	
Leo Leidholm, Secretary of the Senate	70.00
Doris McMahon, Desk Reporter	65.00
Olgar Sandven, Sergeant-at-Arms	52.50
J. Vernon Asheim, Assistant Secretary of the Senate	57.50
Sandra Boehler, Bill Clerk	52.50
Mary Alice Simonson, Chief Stenographer & Payroll Clerk	52.50
Lyla Flagg, Chief Committee Clerk	52.50
Kari Schultz, Appropriations Committee Clerk	52.50
Debbie Akovenko, Assistant Appropriations Committee Clerk	45.00
Mary Kay Eckroth, Committee Clerk	47.50
Charlotte Kamins, Committee Clerk	47.50
Arlene Reich, Committee Clerk	47.50



Christine Hill, Committee Clerk	47.50
Lorraine Moos, Committee Clerk	47.50
Adeline Montague, Committee Clerk	47.50
Barbara Klein, Committee Clerk	47.50
Alice Mehrer, Committee Clerk	47.50
Pearl Berget, Committee Clerk	47.50
Sharon Giese, Assistant to Committee Clerks	45.00
Stephen Lee, Calendar Clerk	45.00
Ruby Stadick, Chief Page & Bill Book Clerk	45.00
Gina Smith, Chief Desk Page	40.00
Eileen Gerl, Secretary to the President	52.50
Lois Scherr, Secretary to the Majority Floor Leader	52.50
Kathy L. Richau, Secretary to the Minority Floor Leader	52.50
Carl Bjerke, Deputy Sergeant-at-Arms	42.50
Sewall Peterson, Assistant Sergeant-at-Arms	40.00
J. R. Raile, Assistant Sergeant-at-Arms	40.00
O. J. Fuglie, Assistant Sergeant-at-Arms	40.00
Bradley P. Edin, Assistant Sergeant-at-Arms	40.00
Stan Schultz, Assistant Sergeant-at-Arms	40.00
Leatrice Miller, Bill Room Clerk	40.00
Ledores Robey, Bill Room Clerk	40.00
Karla Stanley, Journal Room Clerk	40.00
Skip Sjothun, Journal Room Clerk	40.00
Michelle Igoe, Stenographer	42.50
Melinda Wold, Stenographer	42.50
Mary Schmidt, Stenographer	42.50
Erma Hauglie, Stenographer	42.50
Cheryl Skjeret, Steno-typist	42.50
Esther Davis, Information Desk	40.00
Willa Carlson, Chief Telephone Attendant	42.50
Gayle Skaaden, Telephone Page	40.00
Jeri Kurle, Telephone Attendant	40.00
Mary Ann Brown, Telephone Attendant	40.00
Elaine Stern, Telephone Attendant	40.00
Kelly Whelan, Assistant Desk Page	40.00
John TeBeest, Parking Lot Attendant	40.00
Laurie Leingang, Page	40.00
Rosie Anderson, Page	40.00
Beth Erickson, Page	40.00
Tom Brigl, Page	40.00
Karla Huesers, Page	40.00
Roy Paton, Bill Book Clerk	40.00
Robert Evanenko, Bill Book Clerk	40.00
Barry Streigl, Bill Book Clerk	40.00
Jill Schwede, Journal Proofreader	42.50
Kris Neumann, Journal Proofreader	42.50
Lucas Giesinger, Janitor (partial pay only)	28.00
George Heid, Janitor (partial pay only)	28.00
Steve Larson, Janitor (partial pay only)	28.00
Edwin Keller, Janitor (partial pay only)	28.00

SECTION 2.) In the event any employee shall resign, be discharged, or for other reasons terminate his employment, the compensation provided for in this resolution shall cease, effective the last day of such employment."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Chairman

House Concurrent Resolution Rep. James A. Peterson  
No. 3014 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE CONCURRENT RESOLUTION

No. 3015 has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:



Chairman

HOUSE CONCURRENT RESOLUTION No. 3015 Rep. Rued was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
 to whom was referred HOUSE CONCURRENT RESOLUTION

No. 3018 has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.  
 be amended as follows:



Chairman

HOUSE CONCURRENT RESOLUTION No. 3018 Rep. Rued was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Rep. Strinden moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand recessed until 4:00 p.m., which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Lardy and Mushik introduced:

**House Bill No. 1469.** — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to regulations of motorized bicycles; to create a new section to chapter 39-06 of the North Dakota Century Code, relating to operator's license requirements for operation of motorized bicycles; to amend and reenact section 39-22-03 of the North Dakota Century Code, relating to motorcycle and motorized bicycle dealers; providing a penalty; and declaring an emergency.

Which was read the first time and referred to the Committee on Transportation.

Reps. Mushik and Herman introduced:

**House Bill No. 1470.** — A Bill for an Act to amend and reenact section 39-18-08 of the North Dakota Century Code, relating to the sale of mobile homes by real estate brokers.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Kretschmar, Stenehjem and Wentz introduced:

**House Bill No. 1471.** — A Bill for an Act to provide for political party organization; and to repeal chapter 16-17 of the North Dakota Century Code, relating to party committee organization.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Wessman and Pomeroy introduced:

**House Bill No. 1472.** — A Bill for an Act providing for the implementation of a rehabilitation teacher program throughout the state to serve the blind and visually impaired; and providing an appropriation.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Kretschmar, Opedahl, Riehl, and Sens. Rait and Reiten introduced:

**House Bill No. 1473.** — A Bill for an Act to create and enact a new section to chapter 10-15 of the North Dakota Century Code, relating to unclaimed distributions, redemptions, or payments of cooperatives.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Martinson introduced:

**House Bill No. 1474.** — A Bill for an Act to repeal section 11-11-32 of the North Dakota Century Code, relating to the employment of architects by the board of county commissioners.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Nicholas, Weber and Senators Iszler and Barth introduced:

**House Bill No. 1475.** — A Bill for an Act to provide for income tax credits and deductions as incentives for landowners to sell or lease land to beginning farmers; and to provide an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Gackle introduced:

**House Bill No. 1476.** — A Bill for an Act to amend and reenact subsection 2 of section 11-10.1-05 of the North Dakota Century Code, providing that the county director of tax equalization succeed city assessors only in cities with populations of under five thousand that choose not have their own assessor.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Martinson introduced:

**House Bill No. 1477.** — A Bill for an Act to create and enact a new section to chapter 43-03 of the North Dakota Century Code, relating to architects.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Martinson introduced:

**House Bill No. 1478.** — A Bill for an Act to amend and reenact section 28-01-44 of the North Dakota Century Code, relating to limitations on the time for bringing actions against persons submitting plans for improvements to real estate or performing construction of such improvements.

Which was read the first time and referred to the Committee on Judiciary.

Rep. F. Larson introduced:

**House Bill No. 1479.** — A Bill for an Act to create and enact section 61-16-34.1 of the North Dakota Century Code, relating to the terms and conditions for refunding special assessment warrants of water management districts; and to amend and reenact subdivision c of

subsection 7 of section 21-03-06, and sections 21-03-26, 40-27-13, and 40-57-04 of the North Dakota Century Code, relating to refunding general obligation bonds of municipalities, publication of notice of municipal bond issues, refunding special assessment warrants, and approval of resolutions authorizing issuance of municipal industrial development bonds.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. F. Larson and Berge introduced:

**House Bill No. 1480.** — A Bill for an Act to establish community work experience programs under the supervision of the employment security bureau and in cooperation with the social service board of North Dakota.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Wald, Dietz and Gerl introduced:

**House Bill No. 1481.** — A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code, relating to the minimum specifications for reinsurance with the state fire and tornado fund.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Richie introduced:

**House Bill No. 1482.** — A Bill for an Act to amend and reenact section 27-08.1-03 of the North Dakota Century Code, relating to an informal hearing, an answer and counterclaim, and filing and service fees in small claims court; and providing that the plaintiff and defendant shall appear without legal counsel.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Koski, Black and Stenehjem introduced:

**House Bill No. 1483.** — A Bill for an Act to create and enact two new sections to chapter 47-16 of the North Dakota Century Code, providing for conditions under which a landlord may enter a tenant's apartment and abolishing landlord's liens and the common law action of distraint for rent.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Mushik and Kelly introduced:

**House Bill No. 1484.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-02-08.1 of the North Dakota Century Code, relating to an increase in the property tax credits for persons sixty-five years of age or older with limited income.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. A. Hausauer, Opedahl, and Nicholas, and Senators Albers, Farrington and Redlin introduced:

**House Bill No. 1485.** — A Bill for an Act to create and enact a new subsection to Section 57-60-01 of the North Dakota Century Code, relating to the tax on coal conversion facilities in this state; to amend and reenact subsection 4 of Section 57-33.1-01 of the North Dakota Century Code, relating to the taxation of cooperative electrical generating plants and to amend and reenact Section 57-60-02 of the North Dakota Century Code relating to the tax on coal conversion facilities in this state.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Fleming and Brokaw introduced:

**House Bill No. 1486.** — A Bill for an Act to create and enact a new section to chapter 39-06.1 of the North Dakota Century Code, relating to a failure to conserve gasoline offense for a speeding violation not more than fifteen miles per hour in excess of the fifty-five mile per hour speed limit, a five dollar fine for each offense but no points against the licensee's driving record, and providing that violations of the section are not to be reported to the licensing authority; to amend and reenact section 39-06.1-02, subsection 2 of section 39-06.1-03, subsection 2 of section 39-06.1-06, and paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to noncriminal traffic violations, administrative hearings for traffic violations, amount of statutory fees, and point entries against a driving record for speeding.

Which was read the first time and referred to the Committee on Transportation.

Reps. Conmy, Kloubec, R. Hausauer and Timm introduced:

**House Bill No. 1487.** — A Bill for an Act to amend and reenact section 49-06-02 of the North Dakota Century Code, relating to value of property for ratemaking purposes.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Mattson, Schindler and Senator Christensen introduced:

**House Bill No. 1488.** — A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to the age for starting school.

Which was read the first time and referred to the Committee on Education.

Reps. Maixner and Thompson and Senator Roen introduced:

**House Bill No. 1489.** — A Bill for an Act to provide for television booster stations to be created by petition and election in the counties, providing a two-mill tax levy for the establishment of a booster station, and providing for exemption for townships not served by the station.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Richie and Lardy introduced:

**House Bill No. 1490.** — A Bill for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, requiring the use of an approved automotive child restraint device for certain children, and assessing a statutory fee for violations.

Which was read the first time and referred to the Committee on Transportation.

Rep. Wald introduced:

**House Bill No. 1491.** — A Bill for an Act to amend and reenact sections 5-01-06 and 5-01-09 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication and the unlawful delivery of alcoholic beverages to certain persons; and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Wald and Dietz introduced:

**House Bill No. 1492.** — A Bill for an Act to amend and reenact

section 40-38-02 of the North Dakota Century Code, relating to the amount of the library fund mill levy.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Gackle, Berg, A. Hausauer and Senators Tallackson and Nelson introduced:

**House Bill No. 1493.** — A Bill for an Act to amend and reenact subsection 2 of section 61-02-14 and section 61-04-06.2 of the North Dakota Century Code, relating to water use fees.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Retzer introduced:

**House Bill No. 1494.** — A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the hours polls are required to be open on election days; or, in the alternative, to amend and reenact section 16.1-01-03 of the North Dakota Century Code as created by section 1 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the hours polls are required to be open on election days.

Which was read the first time and referred to the Committee on Judiciary.

Committee on Appropriations introduced:

**House Bill No. 1495.** — A Bill for an Act to repeal chapter 4-28.1 of the North Dakota Century Code, relating to the flax utilization research tax, and to transfer any remaining tax receipts to the general fund.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Unhjem introduced:

**House Bill No. 1496.** — A Bill for an Act to create and enact a new subsection to section 54-52.1-01 of the North Dakota Century Code, relating to the definition of long-term medical disability benefits coverage; to amend and reenact sections 54-52.1-02 and 54-52.1-07 of the North Dakota Century Code, relating to the addition of an optional long-term medical benefits program to the state uniform group insurance program.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Hanson introduced:

**House Bill No. 1497.** — A Bill for an Act to amend and reenact section 39-06.1-03 of the North Dakota Century Code, relating to an administrative hearing for disposition of traffic offenses.

Which was read the first time and referred to the Committee on Transportation.

Rep. Wessman introduced:

**House Bill No. 1498.** — A Bill for an Act to amend and reenact section 39-10.2-06 of the North Dakota Century Code, relating to requiring anyone operating or riding on a motorcycle to wear protective headgear.

Which was read the first time and referred to the Committee on Transportation.

Rep. Gorder introduced:

**House Bill No. 1499.** — A Bill for an Act making an appropriation to the Grafton state school for constructing and equipping a shop building.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Swiontek and Stenehjem introduced:

**House Bill No. 1500.** — A Bill for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to the disclosure of information by insurance companies to the state fire marshal.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Stenehjem, Kuchera, and Pomeroy, and Senators Fritzell and Holmberg introduced:

**House Bill No. 1501.** — A Bill for an Act making an appropriation to the board of higher education for the construction of buildings at the university of North Dakota at Grand Forks.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Stenehjem and Kuchera introduced:

**House Bill No. 1502.** — A Bill for an Act to amend and reenact section 65-10-03 of the North Dakota Century Code, relating to the cost of an appeal from a decision of the workmen's compensation bureau.

Which was read the first time and referred to the Committee on Judiciary.

Rep. I. Jacobson introduced:

**House Bill No. 1503.** — A Bill for an Act to create and enact two new subsections to section 26-41-19 of the North Dakota Century Code, relating to economic loss compensation eligibility of injured persons under the assigned claims plan as a result of motor vehicle accidents.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Gorder introduced:

**House Bill No. 1504.** — A Bill for an Act making an appropriation to the Grafton state school for constructing and equipping an addition to provide dental care for the residents.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Boyum introduced:

**House Bill No. 1505.** — A Bill for an Act to amend and reenact section 6-05-15 of the North Dakota Century Code, relating to investment of trust funds by trust companies.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Koski, Crabtree, and Senators Nething and Reiten introduced:

**House Bill No. 1506.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to the amount taxpayers may credit against the income tax for contributions to private colleges in the state; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Koski, Conmy, Timm and Unhjem introduced:

**House Bill No. 1507.** — A Bill for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the circumstances under which the receipts from fairs and educational, religious, or charitable activities are exempt from the sales tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Marsden, Freborg and Mushik introduced:

**House Bill No. 1508.** — A Bill for an Act to amend and reenact sections 19-13.1-13 and 19-20.1-11 of the North Dakota Century Code, allowing the state laboratories department to publish certain information at its discretion.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Eagles introduced:

**House Bill No. 1509.** — A Bill for an Act to amend and reenact section 23-07-17.1 of the North Dakota Century Code, relating to inoculations required before admission to school and providing exemptions; and to repeal section 23-14-02 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Lipsiea introduced:

**House Bill No. 1510.** — A Bill for an Act to create and enact two new sections to chapter 9-12 of the North Dakota Century Code, relating to discharging liens, encumbrances, and clouds affecting or related to the title to real property, where the only obligation concerns the payment of a sum certain to a specific, unlocated creditor.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Timm introduced:

**House Bill No. 1511.** — A Bill for an Act to amend and reenact section 26-01-11 of the North Dakota Century Code, relating to the premium tax on insurance companies.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Gerl introduced:

**House Bill No. 1512.** — A Bill for an Act to amend and reenact section 5-02-01.1 and subsection 2 of section 53-02-05 of the North Dakota Century Code, relating to allowing the on and off sale of alcoholic beverages by special permit at special events, and allowing an alcoholic beverage licensee to conduct special events and sell beverages on and off sale.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Berg introduced:

**House Bill No. 1513.** — A Bill for an Act to amend and reenact section 47-20.1-10 of the North Dakota Century Code, relating to the minimum corner requirements of United States government survey corners;

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. Richie and Senator Cussons introduced:

**House Bill No. 1514.** — A Bill for an Act to amend and reenact section 50-01-07 of the 1977 Supplement to the North Dakota Century Code, relating to selection of county social service board members by the board of county commissioners.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Lipsiea introduced:



**House Bill No. 1515.** — A Bill for an Act to amend and reenact section 4-25-04 of the North Dakota Century Code, requiring all resident seed dealers or their agents to be bonded to the extent nonresident seed dealers, or their agents, are bonded.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Dick introduced:

**House Bill No. 1516.** — A Bill for an Act to provide for a township severance tax on sand and gravel, to provide for the imposition, collection, and administration of the tax; and to provide a penalty.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Dick introduced:

**House Bill No. 1517.** — A Bill for an Act to create and enact section 54-27-19.1 of the North Dakota Century Code, providing for a special fuels tax distribution fund; to amend and reenact sections 54-27-19, 57-52-04, 57-53-09, and 57-54-08, deleting from the current highway tax distribution fund those moneys collected under chapter 57-53, putting the money collected under 57-53 into the special fuels tax distribution fund, and raising the motor vehicle fuels and special fuels taxes.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. I. Jacobson and Schindler introduced:

**House Bill No. 1518.** — A Bill for an Act to amend and reenact section 18-10-04 of the North Dakota Century Code, relating to organization of board of directors for rural fire protection districts.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Marsden, Timm and R. Hausauer and Senator Melland introduced:

**House Bill No. 1519.** — A Bill for an Act to amend and reenact section 54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Eagles and Meiers introduced:

**House Bill No. 1520.** — A Bill for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to permanent alimony and division of property.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Kretschmar introduced:

**House Bill No. 1521.** — A Bill for an Act to amend and reenact section 57-37.1-08 of the North Dakota Century Code, placing the receipts of the estate tax in the state general fund.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Kretschmar introduced:

**House Bill No. 1522.** — A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code as amended by section 1 of Initiated Measure No. 2 approved by the electors at the general election of November 7, 1978, relating to individual income tax rates; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Unhjem introduced:

**House Bill No. 1523.** — A Bill for an Act to amend and reenact section 55-10-10 of the North Dakota Century Code, relating to reversion of historic sites to nonhistoric status.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. F. Larson introduced:

**House Bill No. 1524.** — A Bill for an Act to create and enact a new subsection to section 21-03-06 of the North Dakota Century Code, relating to permissible purposes for issuing rural fire protection district bonds; and to amend and reenact subsection 7 of section 18-10-06, sections 18-10-08 and 18-10-14, and subsection 1 of section 21-03-01 of the North Dakota Century Code, relating to the authority of rural fire protection districts to issue bonds.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Stenehjem and Kuchera and Senator Holmberg introduced:

**House Bill No. 1525.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds to construct a revenue-producing facility at the university of North Dakota; to make an appropriation; to set a limitation and provide an exception; and to declare an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Reps. Stenehjem and Kuchera and Senator Holmberg introduced:

**House Bill No. 1526.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds to construct revenue-producing facilities at the university of North Dakota; to make an appropriation; to set a limitation and provide for an exception; and to declare an emergency.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Riehl introduced:

**House Bill No. 1527.** — A Bill for an Act to repeal sections 15-12-11 and 15-12-12 of the North Dakota Century Code, relating to the list of publications of the agricultural college furnished to county auditors and the publication of the list by county auditors.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Meyer and Riehl introduced:

**House Bill No. 1528.** — A Bill for an Act to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to annual and special public school district elections and the qualifications required of electors at such elections.

Which was read the first time and referred to the Committee on Judiciary.

Reps. G. Larson, Unhjem and Retzer introduced:

**House Bill No. 1529.** — A Bill for an Act to amend and reenact section 11-16-15 of the North Dakota Century Code, relating to state's attorney inquiry into violations or criminal acts causing deaths and allowing such inquiry into all felonies.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Maixner introduced:

**House Bill No. 1530.** — A Bill for an Act to amend and reenact section 10-06-06 of the North Dakota Century Code, relating to a civil penalty for a violation of the corporate farming law.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Wentz, R. Hausauer and Peterson and Senators Hanson and Fritzell introduced:

**House Bill No. 1531.** — Capital Construction Fund — A Bill for an Act for a conditional transfer of funds to a state capital construction fund and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Wentz introduced:

**House Bill No. 1532.** — A Bill for an Act to amend and reenact subsection 2 of section 15-39.1-24 of the North Dakota Century Code, relating to receiving additional credit for teaching toward retirement.

Which was read the first time and referred to the Committee on Education.

Rep. Wentz introduced:

**House Bill No. 1533.** — A Bill for an Act to create and enact a new section to chapter 11-33.1, a new section to chapter 40-23, a new section to chapter 40-23.1, and a new section to chapter 40-24 of the North Dakota Century Code, relating to special assessment statements containing a statement of the interest due.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. Wentz and Meiers introduced:

**House Bill No. 1534.** — A Bill for an Act to create and enact sections 16-18-14.1 and 16-18-15.1 of the North Dakota Century Code, relating to the creation of a special election board and the canvassing of absent voters' ballots in congressional, state, or county elections and in city or school district elections; to amend and reenact section 16-18-02 of the North Dakota Century Code, relating to voting in person by an elector who has voted by absentee voters' ballot; or, in the alternative, to amend and reenact sections 16.1-07-09 and 16.1-07-10 of the North Dakota Century Code as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the creation of a special election board and the canvassing of absent voters' ballots in congressional, state, or county elections and in city or school district elections; to repeal sections 16-18-14, 16-18-15, 16-18-16, 16-18-17, and 16-18-20 of the North Dakota Century Code, relating to the canvassing of absent voters' ballots; or, in the alternative, to repeal sections 16.1-07-11, 16.1-07-12, and 16.1-07-13 of the North Dakota Century Code as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the canvassing of absent voters' ballots.

Which was read the first time and referred to the Committee on Judiciary.

Reps. I. Jacobson and Dick introduced:

**House Bill No. 1535.** — A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Which was read the first time and referred to the Committee on Education.

Reps. Dick and Berger introduced:

**House Bill No. 1536.** — A Bill for an Act establishing the responsibilities and liabilities of skiers and ski area operators.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Conmy introduced:

**House Bill No. 1537.** — A Bill for an Act to amend and reenact sections 39-08-20, 39-16.1-02, subsection 2 of section 39-16.1-11 and 39-16.1-15 of the North Dakota Century Code, relating to motor vehicle operators, financial responsibility, and providing an effective date and penalty.

Which was read the first time and referred to the Committee on Transportation.

Rep. Wentz introduced:

**House Bill No. 1538.** — A Bill for an Act to create and enact a new section to chapter 12.1-33 of the North Dakota Century Code, relating to convicted felons serving as law enforcement officers.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Wentz introduced:

**House Bill No. 1539.** — A Bill for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-16 of the North Dakota Century Code, relating to entries against driving records for following another vehicle too close.

Which was read the first time and referred to the Committee on Transportation.

Rep. F. Larson introduced:

**House Bill No. 1540.** — A Bill for an Act to amend and reenact sections 40-57-02 and 40-57-03 of the North Dakota Century Code, relating to the Municipal Industrial Development Act and defining projects to include residential dwelling accommodations for low and moderate income persons and to authorize municipalities to make loans to and purchase mortgages from lending institutions in connection with projects for residential dwellings for low and moderate income persons.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Fleming introduced:

**House Bill No. 1541.** — A Bill for an Act to create and enact a new section to chapter 54-14 of the North Dakota Century Code, defining severance pay and forbidding severance pay to state employees or officers, except under certain circumstances.

Which was read the first time and referred to the Committee on State and Federal Government.

Rep. R. Hausauer and Senator Meliand introduced:

**House Bill No. 1542.** — A Bill for an Act to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Which was read the first time and referred to the Committee on Education.

Rep. Erickson and Senator Thane introduced:

**House Bill No. 1543.** — A Bill for an Act to create and enact section 24-09-01.1 of the North Dakota Century Code, relating to additional public highway-railroad crossing warning systems; to amend and reenact sections 24-09-02, 24-09-04 and 24-09-10 of the North Dakota Century Code, making the Manual on Uniform Traffic Control Devices applicable to public highway-railroad crossings and public service commission jurisdiction to close railroad crossings; and to repeal section 49-11-16 of the North Dakota Century Code, relating to caution signs.

Which was read the first time and referred to the Committee on Transportation.

Reps. Stenehjem, Houmann and Swiontek and Senator Holmberg introduced:

**House Bill No. 1544.** — A Bill for an Act to create and enact two new sections to chapter 51-15 of the North Dakota Century Code, relating to assurance of discontinuance and civil penalties in cases of consumer fraud; and to amend and reenact section 51-15-10 of the North Dakota Century Code, relating to costs recoverable in cases of consumer fraud.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Mertens introduced:

**House Bill No. 1545.** — A Bill for an Act to create and enact nine new sections to chapter 50-01 and one new subsection to section 50-01-09 of the North Dakota Century Code, relating to applications for, appeals, and written standards describing county general assistance; to amend and reenact sections 50-01-01 and 50-01-17 of the North Dakota Century Code, relating to the right to apply for general assistance from the county and work requirements for general assistance eligibility; and to repeal section 50-01-18 of the North Dakota Century Code, relating to refusal to work.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Nicholas introduced:

**House Bill No. 1546.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 and subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries and for corporations; and to repeal section 57-38-66 of the North Dakota Century Code, relating to the business and corporation privilege tax; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Wessman introduced:

**House Bill No. 1547.** — A Bill for an Act to create and enact a new section to chapter 61-01 of the North Dakota Century code, relating to draining of lands during times of flooding; and providing a penalty.

Which was read the first time and referred to the Committee on Agriculture.

Reps. Marsden and Houmann introduced:

**House Bill No. 1548.** — A Bill for an Act to amend and reenact section 11-18-08 of the North Dakota Century Code, relating to the contents of the separate grantor and grantee indexes to be kept by the county register of deeds.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. A. Hausauer introduced:

**House Bill No. 1549.** — A Bill for an Act to require that a statement of full consideration be filed with the county register of deeds, to provide procedures for handling statements of full consideration, to provide that such statements shall be confidential, and to provide a penalty.

Which was read the first time and referred to the Committee on Political Subdivisions.

Reps. A. Hausauer and Timm introduced:

**House Bill No. 1550.** — A Bill for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the duties of the state board of equalization regarding property assessment levels; to amend and reenact sections 57-02-27, 57-02-28, 57-02-34, and 57-05-01 of the North Dakota Century Code, relating to the assessment of property for tax purposes and the basis for the computation of property taxes.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Houmann introduced:

**House Bill No. 1551.** — A Bill for an Act to amend and reenact section 32-15-06 of the North Dakota Century Code, relating to entry upon land for making surveys under eminent domain.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Weber and Senator Erdman introduced:

**House Bill No. 1552.** — A Bill for an Act to provide for farm family association and farm family joint stock companies; to create and enact a new section to chapter 10-06 of the North Dakota Century Code, to provide for incorporation of farm family corporations; to create and enact a new section to chapter 57-02 of the North Dakota Century Code, to provide for a system of graduated real estate taxation of agricultural lands; and to provide an effective date.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Richard introduced:

**House Bill No. 1553.** — A Bill for an Act to provide for the state board of equalization to review the estimated and actual general fund revenues, and to make rate adjustments to the sales and use tax and motor vehicle excise tax; to create and enact a new subsection to sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, to exempt clothing from sales and use tax; to amend and reenact sections 57-39.2-02.1, 57-39.2-08.2, 57-40.2-02.1, and 57-40.3-02, changing to two percent the sales and use tax and the motor vehicle excise tax; and to repeal section 57-40.3-03, relating to an additional motor vehicle excise tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Mattson introduced:

**House Bill No. 1554.** — A Bill for an Act to amend and reenact section 15-10-28.1 of the North Dakota Century Code, to provide an option for repayment of loans by certain veterinary medicine, optometry, and dentistry students.

Which was read the first time and referred to the Committee on Education.

Reps. Conny and Stenehjem introduced:

**House Bill No. 1555.** — A Bill for an Act to amend and reenact section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator; or, in the alternative, if House Bill No. 1138 is approved by the forty-sixth legislative assembly, to create and enact section 16.1-13-08 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator; and, if House Bill No. 1138 is approved by the forty-sixth legislative assembly, to repeal section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Weber introduced:

**House Bill No. 1556.** — A Bill for an Act to amend and reenact section 57-39.2-26 of the North Dakota Century Code, returning the sales tax collected from activities on property under the control of any fair association; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Conmy introduced:

**House Bill No. 1557.** — A Bill for an Act to amend and reenact subsections 1 and 3 of section 43-15-10, sections 43-15-14, 43-15-19, 43-15-20, 43-15-21, 43-15-22, 43-15-25, 43-15-26, 43-15-27, 43-15-28, 43-15-29, 43-15-32, 43-15-34, subsection 2 of section 43-15-38, and section 43-15-43 of the North Dakota Century Code, deleting references to assistant registered pharmacists and increasing fees charged by the board of pharmacy; and to repeal section 43-15-17 of the North Dakota Century Code, relating to the qualifications of assistant registered pharmacists.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Conmy introduced:

**House Bill No. 1558.** — A Bill for an Act to require that a statement of full consideration be filed with the state tax commissioner or county auditor, and providing a penalty.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Richard introduced:

**House Bill No. 1559.** — A Bill for an Act to amend and reenact section 15-28-11 of the North Dakota Century Code, relating to the publication of school board proceedings.

Which was read the first time and referred to the Committee on Education.

Reps. R. Hausauer and Dietz introduced:

**House Bill No. 1560.** — A Bill for an Act to amend and reenact subsection 1 of section 40-49-12 of the North Dakota Century Code, relating to ownership by a park district of property located outside this state.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Stenehjem introduced:

**House Bill No. 1561.** — A Bill for an Act to create and enact a new subsection to section 11-10-06 of the North Dakota Century Code, relating to the amount of the bond required for clerks of the district court; and to amend and reenact subsections 1 and 4 of section 11-10-06 of the North Dakota Century Code, relating to separating the clerks of

the district court from other county officials with respect to bonding, and increasing the amount of the bond required for state's attorneys.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Herman and Mushik introduced:

**House Bill No. 1562.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the taxation of the gain or loss resulting from the sale of a principal residence by a taxpayer moving out of North Dakota; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Maixner, Nicholas and Martin and Senators Albers, Rait and Barth introduced:

**House Bill No. 1563.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, providing for the exemption from taxation of proceeds realized from a forced sale due to eminent domain proceedings.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Maixner, Boyum and Timm and Senator Erdman introduced:

**House Bill No. 1564.** — A Bill for an Act to amend and reenact sections 39-24-02 and 39-24-04 of the North Dakota Century Code, relating to snowmobile registration and exemptions from registration.

Which was read the first time and referred to the Committee on Transportation.

Reps. G. Larson and Knudson introduced:

**House Bill No. 1565.** — A Bill for an Act to create and enact three new sections to chapter 15-39.2 of the North Dakota Century Code, relating to college teachers under the teachers' fund for retirement, alternative benefits, and methods of paying assessments; to amend and reenact section 15-39.1-25 of the North Dakota Century Code, relating to fixed rights and obligations for college teachers; and providing an appropriation.

Which was read the first time and referred to the Committee on Education.

Reps. Melby, Boyum, Hoffner and Senator Farrington introduced:

**House Bill No. 1566.** — A Bill for an Act to create a council on hemophilia and related blood disorders, establishing a program of financial assistance for victims of hemophilia and other similar blood disorders, granting rulemaking authority; and providing an appropriation.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Leibhan and Nicholas introduced:

**House Bill No. 1567.** — A Bill for an Act to provide for an appropriation from the general fund to the state planning division for distribution to the regional planning councils, and to provide requirements for obtaining the state funds.

Which was read the first time and referred to the Committee on Appropriations.

Rep. Thompson introduced:

**House Bill No. 1568.** — A Bill for an Act to amend and reenact subsections 1 and 4 of section 23-30-02 of the North Dakota Century Code, relating to authorization of hospital districts.



Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Winkjer introduced:

**House Bill No. 1569.** — A Bill for an Act to create and enact section 16.1-13-08 of the North Dakota Century Code, relating to the filling of a vacancy in the office of United States senator; and to repeal section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of United States senator.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Winkjer introduced:

**House Bill No. 1570.** — A Bill for an Act to create and enact a new section to chapter 4-12 and a new section to chapter 19-06.1 of the North Dakota Century Code, relating to intentionally destroying or molesting apiaries, and labeling of imported honey.

Which was read the first time and referred to the Committee on Agriculture.

Rep. Winkjer introduced:

**House Bill No. 1571.** — A Bill for an Act to create and enact a new section to chapter 30.1-20 of the North Dakota Century Code, relating to errors in a deed of distribution of assets.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Winkjer introduced:

**House Bill No. 1572.** — A Bill for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code, relating to distribution of moneys received for flood control lands.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Richie introduced:

**House Bill No. 1573.** — A Bill for an Act to amend and reenact subsection 6 of section 39-20-07 of the North Dakota Century Code, relating to certified copies of analytical reports of blood analysis by the state toxicologist as prima facie evidence and to repeal subsection 7 of section 39-20-07 of the North Dakota Century Code, relating to testimony of the state toxicologist by subpoena.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Gunsch introduced:

**House Bill No. 1574.** — A Bill for an Act to amend and reenact section 40-12-01 of the North Dakota Century Code, relating to applying the provisions for initiating and referring of municipal ordinances to all cities.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Gunsch introduced:

**House Bill No. 1575.** — A Bill for an Act to amend and reenact section 15-34.1-05 of the North Dakota Century Code, relating to the penalty for violation of the compulsory school attendance law.

Which was read the first time and referred to the Committee on Education.

Rep. Mertens introduced:

**House Bill No. 1576.** — A Bill for an Act to require the social service board to adopt rules and guidelines to ensure appropriate medical, social, and psychological services to nongeriatric persons receiving

medical assistance, to permit nursing homes, intermediate care facilities, and boarding homes for the aged and infirm to establish residential areas specifically for the inhabitation of nongeriatric patients, and to allow nursing homes, intermediate care facilities, and boarding homes for the aged and infirm to be eligible for loans from the revolving loan fund for construction or reconstruction of specific nongeriatric areas.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Rep. Mertens introduced:

**House Bill No. 1577.** — A Bill for an Act to amend and reenact section 39-26-12 of the North Dakota Century Code, relating to the motor vehicle registration tax paid into the abandoned motor vehicle disposal fund.

Which was read the first time and referred to the Committee on Transportation.

Rep. Gunsch introduced:

**House Bill No. 1578.** — A Bill for an Act to amend and reenact sections 21-02-02, 21-02-03, 21-02-06, 21-02-07, 21-02-08, and 21-02-10 of the North Dakota Century Code, to allow political subdivisions to borrow against funds due them under federal contracts.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Gunsch introduced:

**House Bill No. 1579.** — A Bill for an Act to amend and reenact sections 26-02-44 and 39-24-03 of the North Dakota Century Code, relating to the rights of an insurer making payments under uninsured motorist coverage, and to motor vehicle registration, application, issuance, fees, and renewal; to repeal chapter 39-17 of the North Dakota Century Code, relating to the unsatisfied judgment fund; to establish an effective date for applications against the unsatisfied judgment fund and for disposition of cases; and to provide for the transfer of unsatisfied judgment funds to the general fund.

Which was read the first time and referred to the Committee on Transportation.

Rep. Winkjer introduced:

**House Bill No. 1580.** — A Bill for an Act to create and enact a new subsection to section 11-16-01 of the North Dakota Century Code, relating to duties of state's attorneys; and to amend and reenact subsections 4 and 5 of section 11-16-05, and subsections 6 and 7 of section 58-06-01 of the North Dakota Century Code, relating to restrictions on powers of state's attorney and the powers and duties of the board of township supervisors with respect to prosecuting actions.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Wald, DuBord, Riehl and Lee introduced:

**House Bill No. 1581.** — A Bill for an Act to create and enact two new subsections to section 14-02.1-02 of the North Dakota Century Code, relating to definitions in the Abortion Control Act; to create and enact section 14-02.1-13 of the North Dakota Century Code, providing abortion reporting forms; and to amend and reenact subsection 4 of section 14-02.1-02, section 14-02.1-03, subsection 3 of section 14-02.1-04, section 14-02.1-05, section 14-02.1-07, and section 14-02.1-08 of the North Dakota Century Code, relating to definitions in the Abortion Control Act, consent to abortion, limitation on performance of abortion, preserving

the life of a viable fetus, recording and reporting the abortion, and protection of infants born alive.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Lardy, Hanson, Melby and Brokaw introduced:

**House Bill No. 1582.** — A Bill for an Act to amend and reenact sections 47-18-01, 47-18-03, 47-18-14, 47-18-17, 47-18-18, and 47-18-19 of the North Dakota Century Code, relating to the homestead; and to repeal section 47-18-02 of the North Dakota Century Code, relating to the homestead.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Lardy, Hanson, Melby and Brokaw introduced:

**House Bill No. 1583.** — A Bill for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to heads of families; and to amend and reenact sections 28-22-01 and 28-22-05 of the North Dakota Century Code, relating to exemptions for heads of families and single persons.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Lardy, Hanson, Melby and Brokaw introduced:

**House Bill No. 1584.** — A Bill for an Act to amend and reenact section 28-22-16 of the North Dakota Century Code, relating to limitations of exemptions.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Stenehjerm and Swiontek and Senator Lashowitz introduced:

**House Bill No. 1585.** — A Bill for an Act to create and enact three new sections to chapter 14-09 of the North Dakota Century Code, relating to investigations to be conducted before awarding custody, and the test and factors to be used in making an award of custody; and to amend and reenact sections 14-05-22 and 14-09-07 of the North Dakota Century Code, relating to awards of custody issued in connection with a decree of divorce, and the right of a noncustodial parent to change the residence of the child.

Which was read the first time and referred to the Committee on Judiciary.

Rep. Maixner introduced:

**House Bill No. 1586.** — A Bill for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to compensation for the collection of sales and use taxes; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

Rep. Maixner introduced:

**House Bill No. 1587.** — A Bill for an Act to amend and reenact section 57-54-16 of the North Dakota Century Code, relating to compensation for the collection of motor fuels tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

Reps. Unhjerm, Wentz, Gackle, Berg and Winkjer introduced:

**House Bill No. 1588.** — A Bill for an Act to provide for grants from the state library commission to eligible public libraries to supplement local tax efforts; and to provide an appropriation.

Which was read the first time and referred to the Committee on Education.

Reps. Unhjem, Stenehjem and Marsden introduced:

**House Bill No. 1589.** — A Bill for an Act to regulate products liability actions by providing for the indemnification of the seller by the manufacturer and requiring the manufacturer to assume the defense of the seller in certain actions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Rep. Kermott and Senator Holmberg introduced:

**House Bill No. 1590.** — A Bill for an Act to authorize the state board of higher education to transfer to the medical center rehabilitation hospital foundation land bequeathed to the university of North Dakota medical center rehabilitation hospital.

Which was read the first time and referred to the Committee on State and Federal Government.

Reps. Mushik and Gerl introduced:

**House Bill No. 1591.** — A Bill for an Act to amend and reenact sections 40-47-01.1 and 40-48-18 of the North Dakota Century Code, relating to the application of zoning and subdivision regulation authority to unincorporated territory outside the limits of a city.

Which was read the first time and referred to the Committee on Political Subdivisions.

Rep. Gackle introduced:

**House Bill No. 1592.** — A Bill for an Act to amend and reenact subsection 2 of section 39-10-03 of the North Dakota Century Code, relating to equipment on class A authorized emergency vehicles; and to repeal subsection 4 of section 39-10-03.

Which was read the first time and referred to the Committee on Transportation.

Rep. Murphy introduced:

**House Bill No. 1593.** — A Bill for an Act to create and enact a new section to chapter 38-09 of the North Dakota Century Code, relating to payment of compensation of the surface owner for oil and gas leased by the state.

Which was read the first time and referred to the Committee on Natural Resources.

Rep. Murphy and Senator Iszler introduced:

**House Bill No. 1594.** — A Bill for an Act to create and enact two new sections to chapter 32-15 of the North Dakota Century Code, relating to the reconveyance of property taken by eminent domain.

Which was read the first time and referred to the Committee on Judiciary.

Reps. Lipsiea and Gunderson introduced:

**House Bill No. 1595.** — A Bill for an Act to provide for a severance tax upon all coal mines; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact commission; to provide for impact loans to be administered by the board of university and school lands and to provide a penalty; and to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to privilege tax on coal conversion facilities.

Was read the first time and referred to the committee on Finance and Taxation.

Rep. Murphy introduced:

**House Bill No. 1596.** — A Bill for an Act to create and enact a new section to chapter 62-01 of the North Dakota Century Code, relating to a prohibition of possessing a pistol in a liquor establishment, providing for an exception and a penalty; and to amend and reenact sections 62-01-01, 62-01-08, 62-01-09, 62-01-10, and 62-01-14 of the North Dakota Century Code, relating to the definition of a pistol, the form and term of a pistol license, regulation of pistol sales, the penalty for violating sales regulations, and the granting and conditions of pistol dealers' licenses.

Was read the first time and referred to the committee on Judiciary.

Rep. Fleming introduced:

**House Bill No. 1597.** — A Bill for an Act to amend and reenact sections 39-20-04 and 39-20-05 of the North Dakota Century Code, relating to the revocation of a person's driver's license upon refusal to submit to a test for intoxication unless the person subsequently pleads guilty to the offense charged, and the right of a driver to an administrative hearing before the revocation of the driver's license.

Was read the first time and referred to the committee on Transportation.

Rep. Vig introduced:

**House Bill No. 1598.** — A Bill for an Act to create and enact chapter 14-10.1 of the North Dakota Century Code, relating to the emancipation of minors; and to amend and reenact sections 14-09-20, 14-10-04, 14-10-09, 14-10-10, and 14-10-11, and subsection 2 of section 27-20-03 of the North Dakota Century Code, relating to parents' authority, to the rights and responsibilities of minors, and to the jurisdiction of juvenile courts.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Rep. Gackle introduced:

**House Bill No. 1599.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption of gas from the sales and use tax; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subdivision b of subsection 1 of section 57-39.2-02.1, subsection 2 of section 57-39.2-18, subdivision a of subsection 6 of section 57-40.2-01, section 57-53-02 of the North Dakota Century Code, relating to the exemption of gas and heating fuels from sales and use and special fuels taxes, and to remove references to sales and use taxes on electricity; and to provide an effective date.

Was read the first time and referred to the committee on Finance and Taxation.

Rep. Stenejem introduced:

**House Bill No. 1600.** — A Bill for an Act to create and enact a new subsection to section 11-16-05 of the North Dakota Century Code, relating to restrictions upon the powers of state's attorneys to defend criminal cases.

Was read the first time and referred to the committee on Judiciary.

Rep. Stenejem introduced:

**House Bill No. 1601.** — A Bill for an Act to amend and reenact subsection 2 of section 19-03.1-32 and subsection 2 of section 19-03.1-35 of the North Dakota Century Code, relating to search warrants for controlled dangerous substances, and the state health department's regulatory functions under the Uniform Controlled Substances Act.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Rep. Knudson introduced:

**House Bill No. 1602.** — A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Was read the first time and referred to the committee on Education.

Rep. Vander Vorst introduced:

**House Bill No. 1603.** — A Bill for an Act to amend and reenact sections 12-54.1-01, 12-59-05, 12.1-16-01, and 12.1-32-01 of the North Dakota Century Code, relating to good conduct sentence reduction for offenders sentenced to the penitentiary or state farm, to parole consideration by the parole board, to murder, and to the classification of offenses; and making murder a class AA felony with a maximum penalty of life imprisonment, and providing that a sentence for a class AA felony shall be served without benefit of parole or good conduct sentence reduction.

Was read the first time and referred to the committee on Judiciary.

Reps. Winkjer, Kretschmar, Stenehjem and Unhjem introduced:

**House Bill No. 1604.** — A Bill for an Act to amend and reenact subsection 4 of section 38-18-05 of the North Dakota Century Code, relating to the definition of mineral developer.

Was read the first time and referred to the committee on Natural Resources.

Rep. Richie introduced:

**House Bill No. 1605.** — A Bill for an Act to authorize service of process by mail by federal marshals.

Was read the first time and referred to the committee on Judiciary.

Reps. Black and Mattson introduced:

**House Bill No. 1606.** — A Bill for an Act to provide that the provisions of subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction from state per-pupil payments of a portion of money received under Public Law 81-874 be temporarily suspended.

Was read the first time and referred to the committee on Education.

Reps. Vander Vorst, Lang and Langley introduced:

**House Bill No. 1607.** — A Bill for an Act to create and enact section 26-02-36.1 of the North Dakota Century Code, relating to failure to issue or renew automobile insurance policies with respect to named drivers excluded from coverage under the policy.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Freborg introduced:

**House Bill No. 1608.** — A Bill for an Act to amend and reenact subsection 6 of section 57-39.2-01 and subsection 5 of section 57-40.2-01 of the North Dakota Century Code, redefining "gross receipts" and "purchase price" to exclude any federal excise taxes on goods.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Gerl, Hoffner and Tweten introduced:

**House Bill No. 1609.** — A Bill for an Act to require inclusion of chiropractic service under group accident and sickness policies, hospital service contracts, and medical service contracts.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Wentz introduced:

**House Bill No. 1610.** — A Bill for an Act to amend and reenact section 15-47-13 of the North Dakota Century Code, relating to the school census.

Was read the first time and referred to the committee on Education.

Reps. Kloubec, R. Christensen and Kelly and Senators Tennesos and Naaden introduced:

**House Bill No. 1611.** — A Bill for an Act providing for appropriations to study and improve the state accounting and financial reporting system; and declaring an emergency.

Was read the first time and referred to the committee on Appropriations.

Rep. Gackle introduced:

**House Bill No. 1612.** — A Bill for an Act to amend and reenact section 57-38-01.4 of the North Dakota Century Code, relating to the subchapter S election by shareholders of a corporation for income tax purposes.

Was read the first time and referred to the committee on Finance and Taxation.

Rep. Wessman introduced:

**House Bill No. 1613.** — A Bill for an Act to provide state employees the right to join or form employee associations, to establish a public employment relations board, to provide collective bargaining and dispute resolution procedures, and to prohibit employee strikes; and to amend and reenact sections 34-11-01, 34-11-02, and 34-11-03 of the North Dakota Century Code, relating to mediation of public employer-employee disputes.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. I. Jacobson and Senator Wenstrom introduced:

**House Bill No. 1614.** — A Bill for an Act to amend and reenact sections 15-39.2-01 and 15-39.2-05 of the North Dakota Century Code, relating to the method for calculating retirement annuity of teachers retired under the teachers' insurance and annuity association of America-college retirement equities fund.

Was read the first time and referred to the committee on Education.

Rep. Conmy introduced:

**House Bill No. 1615.** — A Bill for an Act to amend and reenact Section 57-37.1-12 of the North Dakota Century Code, relating to access to the contents of safe deposit boxes after death of owner.

Was read the first time and referred to the committee on Judiciary.

Rep. Conmy introduced:

**House Bill No. 1616.** — A Bill for an Act to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code relating to stopping for pedestrians in crosswalks.

Was read the first time and referred to the committee on Transportation.

Reps. Vander Vorst and Leibhan introduced:

**House Bill No. 1617.** — A Bill for an Act to amend and reenact sections 11-18-16, 11-18-17, and 11-18-20 of the North Dakota Century Code, relating to buried transmission facilities; and providing an effective date.

Was read the first time and referred to the committee on Political Subdivisions.

Rep. Marsden and Sen. Melland introduced:

**House Bill No. 1618.** — A Bill for an Act to create and enact section

54-42-02.1 of the North Dakota Century Code, relating to the organization, meetings, and compensation of the merit system council; to amend and reenact sections 54-42-01, 54-44.3-01, 54-44.3-11, 54-44.3-12, 54-44.3-15, 54-44.3-16, 54-44.3-20, 54-44.3-21, and 54-44.3-22 of the North Dakota Century Code, relating to the merit system council and legislative intent and the establishment, powers, and duties of the state personnel division; and to repeal sections 54-44.3-02, 54-44.3-03, 54-44.3-04, 54-44.3-05, 54-44.3-06, 54-44.3-07, 54-44.3-08, 54-44.3-09, 54-44.3-10, 54-44.3-13, 54-44.3-14, 54-44.3-17, 54-44.3-18, 54-44.3-19, 54-44.3-23, 54-44.3-24, 54-44.3-25, 54-44.3-26, and 54-44.3-27 of the North Dakota Century Code, relating to the state personnel board, records of the central personnel division, assistance to cities and political subdivisions, application of central personnel system to certain employees, prohibitive conduct, penalty for violation, and records of the merit system council.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Leibhan and Vander Vorst introduced:

**House Bill No. 1619.** — A Bill for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08 of the North Dakota Century Code, relating to enrollment periods used in determining per-pupil foundation program payments for school districts.

Was read the first time and referred to the committee on Education.

Reps. Gerl and Fleming introduced:

**House Bill No. 1620.** — A Bill for an Act to provide for the determination of the fair market rental value of leaseholds on railroad rights of way; and to amend and reenact subsection 4 of section 49-01-01 of the North Dakota Century Code, relating to the definition of rate.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Stenehjem, Unhjem, Mushik and Sens. Holmberg, Redlin and Christensen introduced:

**House Bill No. 1621.** — A Bill for an Act relating to adult abuse, protection orders, temporary protection orders, assistance of peace officers in service or execution of protection orders, the right to apply for relief, the exclusiveness of the remedy from other remedies, emergency relief; and providing a penalty for violation of a protection order.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Mushik, Olson and Stenehjem and Senators H. Christianson and Redlin introduced:

**House Bill No. 1622.** — A Bill for an Act to create and enact chapter 50-06.2 of the North Dakota Century Code, providing counseling, training, jobs, services, and health care for displaced homemakers.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Fleming, R. Hausauer and Weber introduced:

**House Bill No. 1623.** — A Bill for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to authority of the highway commissioner and local authorities to regulate the use of highways in their respective jurisdiction and to deposit funds collected in their respective road funds for highway purposes.

Was read the first time and referred to the committee on Transportation.

Reps. Fleming, Mushik, Herman and Knudson introduced:



**House Bill No. 1624.** — A Bill for an Act to provide for the payment of related services provided to handicapped students by the social service board of North Dakota.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Thompson, Langley, Knudson, Martin and Riehl introduced:

**House Bill No. 1625.** — A Bill for an Act to provide for a severance tax for the privilege of severing coal from the earth; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of said tax to the state and its political subdivisions; to provide for a coal development impact office in the office of the governor; to provide for a coal development impact commission to approve or disapprove impact grants; providing a penalty; and providing a savings clause.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Kloubec, Lang, Kermott and Opedahl introduced:

**House Bill No. 1626.** — A Bill for an Act to amend and reenact the provisions of section 34-06-04 of the North Dakota Century Code, relating to the powers of the labor commissioner.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Meiers, and Senators Walsh and Holmberg introduced:

**House Bill No. 1627.** — A Bill for an Act to prohibit littering, to provide for the placement and use of litter receptacles, to provide for a litter assessment on designated products, to create a litter control account, to provide for enforcement by the state highway department; and providing penalties.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Thorsgard, Rued, and Timm introduced:

**House Bill No. 1628.** — A Bill for an Act to create and enact a new subsection to section 39-06.1-06, a new paragraph to subdivision a of subsection 3 of section 39-06.1-10, and section 39-09-01.1 of the North Dakota Century Code, relating to the fee assessed for a care required violation, the points assessed for a care required violation, and care required in operation of a vehicle; and to amend and reenact sections 39-06.1-09 and 39-21-01 of the North Dakota Century Code, relating to definition of moving violation, and the use of lighted lamps on motor vehicles; and providing a penalty for improper use of lighted lamps.

Was read the first time and referred to the committee on Transportation.

Reps. Unhjem, Backes, Strinden and Stenchjem introduced:

**House Bill No. 1629.** — A Bill for an Act authorizing the board of university and school lands to invest permanent funds of the common schools in add-alternates for the judicial wing and state office building; and declaring an emergency.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Conmy and Winkjer introduced:

**House Bill No. 1630.** — A Bill for an Act to amend and reenact subsection 1 of section 12.1-33-01 and subsections 1 and 2 of section 12.1-33-03 of the North Dakota Century Code, relating to the right of a person who has been convicted of a felony to vote and hold public office, except during the term of actual incarceration.

Was read the first time and referred to the committee on Judiciary.

Rep. Kretschmar introduced:

**House Bill No. 1631.** — A Bill for an Act to create and enact a new chapter of the North Dakota Century Code, relating to criminal extradition; to repeal chapter 29-30 of the North Dakota Century Code relating to fugitives from justice; and providing a penalty for the violation of the rights of an accused person.

Was read the first time and referred to the committee on Judiciary.

Reps. F. Larson and Berge introduced:

**House Bill No. 1632.** — A Bill for an Act providing for legislative council sunset performance reviews; and making an appropriation.

Was read the first time and referred to the committee on Appropriations.

Rep. Scofield introduced:

**House Bill No. 1633.** — A Bill for an Act establishing minimum educational requirements for certain insurance agents.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Gorder and Peltier and Senators Tallackson and Vosper introduced:

**House Bill No. 1634.** — A Bill for an Act to amend and reenact subsection 1 of section 39-04-19, subsection 2 of section 39-12-05, and sections 57-54.1-09, 57-54.1-11, and 57-54.1-12 of the North Dakota Century Code, relating to election of trip permit in lieu of vehicle registration fees, improved equipment permit fees, issuance and display of license or permit, revocation of license, and occasional trip permits; and to repeal section 57-54.1-08 of the North Dakota Century Code, relating to importer for use bond.

Was read the first time and referred to the committee on Transportation.

Rep. Stenehjem introduced:

**House Bill No. 1635.** — A Bill for an Act to amend and reenact subsection 4 of section 19-03.1-05, subsection 5 of section 19-03.1-07, subsection 3 of section 19-03.1-09, section 19-03.1-11 and subsection 2 of section 19-03.1-13 of the North Dakota Century Code, relating to the schedules of controlled substances under the Uniform Controlled Substances Act.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Gorder, Peltier and Senators Tallackson and Vosper introduced:

**House Bill No. 1636.** — A Bill for an Act to create and enact a new section to chapter 39-19 of the North Dakota Century Code, relating to requiring the state highway department to join the international registration plan and the multistate reciprocal agreement.

Was read the first time and referred to the committee on Transportation.

Reps. Unhjem and Reed and Senators Reiten and Holmberg introduced:

**House Bill No. 1637.** — A Bill for an Act to create and enact a new section to chapter 26-03.1 and chapter 26-27 of the North Dakota Century Code, relating to options required to be offered to persons who are insured for medical care coverage by insurance companies and nonprofit medical service corporations; and to amend and reenact section 26-03.1-08 of the North Dakota Century Code, relating to the

applicability of the provisions of chapter 26-03 to blanket and group insurance policies.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Tinjum, Dick and Weber and Senator Dotzenrod introduced:

**House Bill No. 1638.** — A Bill for an Act to create and enact three new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, providing definitions to be used, relating to allocation of moneys in the coal development fund, and allowing money to go to state agencies to study derivative impacts in all parts of North Dakota.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Wessman, Gorder, Kingsbury and Kelly introduced:

**House Bill No. 1639.** — A Bill for an Act to provide minimum raises for all state employees; and providing an effective date.

Was read the first time and referred to the committee on State and Federal Government.

Rep. Wald introduced:

**House Bill No. 1640.** — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct games of chance; and providing for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games of chance, bookkeeping requirements, expense requirements, examination of books and records, licensure of distributors, a tax based on expenses and a criminal penalty for violation of this Act.

Was read the first time and referred to the committee on Judiciary.

Rep. Wald introduced:

**House Bill No. 1641.** — A Bill for an Act to amend and reenact section 35-19-01 of the North Dakota Century Code, relating to the innkeeper's lien and residential dwelling unit lessor's lien.

Was read the first time and referred to the committee on Judiciary.

Rep. Boyum introduced:

**House Bill No. 1642.** — A Bill for an Act to provide public access to certain law enforcement records and providing exceptions.

Was read the first time and referred to the committee on Judiciary.

Reps. Mushik and Solberg introduced:

**House Bill No. 1643.** — A Bill for an Act to create and enact a new section to chapter 48-10 of the North Dakota Century Code, relating to duties of the capitol grounds planning commission.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Swiontek, Richie, Unhjem and Lipsiea introduced:

**House Bill No. 1644.** — A Bill for an Act to amend and reenact sections 12-54.1-01, 12-59-05, 12.1-16-01, and 12.1-32-01 of the North Dakota Century Code, relating to good conduct sentence reduction for prison inmates, parole consideration by the parole board, the definition and penalty for murder, and the classification and maximum penalties for offenses; and providing a life imprisonment penalty for murder without benefit of parole or good conduct sentence reduction.

Was read the first time and referred to the committee on Judiciary.

Reps. Berge, F. Larson and Houmann and Senator Strinden introduced:

**House Bill No. 1645.** — A Bill for an Act to amend and reenact sections 57-54-14 and 57-54-19 of the North Dakota Century Code, relating to transferring a portion of motor fuel taxes collected to the state snowmobile fund; and providing an appropriation.

Was read the first time and referred to the committee on Appropriations.

Reps. Mushik and Conmy introduced:

**House Bill No. 1646.** — A Bill for an Act to amend and reenact subdivision a of subsection 1 of section 14-14-03, and sections 14-14-14 and 14-14-23 of the North Dakota Century Code, relating to uniform child custody jurisdiction, modification of a custody decree in another state, and to international application of the Act; and providing for jurisdiction if the state is the domicile of the child and at least one of his parents, for modification of a custody decree when the present welfare of a child requires a modification, and recognizing custody decrees of other nations provided they do not prejudice the rights of the United States and North Dakota governments or their citizens.

Was read the first time and referred to the committee on Judiciary.

Reps. Brokaw and Tinjum introduced:

**House Bill No. 1647.** — A Bill for an Act to provide a property tax exemption on land used for shelterbelts, and to provide procedures for the administration of the tax exemption.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Rued and Wald introduced.

**House Bill No. 1648.** — A Bill for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to the consumption and possession of alcoholic beverages in motor vehicles.

Was read the first time and referred to the committee on Transportation.

Reps. Brokaw and Tinjum introduced:

**House Bill No. 1649.** — A Bill for an Act to amend and reenact subsection 4 of section 39-04-19 and section 39-04-21 of the North Dakota Century Code, relating to motor vehicle registration fee for trailers, and to payment of motor vehicle registration fees.

Was read the first time and referred to the committee on Transportation.

Reps. Peterson and Kuchera introduced:

**House Bill No. 1650.** — A Bill for an Act to amend and reenact section 40-20-03 of the North Dakota Century Code, relating to the qualifications of a city engineer.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Maixner, Kelly and Wentz, and Senators Miller-Heinrich, Orange and Krauter introduced:

**House Bill No. 1651.** — A Bill for an Act relating to payment of utility bills on a budget basis, payment agreements on delinquent accounts, disconnection of service, deposits; and declaring an emergency.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Richard introduced:

**House Bill No. 1652.** — A Bill for an Act to amend and reenact subdivision d of subsection 3 of section 39-06-17 of the North Dakota Century Code, relating to the type of driver education necessary for a child to obtain a restricted driver's license.

Was read the first time and referred to the committee on Transportation.

Reps. Meiers and Berger introduced:

**House Bill No. 1653.** — A Bill for an Act to provide for conditions of participation for eligibility of nursing homes and intermediate care facilities to receive medical assistance payments, exemption to conditions of participation, reports to social service board of North Dakota, and rejection of reports.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Rep. Mertens introduced:

**House Bill No. 1654.** — A Bill for an Act to amend and reenact sections 50-09-14, 50-24-19, and 52-06-14 of the North Dakota Century Code, relating to appeals from applications for aid to dependent children; to appeals from applications for assistance to the aged, blind, or disabled; and to appeals relating to unemployment compensation benefits.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Herman, Black and Eagles introduced:

**House Bill No. 1655.** — A Bill for an Act to repeal section 14-07-02 of the North Dakota Century Code, relating to the status of the husband as the head of the family.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Black, Unhjem, Eagles and Kuchera introduced:

**House Bill No. 1656.** — A Bill for an Act to prohibit discrimination against any person twenty-one years of age or older, solely on the basis of age, to prohibit compulsory termination of employment of state or political subdivision employees solely on the basis of age, and to provide for full credit for service beyond normal retirement age; and to amend and reenact section 15-34.2-14, subsections 1 and 2 of section 27-17-01, sections 37-02-07, 39-03A-13, 39-03A-18, 40-46-15, and 54-52-17 of the North Dakota Century Code, relating to qualifications of school busdrivers, retirement benefits for supreme court and district court judges, compulsory termination of appointed officers of the state staff corps, optional retirement for highway patrolmen, compulsory termination of highway patrolmen, compulsory termination of city employees, and postponed retirement for members of the North Dakota public employees retirement system.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Martinson and Unhjem introduced:

**House Bill No. 1657.** — A Bill for an Act to provide for tuition grants to national guard members who enroll in private colleges and universities.

Was read the first time and referred to the committee on Education.

Reps. Kingsbury, Gorder and Walsh and Senators Orange and Barth introduced:

**House Bill No. 1658.** — A Bill for an Act to amend and reenact sections 26-26-04, 26-27-05, 26-27.1-05, and 26-27.2-05 of the North Dakota Century Code, relating to the membership of the boards of directors of nonprofit hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Riehl and Meyer introduced:

**House Bill No. 1659.** — A Bill for an Act to amend and reenact section 57-24-02 of the North Dakota Century Code, eliminating the requirement of posting notice of tax sales; and to repeal sections 57-24-03 and 57-24-04 of the North Dakota Century Code, relating to the form of the notice to be posted and leaving the list posted.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Walsh, Opedahl, Wentz and Meiers introduced:

**House Bill No. 1660.** — A Bill for an Act to create and enact a new subsection to section 43-17-31 of the North Dakota Century Code, relating to the grounds for revocation, suspension, or refusal to grant a physician's license.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Wentz, Meiers, Stenehjem and Kretschmar introduced:

**House Bill No. 1661.** — A Bill for an Act to create and enact the Uniform Marriage and Divorce Act as a chapter of the North Dakota Century Code, providing procedures for the solemnization and registration of marriage, promoting the amicable settlement of disputes between parties to a marriage, providing for the invalidation of certain marriages and for the dissolution of others, providing for the division of property of the parties, and making reasonable provision for the spouse and minor children during and after litigation, making irretrievable breakdown of the marriage relationship the sole basis for dissolution; to amend sections 12.1-20-10, 12.1-20-11, and 14-03-10 of the North Dakota Century Code, relating to penalty for unlawful cohabitation, prohibited marriages, and solemnization of marriages without license; to repeal sections 14-03-01, 14-03-02, 14-03-03, 14-03-06, 14-03-07, 14-03-08, 14-03-09, 14-03-17, 14-03-18, 14-03-19, 14-03-21, and 14-03-22, and chapters 14-04, 14-05, 14-06, and 27-05.1 of the North Dakota Century Code, relating to the marital relationship and family court; and to provide an effective date.

Was read the first time and referred to the committee on Judiciary.

Reps. Peterson and Kuchera introduced:

**House Bill No. 1662.** — A Bill for an Act to amend and reenact section 11-10-02.1 of the North Dakota Century Code, relating to the employment of county surveyors.

Was read the first time and referred to the committee on Political Subdivisions.

Rep. Gerl introduced:

**House Bill No. 1663.** — A Bill for an Act to provide for negotiation and arbitration rights and procedures for public employees, except teachers; and to repeal chapter 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and employees.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Timm introduced:

**House Bill No. 1664.** — A Bill for an Act to amend and reenact sections 43-20-06, 43-28-05, 43-28-14, and 43-28-17 of the North Dakota Century Code, relating to late registration fees for dental hygienists, compensation of members of the board of dental examiners, dental reexamination fees, and late registration fees for dentists.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Conmy and Stenehjem introduced:

**House Bill No. 1665.** — A Bill for an Act to amend and reenact sections 27-06-01, 27-06-03, 27-06-04, 27-06-05, 27-06-06, 27-06-07, and 27-06-08 of the North Dakota Century Code, relating to district court reporters.

Was read the first time and referred to the committee on Judiciary.

Rep. Stenehjem introduced:

**House Bill No. 1666.** — A Bill for an Act to amend and reenact paragraph 1 of subdivision m of subsection 13 of section 52-01-01 of the North Dakota Century Code, relating to the definition of employment in agricultural labor for purposes of unemployment compensation; and providing an effective date.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Conmy introduced:

**House Bill No. 1667.** — A Bill for an Act to create and enact section 40-50-19.1 and section 40-50-19.2 of the North Dakota Century Code relating to the platting of townsites, additions and subdivisions; and to amend and reenact section 40-50-01, section 40-50-03 and section 40-50-04 of the North Dakota Century Code relating to the platting of townsites, additions and subdivisions; and to repeal section 40-50-02 of the North Dakota Century Code relating to the platting of townsites, additions and subdivisions.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Gorder, Kingsbury, Wessman, Fleming and Mushik introduced:

**House Bill No. 1668.** — A Bill for an Act to provide a minimum fifty dollar per month salary increase for classified state employees on July 1, 1979, and July 1, 1980.

Was read the first time and referred to the committee on State and Federal Government.

Rep. Martinson introduced:

**House Bill No. 1669.** — A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officers, and to create and enact subsection 6 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of sheriffs.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Stenehjem, Mattson, Swiontek and Unhjem introduced:

**House Bill No. 1670.** — A Bill for an Act to allow college fraternities and sororities to conduct raffles with proceeds to go to educational, charitable, patriotic, or other public-spirited uses, and providing for definitions, city approval for raffles, persons permitted to conduct raffles, expenses and compensation, a statement of receipts and expenses, examination of books and records; providing a penalty; and declaring an emergency.

Was read the first time and referred to the committee on Judiciary.

Reps. Rued and Crabtree introduced:

**House Bill No. 1671.** — A Bill for an Act to require certain insurers doing business in North Dakota to file certain information with the commissioner of insurance; and to amend and reenact section 26-01-06 of the North Dakota Century Code, relating to the power of the

commissioner of insurance to issue certificates of authority to insurers.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Tweten and Berg and Senator Thane introduced:

**House Bill No. 1672.** — A Bill for an Act to provide for a county tax on certain factories and refineries in lieu of a township tax and to provide for a sharing of that tax between the county and townships of the county.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Tweten, Berg and Lipsiea, and Senator Thane introduced:

**House Bill No. 1673.** — A Bill for an Act to provide for the distribution of a portion of the motor vehicle fuels tax to counties; and to amend and reenact sections 57-50-01, 57-50-06, subsections 5 and 7 of section 57-52-03, sections 57-52-04, 57-54-08, and 57-54-14 of the North Dakota Century Code, relating to the refund of the motor fuel tax, the imposition of a tax on special fuels, the imposition of a tax on motor vehicle fuels, the allocation of the tax on motor vehicle fuels, and the definition of a special fuel user; and to repeal section 57-50-11.1 of the North Dakota Century Code, relating to the assignment of refund claims on motor fuel taxes.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Swiontek and Mattson introduced:

**House Bill No. 1674.** — A Bill for an Act to amend and reenact section 15-38-10 of the North Dakota Century Code, to require instruction in the free enterprise system by teachers in public schools.

Was read the first time and referred to the committee on Education.

Rep. Winkjer introduced:

**House Bill No. 1675.** — A Bill for an Act to create and enact the Uniform Federal Lien Registration Act, as chapter 35-28.1 of the North Dakota Century Code, relating to the filing and recording of federal tax liens and other federal liens; and to repeal chapter 35-28 of the North Dakota Century Code, relating to the filing and recording of federal tax liens.

Was read the first time and referred to the committee on Judiciary.

Reps. Matheny and Maixner introduced:

**House Bill No. 1676.** — A Bill for an Act to amend and reenact subsection 4 of section 61-24-08 of the North Dakota Century Code, relating to the use of Garrison Diversion Conservancy District funds to provide food or alcoholic beverages for public officials.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Fleming and Stenehjem introduced:

**House Bill No. 1677.** — A Bill for an Act to amend and reenact section 39-20-01 of the North Dakota Century Code, relating to the implied consent to determine the alcoholic content of blood.

Was read the first time and referred to the committee on Transportation.

Reps. Herman and Eagles introduced:

**House Bill No. 1678.** — A Bill for an Act to prohibit discrimination in employment because of race, color, religion, national origin, sex, age, or marital status; and providing a penalty.



Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Vig and Reed introduced:

**House Bill No. 1679.** — A Bill for an Act to amend and reenact subsection 1 of section 37-01-40 of the North Dakota Century Code, relating to the definition of "veteran".

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Rep. Winkjer introduced:

**House Bill No. 1680.** — A Bill for an Act to create and enact a new subsection to section 47-19-02 of the North Dakota Century Code, relating to instruments entitled to record without acknowledgment.

Was read the first time and referred to the committee on Judiciary.

Rep. Mushik introduced:

**House Bill No. 1681.** — A Bill for an Act to create and enact section 39-08-10.1 of the North Dakota Century Code, relating to requiring notification of the next of kin by means of the state radio following an accident involving death or serious injury; and to amend and reenact section 54-23A-04 of the North Dakota Century Code, relating to broadcast dispatches and required reports by state radio.

Was read the first time and referred to the committee on Political Subdivisions.

Rep. Riehl and Senator Barth introduced:

**House Bill No. 1682.** — A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the issuance of game and fish licenses by county auditors; and to repeal sections 20.1-03-18, 20.1-03-19, and 20.1-03-20 of the North Dakota Century Code, relating to filing of license applications, reports of license sales, and bonds required of county auditors for the issuance of game and fish licenses.

Was read the first time and referred to the committee on Natural Resources.

Rep. Richard introduced:

**House Bill No. 1683.** — A Bill for an Act to amend and reenact subsection 3 of section 39-06-14 and subdivision c of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to combinations of three unit vehicles permissible on state highways, and classification of driver's licenses, requiring drivers of those three unit vehicles which include two trailers to have a class 1 driver's license.

Was read the first time and referred to the committee on Transportation.

Reps. Gunsch, Gunderson and Mertens introduced:

**House Bill No. 1684.** — A Bill for an Act to amend and reenact sections 20.1-01-18, 20.1-01-19, 20.1-01-20, and 53-08-05 of the North Dakota Century Code, relating to hunting on lands belonging to another, and to landowner liability to others who use land for recreational purposes; and to repeal sections 20.1-01-17 and 20.1-01-22 of the North Dakota Century Code, relating to posting of lands to prohibit hunting and hunting on lands having unharvested crops.

Was read the first time and referred to the committee on Natural Resources.

Rep. F. Larson introduced:

**House Bill No. 1685.** — A Bill for an Act to amend and reenact section 2-06-10 of the North Dakota Century Code, relating to the size of municipalities that may issue bonds under the Airport Authorities Act.

Was read the first time and referred to the committee on Political Subdivisions.

Rep. Reed introduced:

**House Bill No. 1686.** — A Bill for an Act to amend and reenact section 58-06-02 of the North Dakota Century Code, increasing the compensation for township supervisors.

Was read the first time and referred to the committee on Political Subdivisions.

Rep. Kennelly introduced:

**House Bill No. 1687.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to tax credits for members of the North Dakota national guard.

Was read the first time and referred to the committee on Finance and Taxation.

Rep. Leibhan introduced:

**House Bill No. 1688.** — A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, providing for a city tax levy for workmen's compensation premiums and unemployment compensation contributions.

Was read the first time and referred to the committee on Finance and Taxation.

Reps. Kuchera and Vig introduced:

**House Bill No. 1689.** — A Bill for an Act to limit purchase of tobacco products, to prohibit misrepresentation of age in purchasing tobacco products, to prohibit delivery of tobacco products to certain persons, to require local licenses for the sale of tobacco products, to provide procedures for license revocation; and providing penalties.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Rep. Lipsiea introduced:

**House Bill No. 1690.** — A Bill for an Act to create and enact a new section to chapter 40-09 of the North Dakota Century Code, providing for a biennial vote on whether city commission proceedings shall be published in the official newspaper; and to amend and reenact section 40-08-12, providing for a biennial vote on whether city council proceedings shall be published in the official newspaper.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Pomeroy, Stenehjem and Hoffner introduced:

**House Bill No. 1691.** — A Bill for an Act to create a governor's council on physical fitness and sports, and to provide for the membership, compensation, and powers and duties of the council.

Was read the first time and referred to the committee on State and Federal Government.

Rep. Gackle introduced:

**House Bill No. 1692.** — A Bill for an Act to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to the rate of the coal conversion privilege tax.

Was read the first time and referred to the committee on Finance and Taxation.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2122.** — A Bill for an Act to amend and reenact section 40-21-09 of the North Dakota Century Code, relating to election districts.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2130.** — A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to starting age for kindergarten pupils.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2139.** — A Bill for an Act to amend and reenact section 15-47-37 of the North Dakota Century Code, relating to instructing school students concerning the United States and state constitutions and the pledge of allegiance, and providing for instruction concerning the national anthem.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2153.** — A Bill for an Act to amend and reenact subsection 2 of section 43-23-08 and subsection 1 of section 43-23-11.1 of the North Dakota Century Code, relating to license standards and grounds for suspension or revocation of licenses of real estate brokers and salesmen.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2173.** — A Bill for an Act to amend and reenact sections 54-45-02 and 54-45-03 of the North Dakota Century Code, relating to the duties of the department of civil air patrol and to the expenditure of funds by the civil air patrol for secretarial or administrative personnel.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2194.** — A Bill for an Act to create and enact a new section to chapter 26-03 of the North Dakota Century Code, relating to the coordination of benefits by insurance companies, hospital service corporations, or medical service corporations.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

The House stood recessed, pursuant to Rep. Strinden's motion.

The House reconvened at 4:00 p.m., with Speaker Wagner presiding.

Rep. Strinden moved that the House stand adjourned until 1:30 p.m., Wednesday, January 24, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

SIXTEENTH DAY

Bismarck, January 24, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding. Prayer was offered by Rev. George Walker, First Evangelical Free Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Fleming, Leibhan and Mushik.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth Day

day and recommends that the same be corrected as follows:

On page 348, line 41, delete "Christianson" and insert in lieu there "Christensen"

And when so corrected recommends that the same be approved.

Rep. Swintek Chairman moved that the report be adopted, which motion

Rep. Houmann prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

HB NO. 1141

and find the same correctly Re Engrossed

Rep. Saenen, Chairman moved that the report be adopted, which

Representative Meyer motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1046

HB NO. 1047

HB NO. 1136

HB NO. 1157

HB NO. 1191

HB NO. 1197

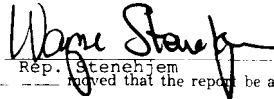
HB NO. 1235

HB NO. 1275

and find the same correctly

~~RECORDED~~  
Engrossed

Representative Meyer  
motion prevailed, and the report was adopted.

 Chairman  
Rep. Stenehjem moved that the report be adopted, which

### MOTIONS

Rep. R. Hausauer moved that the House reconsider its action whereby it adopted the committee report on House Bill No. 1019, which motion prevailed.

Rep. R. Hausauer moved that House Bill No. 1019 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Christensen moved that the House reconsider its action whereby House Bill No. 1087 failed to pass, which motion failed.

Rep. Swiontek moved that House Bill No. 1210 be returned to the House from the Committee on Appropriations, for the purpose of withdrawal, which motion prevailed.

Rep. Swiontek requested permission to withdraw House Bill No. 1210. There being no objection, it was so ordered by the Speaker.

Rep. Wald moved that House Bill No. 1343 be returned to the House from the Committee on Appropriations for the purpose of withdrawal, which motion prevailed.

Rep. Wald requested permission to withdraw House Bill No. 1343. There being no objection, it was so ordered by the Speaker.

Rep. Solberg moved that House Bill No. 1344 be returned to the House from the Committee on Appropriations for the purpose of withdrawal, which motion prevailed.

Rep. Solberg requested permission to withdraw House Bill No. 1344. There being no objection, it was so ordered by the Speaker.

Rep. Erickson moved that House Bill No. 1388 be returned to the House from the Committee on Transportation and be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Rep. Olson moved that House Bill No. 1350 be returned to the House from the Committee on Natural Resources for the purpose of withdrawal, which motion prevailed.

Rep. Olson requested permission to withdraw House Bill No. 1350. There being no objection, it was so ordered by the Speaker.

### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1038 as recommended by the Committee on Appropriations as printed on pages 317 and 318 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1064 as recommended by the Committee on Education as printed on page 318 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1135 as

recommended by the Committee on Appropriations as printed as pages 318 and 319 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1139 as recommended by the Committee on Appropriations as printed on pages 319 and 320 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1160 as recommended by the Committee on Judiciary as printed on page 320 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1185 as recommended by the Committee on Judiciary as printed on page 321 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1263 as recommended by the Committee on Education as printed on page 322 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Concurrent Resolution No. 3014 as recommended by the Committee on Appropriations as printed on pages 323, 324, and 325 of the House Journal be adopted, which motion prevailed.

#### MOTION

Rep. Strinden moved that a committee of two be appointed to escort Miss Kelly Steckler and Dale Hart, Easter Seal Poster Children for North Dakota for 1979, to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Mushik and Gerl to the escort committee.

#### RECOGNITION

Miss Kelly Steckler of Bismarck-Mandan and Dale Hart of Minot, the 1979 Easter Seal Poster Children of North Dakota, were escorted to the rostrum. They were accompanied by their mothers and Charlene Seifert of the Easter Seal Society. Three board members of the Easter Seal Society accompanied the group to the rostrum. Chairman Bernice Fagerland briefly addressed the Assembly, and introduced Mr. Steve Benedict, Board member, who spoke to the Assembly. The third Board member in attendance was Juls Jahr.

#### MESSAGES TO THE SENATE

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2077

Senate Bill No. 2100.

##### ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1057

House Bill No. 1060

House Bill No. 1061

House Bill No. 1091

House Bill No. 1208

House Bill No. 1214

##### ROY GILBREATH, Chief Clerk

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1137.** — A Bill for an Act to amend and reenact section 47-16-07 of the North Dakota Century Code, relating to notice of changes in terms of leases of land or tenements.

Which has been read.



So the bill lost.

**House Bill No. 1231.** — A Bill for an Act to amend and reenact sections 39-17-03 and 39-17-04.1 of the North Dakota Century Code, relating to recovery from the unsatisfied judgment fund, and empowering the attorney general to appoint special counsel, and providing for recovery from the fund in tribal court.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 73; absent and not voting, 0.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			MATTSON			UNHJEM		
			HICKLE			MEIERS			VANDER VORST		
•			HOFFNER			MELBY			VIG		
			HOLMANN			MERTENS			WAGNER		
			HOVE			MEYER			WALD		
			JACOBSEN, R.			MURPHY			WALSH		
•			JACOBSON, I.			MUSHIK			WEBER		
			KELLY			NICHOLAS			WENTZ		
•			KENNELLY			OLSON			WESSMAN		
			KERMOTT			OPEDAH			WINKLER		
			KINGSBURY			PELTIER					
			KLOUBEC			PETERSON			MR. SPEAKER		
			KNUDSON			POWEROY					
			KOSKI			REED					
			KRETSCHMAR			REITZER					
			KUCHERA			RICHARD					
			LANG			RICHE					
			LANGLEY			RIEHL					
			LARDY			RUED					
			LARSON, F. #24			SCHINDLER					
			LARSON, G. #29			SCOFIELD					
•			LARSON, H. #7			SOLBERG					
			LEE			STENEHJEM					
•			LEIBMAN			STRINDEN					
			LIPSEA			SWONTEK					
•			MAIXNER			THOMPSON					
			MARSDEN			THORSGAARD					
•			MARTIN			TIMM					
•			MARTINSON			TINJUM					
			MATHENY			TWETEN					

So the bill lost.

RECOGNITIONS

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Arnold J. Gronneberg, and Rep. Gronneberg was thereupon introduced to the House.

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Bruce W. Larson, and Rep. Larson was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1342.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to the exemption of certain items from the imposition of a sales tax; and to amend and reenact subdivision b of subsection 1 of section 57-39.2-02.1 and subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to the imposition of a sales tax and the penalty for selling certain items without a permit.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 80; absent and not voting, 2.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN			MATTSON			•		UNHJEM
•			HICKLE			MEIERS			•		VANDER VORST
•			•		HOFFNER	MELBY			•		VIG
•			•		HOUWANN	MERTENS			•		WAGNER
•			HOVE			MEYER	•		•		WALD
•			JACOBSEN R			MURPHY			•		WALSH
•			•		JACOBSON I	•		MUSHIK	•		WEBER
•			•		KELLY	NICHOLAS			•		WENTZ
•			KENNELLY			OLSON			•		WESSMAN
•			KERMOTT			OPEDAH			•		WINKJER
•			KINGSBURY			PELTIER					MR SPEAKER
•			KLOUBEC			PETERSON					
•			KNUDSON			•		POWEROY			
•			KOSKI			•		REED			
•			•		KRETSCHMAR	REZER					
•			KUCHERA			•		RICHARD			
•			LANG			•		RICHIE			
•			LANGLEY			RIEHL	•				
•			•		LARDY	RUED					
•			LARSON F # 24			SCHINDLER					
•			LARSON G # 20			SCOFIELD					
•			LARSON H # 7			SOLBERG					
•			LEE			•		STENEHJEM			
•			LEIBMAN			STRINDEN					
•			LIPSIA			SWONTEK					
•			•		MAIXNER	THOMPSON					
•			MARSDEN			THORSGARD					
•			MARTIN			TIMM					
•			MARTINSON			TINJUM					
•			MATHEW			TWETEN					

So the bill lost.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2096
- Senate Bill No. 2101
- Senate Bill No. 2137
- Senate Bill No. 2148
- Senate Bill No. 2152
- Senate Bill No. 2154
- Senate Bill No. 2155
- Senate Bill No. 2172
- Senate Bill No. 2177
- Senate Bill No. 2207
- Senate Bill No. 2225
- Senate Bill No. 2235
- Senate Bill No. 2237
- Senate Bill No. 2244
- Senate Bill No. 2247
- Senate Concurrent Resolution No. 4024.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1047.** — A Bill for an Act to create and enact a new section to chapter 23-09 of the North Dakota Century Code, relating to annual food service, sanitation, and medical services inspection of all state institutions by the state department of health.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 25; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	WATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOUWMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	•
•			•	JACOBSEN R.		•	MURPHY		•	WALSH	
•			•	JACOBSON I.		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	•
•	•		•	KERMOTT		•	OPEDAH		•	WINKLER	•
•			•	KINGSBURN		•	PELTER				
•			•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•			•	KNUDSON		•	POMEROY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD				
•			•	LANG		•	RICHIE				
•			•	LANGLEY		•	RIEHL				
•			•	LARDY		•	RUED				
•			•	LARSON F # 24		•	SCHINDLER				
•			•	LARSON G # 29		•	SCOFIELD				
•			•	LARSON H # 7		•	SOLBERG				
•			•	LEE		•	STENEHJEM				
•			•	LEIGHAN		•	STRINDEN				
•			•	LIPSIEA		•	SWONTEK				
•			•	MAXNER		•	THOMPSON				
•			•	MARSDEN		•	THORSGARD				
•			•	MARTIN		•	TMM				
•			•	MARTINSON		•	TINJUM				
•			•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1136.** — A Bill for an Act to amend and reenact sections 37-03-08, 37-10-01, 37-10-03, 37-10-03.3 and 37-10-03.4, and to repeal sections 37-10-05 and 37-10-06 of the North Dakota Century Code, relating to national guard facilities and military property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 3; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	WATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOUWMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN R.		•	MURPHY		•	WALSH	
•			•	JACOBSON I.		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	
•	•		•	KERMOTT		•	OPEDAH		•	WINKLER	
•			•	KINGSBURN		•	PELTER				
•			•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•			•	KNUDSON		•	POMEROY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD				
•			•	LANG		•	RICHIE				
•			•	LANGLEY		•	RIEHL				
•			•	LARDY		•	RUED				
•			•	LARSON F # 24		•	SCHINDLER				
•			•	LARSON G # 29		•	SCOFIELD				
•			•	LARSON H # 7		•	SOLBERG				
•			•	LEE		•	STENEHJEM				
•			•	LEIGHAN		•	STRINDEN				
•			•	LIPSIEA		•	SWONTEK				
•			•	MAXNER		•	THOMPSON				
•			•	MARSDEN		•	THORSGARD				
•			•	MARTIN		•	TMM				
•			•	MARTINSON		•	TINJUM				
•			•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1141.** — A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the use of motor vehicles in hunting big or small game other than waterfowl.





● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIHAN	● STRINDE
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. #48	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1213.** — A Bill for an Act to amend and reenact sections 39-03A-09, 39-03A-12, and 39-03A-14 of the North Dakota Century Code, relating to the North Dakota highway patrolmen's retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F. #24		●	SCHINDLER				
●			●	LARSON, G. #26		●	SCOFIELD				
●			●	LARSON, H. #7		●	SOLBERG				
●			●	LEE		●	STENEHJEM				
●			●	LEIHAN		●	STRINDE				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSgard				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1235.** — A Bill for an Act to amend and reenact section 20.1-01-08 of the North Dakota Century Code, relating to the hunting of raccoons with an artificial light.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 5; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	

• DICK	• KNUDSON	• POMEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RIJED
• FREBORG	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRANDEN
• GUNSON	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 48	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1251.** — A Bill for an Act to amend and reenact subsection 4 of section 10-04-03 of the North Dakota Century Code, relating to the collection of fees under the Securities Act, to amend and reenact subsection 6 of section 10-04-05 of the North Dakota Century Code, relating to the exemption from registration of certain blue chip securities with proven records, to amend and reenact section 10-04-08 of the North Dakota Century Code, relating to the registration of securities by qualification and to the fees charged for such registration, to amend and reenact subsection 6 of section 10-04-10 of the North Dakota Century Code, relating to the fees charged for registration of dealers, salesmen, and investment advisers under the Securities Act, to amend and reenact section 10-04-14 of the North Dakota Century Code, relating to service of process under the Securities Act, and to amend and reenact section 10-04-18 of the North Dakota Century Code, relating to the penalty for violations of the Securities Act.

Which has been read.

Rep. Koski requested that he be excused from voting on House Bill No. 1251 because of a conflict of interest.

Rep. Backes moved that Rep. Koski and any other members who declare a conflict of interest be permitted to vote on House Bill No. 1251, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HJUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WESSMAN		
• BROKAW			• KENNELLY			• OLSON			• WENTZ		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER			• MR. SPEAKER		
• CRABTREE			• KLOUBEC			• PETERSON					
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RIJED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRANDEN					
• GUNSON			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					

● HAUGLAND	● MARSDEN	● THORSKOG
● HAUSAUER A #48	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1275.** — A Bill for an Act to amend and reenact subsection 8 of section 57-37.1-01 of the North Dakota Century Code, relating to the federalizing of the estate tax; to amend and reenact subsection 1 of section 57-37.1-03 of the North Dakota Century Code, relating to the determination of the taxable estate; and to amend and reenact subsection 1 of section 57-37.1-13 of the North Dakota Century Code, relating to notice of transfer of a decedent's assets:

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 4; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE		●	● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		●
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOBUEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUGSON			● POMEROY					
● DIETZ	●		● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUOPERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #29			● SCOFIELD					
● GERL			● LARSON H #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON		●	● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSEA			● SWONTEK					
● HANSON			● MAINER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSKOG					
● HAUSAUER A #48			● MARTIN			● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1315.** — A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, allowing school districts which are dissolving to join a contiguous district operating either an accredited or unaccredited high school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		●
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		●
● BERG			● HOFFNER			● MELBY			● VIG		●
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		●
● BERGER			● HOVE			● MEYER			● WALD		●
● BJORNSON		●	● JACOBSEN R.			● MURPHY			● WALSH		●
● BLACK			● JACOBSON I.			● MUSHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		●

● CONWY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON ●	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ ●	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR ●	● RETZER	
● DuBORD	● KUCHERA ●	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY ●	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN ●	
● GUNSCHE	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3015.** — A concurrent resolution directing the Legislative Council to study public and private cost containment procedures relating to hospitals, clinics, nursing homes, insurance companies providing health care coverage, physicians, dentists, optometrists, podiatrists, and others providing health care services.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 93; nays, 3; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R		●	MURPHY	●	●	WALSH	
●			●	JACOBSON I		●	MUSHK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAH		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●		●	●	KLOUBEC		●	PETERSON ●		●	MR. SPEAKER	
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY ●		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON F # 24		●	SCHINDLER				
●			●	LARSON G # 29		●	SCOFIELD				
●			●	LARSON H # 7		●	SOLBERG				
●			●	LEE		●	STENEHJEM				
●			●	LEIBHAN		●	STRINDEN ●				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAIXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSgard				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY	●	●	TWETEN				

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3018.** — A concurrent resolution directing a Legislative Council study of the desirability and feasibility of increased use of paraprofessional medical personnel as a means of lowering the high costs of medical care in North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 5.



NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN		•	WATTSON	•	UNKJEM
•			•	HICKLE		•	MEIERS	•	VANDER VORST
•			•	HOFFNER		•	MELBY	•	VIG
•		•	•	HOUMANN		•	MERTENS	•	WAGNER
•			•	HOVE		•	MEYER	•	WALD
•		•	•	JACOBSEN, R.		•	MURPHY	•	WALSH
•			•	JACOBSON, I.		•	MUSHIK	•	WEBER
•			•	KELLY		•	NICHOLAS	•	WENTZ
•			•	KENNELLY		•	OLSON	•	WESSMAN
•		•	•	KERMOTT		•	OPEDAH	•	WINKJER
•			•	KINGSBURY		•	PELTIER		
•			•	KLOUBEC		•	PETERSON	•	MR SPEAKER
•			•	KNUDSON		•	POWERDY		
•			•	KOSKI		•	REED		
•			•	KRETSCHMAR		•	RETZER		
•			•	KUCHERA		•	RICHARD		
•			•	LANG		•	RICHIE		
•			•	LANGLEY		•	RIEHL		
•			•	LARDY		•	RUED		
•			•	LARSON, F. # 24		•	SCHINDLER		
•			•	LARSON, G. # 29		•	SCOFIELD		
•			•	LARSON, H. # 7		•	SOBERG		
•			•	LEE		•	STENHJEM		
•			•	LEIBMAN		•	STRINDE		
•			•	LIPSIA		•	SWONTEK		
•			•	MAIXNER		•	THOMPSON		
•			•	MARSDEN		•	THORSgard		
•			•	MARTIN		•	TMM		
•			•	MARTINSON		•	TINJUM		
•			•	MATHENY		•	TWETEN		

So the House Concurrent Resolution was declared adopted.

FIRST READING OF HOUSE  
CONCURRENT RESOLUTIONS

Rep. Peltier and Senator Jones introduced:

**House Concurrent Resolution No. 3027.** — A concurrent resolution directing the Legislative Council to conduct a study of the membership of agricultural product promotion entities in North Dakota.

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

Rep. Gackle introduced:

**House Concurrent Resolution No. 3028.** — A concurrent resolution directing the legislative council to study the tax laws of this state as they affect financial institutions such as banks and trust companies, building and loan associations, insurance companies, and credit unions.

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

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Education . . . . .  
to whom was referred House . . . . .  
Bill No. 1063 . . . . . has had the same under consideration and recommends, by a vote of  
Ayes. 13 . . . . .; Nays. 1 . . . . .; Absent. 2 . . . . ., that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Knudson*

Chairman

House . . . . . Rep. Knudson . . . . . Bill No. 1063 . . . . . was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1065, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 18, after the period insert the following sentence:

"This section does not apply to the use of bonds issued under this chapter for the acquisition or construction of multidistrict vocational education center facilities."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

HOUSE Bill No. 1065 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1069, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Bill No. 1069 Rep. Martinson was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1070, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Bill No. 1070 Rep. Martinson was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1230 has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

But be re-referred to the Committee on Appropriations

Rep. Martinson Chairman  
House Bill No. 1230 was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1247 has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 2, line 11, delete the strike through over the words  
"~~7-in-excess-of-the-sum~~"

On page 2, line 12, delete the strike through over the word "~~of~~"  
and also in line 12, after the word "hundred" insert  
the words "six thousand" and also in line 12, delete  
the strike through over the words "~~dollars-paid-to-any~~  
~~employee-by-any~~"

On page 2, line 13, delete the strike through over the word  
"~~employer~~"

And renumber the pages and lines accordingly

And when so amended, recommends the same do pass.

Rep. Rued Chairman  
HOUSE Bill No. 1247 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1248 has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

*Frank Winkjer*

Chairman

Rep. Winkjer

House

Bill No. 1248

was placed on the 11

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1255, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 1 that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

*Rep. Knudson*

Chairman

Rep. Knudson

House

Bill No. 1255

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1265, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0 that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

On page 2, line 1, after the word "owner" insert the words

"of the warehouse receipt"

On page 2, line 2, after the period insert the following:

"On commingled grain the value of over and under deliveries in quantity, grade and protein shall be settled in cash and priced on the market on the day of closing."

And renumber the lines accordingly

And when so amended, recommends the same do pass

*Rep. Rued*

Chairman

HOUSE

Bill No. 1265

Rep. Rued

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION  
to whom was referred HOUSE

Bill No. 1273 has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 3, line 13, after the numeral "32" add the following:  
"of the 1977 Supplement"

On page 3, line 30, strike everything following the period

On page 3, strike all of line 31

On page 4, line 9, strike the following: "The commissioner shall charge a fee of" and also delete the word "fifty" and insert in lieu thereof: "Whenever the holder of a permit has had such a permit revoked for failure to comply with the provisions of this chapter or any rules and regulations prescribed by the commissioner and adopted under this chapter, the commissioner shall charge a fee of fifty dollars for the issuance or reissuance of such permit. However, if a permit was revoked for filing returns showing no tax due for four consecutive quarters, the commissioner shall charge only a fee of five dollars for the issuance or reissuance of such permit."

On page 4, strike all of lines 10 and 11

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

House Bill No. 1273 Rep. Gackle was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1280 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 18, delete the word "sale" and insert in lieu thereof the word "issuance"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Rued*

Chairman

HOUSE Bill No. 1280 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1289 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 5, delete the numbers and punctuation "65-05-09,"

On page 1, line 11, delete the following words and punctuation:

"denial of workmen's compensation benefits while incar-

On page 1, line 12, delete "cerated,"

Delete all of section 10 from the bill beginning on page 7, line

30 and ending on page 8, line 35

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.



Chairman

HOUSE

Bill No. 1289

Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

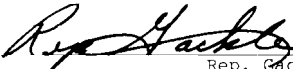
to whom was referred HOUSE

Bill No. 1290 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

HOUSE

Bill No. 1290

Rep. Gackle was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1292 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, delete the words "lots in nonperpetual care"

and insert in lieu thereof the words "cemetery lots"

On page 1, line 4, delete the word "cemeteries"

On page 1, line 14, delete the word "ten" and insert in lieu thereof the word "thirty"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

HOUSE Bill No. 1292 Rep. Ruod was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1301 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman

House Rep. Martinson Bill No. 1301 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1305 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 2, after line 17, add the following:

"SECTION 3.) The state board of higher education is authorized to deed to Adams County the following described real property, comprising approximately 1.05 acres, presently used by the Hettinger experiment station:

That tract of land located in the southeast quarter of section 11, township 129, range 96, more particularly described as follows: beginning at a point 33 feet north of the southwest corner of the southeast quarter of section 11, thence east and parallel to the south line of section 11 a distance of 430.5 feet more or less to a point on the southerly right-of-way of the CMSPP railway company line, thence in a northwesterly direction on a bearing of north 64 degrees, 8 minutes west a distance of 480.14 feet more or less to a point on the west line of the southeast quarter of section 11, thence in a southerly direction 212.61 feet more or less to the point of beginning.

The deed shall contain a provision that Adams County shall use the property for a county road and, if the property ceases to be used for such purposes, it shall revert to the state of North Dakota. The conveyance authorized herein shall be without compensation to the state of North Dakota from Adams County. The real property shall be conveyed by quitclaim deed executed in the name of the

state of North Dakota by the governor and attested by the secretary of state."

And renumber the lines, pages, and sections accordingly

And when so amended, recommends the same do pass.

*Rep. Knudson* ..... Chairman  
Rep. Knudson

House Bill No. 1305 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1313 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof the words "sections 43-04-02,"

On page 1, line 3, following the comma, insert the following words "and to repeal sections 43-04-16, and 43-04-17 of the North Dakota Century Code,"

On page 1, after line 8, insert the following new section:

"SECTION 1. AMENDMENT.) Section 43-04-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:  
43-04-02. DECLARATION OF POLICY.) It is hereby declared that the practice of barbering, by reason of the personal contacts exercised therein, is a business affecting the public health, public welfare, and public safety, ~~that-unfair-and-un-economic-trading-practices-which-have-been-and-are-now-being-carried-on-in-the-operation-of-barber-shops-in-this-state,-and-unfair-competition-existing-between-individual-barber-shop-operators-of-this-state-have-brought-about-an-unjust-and-un-economic-reduction-in-prices-for-services-commonly-performed-by-said-profession,-and-that-the-decrease-in-income-and-purchasing-power-resulting-from-such-reduction-in-prices-have-made-it-impossible-for-many-members-of-said-occupation-within-this-state-to-maintain-a-healthful-standard-of-living,-and-to-purchase-the-sanitary-products-and-equipment-necessary-to-support-and-maintain-reasonably-safe-and-healthful-barbering-service-to-the-public-and-in-the-interests-of-public-welfare,-public-health,-and-public-safety,~~ that immediate public supervision and control of said occupation in the exercise of the police power of this state and in accordance with the proper standards of said profession, are necessary to the protection and preservation of the public health, public safety, and public welfare, and that this chapter is enacted in the exercise of the police power of this state to protect the public welfare, public health, and public safety."

On page 1, after line 18, insert the following new section:

"SECTION 3. AMENDMENT.) Subsection 2 of section 43-04-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 2. Every other rule or order of the board shall be posted for public inspection in the main office of the board,



JOURNAL OF THE HOUSE

and a certified copy shall be filed in the office of the secretary of the board and published in the press publications representing the barber industry. An order applying only to a person or persons named therein shall be served on the person or persons affected. An order herein required shall be served by personal delivery of a certified copy or by mailing a certified copy in a sealed envelope with postage prepaid to each person affected thereby, or in the case of a corporation, to an officer or agent of the corporation upon whom a summons may be served in accordance with the provisions of law. The posting in the main office of the board of any rule or order not required by this chapter to be served, and such filing in the office of the secretary of the board and publishing in representative publications, shall constitute due and sufficient notice to all persons affected by such rule or order. A rule of the board when duly published, posted, and filed as provided in this section, shall have binding force and effect. ~~The provisions of this section as to service of orders shall not apply to orders fixing minimum prices as to which provision is made in section 43-04-16.~~"

On page 3, after line 21, insert the following new section:

"SECTION 6. REPEAL.) Sections 43-04-16, and 43-04-17 of the North Dakota Century Code are hereby repealed."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.




Chairman

HOUSE Bill No. 1313 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1356 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

 Chairman

House Bill No. 1356 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution

No. 3007 has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 6; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Rep. Martinson \_\_\_\_\_ Chairman

House Concurrent Resolution No. 3007 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Thursday, January 25, 1979, which motion prevailed.

#### FIRST READING OF SENATE BILLS

#### AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 2005.** Personal Property Tax Replacement — A Bill for an Act making an appropriation for the distribution of funds for the replacement of personal property taxes.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2035.** Unsatisfied Judgment — A Bill for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2044.** — A Bill for an Act to require state agencies, departments, and institutions to obtain the approval of the budget section of the legislative council prior to employing persons through programs provided under the Federal Comprehensive Employment and Training Act of 1973.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2046.** — A Bill for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to due dates of payments to county equalization funds.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2047.** — A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to due dates of payments for the personal property tax replacement.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2048.** — A Bill for an Act to authorize the department of accounts and purchases to make purchases for state agencies and institutions, to provide for the promulgation of purchasing rules and regulations by the department of accounts and purchases, to provide for competitive bidding procedures; to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the board of higher education; to amend and reenact sections 54-21-19 and 54-42-06 and subsection 21 of section 54-44-04 of the North Dakota Century Code, relating to the director of institutions furnishing supplies for the capitol, state offices, and the executive mansion; merit system coverage for purchasing division personnel; and the operation of a central purchasing service; and to repeal sections 25-01.1-23, 25-01.1-25, 25-01.1-27, 54-23-31, 54-23-34, 54-23-35, and 54-23-37 of the North Dakota Century Code, relating to purchases by the department of accounts and purchases for the state

hospital and the institutions under the control of the director of institutions.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2049.** — A Bill for an Act to create and enact a new section to chapter 46-03 of the North Dakota Century Code, relating to the numbering and arrangement of the state constitution for publication.

Which was read the first time and referred to the Committee on Constitutional Revision.

**Senate Bill No. 2072.** — A Bill for an Act to create and enact chapter 27-26 of the North Dakota Century Code, relating to the appointment of temporary judges.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2075.** — A Bill for an Act to amend and reenact section 54-35-02 of the North Dakota Century Code, relating to the powers and duties of the legislative council and to provide authority to screen and prioritize study resolutions; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2076.** — A Bill for an Act to provide for a state building code, with enforcement by cities, townships, and counties, and exemptions; and to amend sections 11-33-01, 40-47-01, and 58-03-11 of the North Dakota Century Code, relating to the zoning authority of counties, cities, and townships.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2255.** — A Bill for an Act to amend and reenact section 58-03-11 of the North Dakota Century Code, relating to the zoning regulations and restrictions of organized townships.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Concurrent Resolution No. 4014.** — A concurrent resolution urging the Secretary of Interior to proceed with the design, planning and construction of the Garrison Diversion Project.

Which was read the first time and referred to the Committee on Agriculture.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Thursday, January 25, 1979.

ROY GILBREATH, Chief Clerk

SEVENTEENTH DAY

Bismarck, January 25, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. LaRue Goetz, Director, STEER, Inc., Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Backes, Brokaw and Strinden.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixteenth

day and recommends that the same be corrected as follows:

On page 367, line 43, delete the numeral "93" and insert in lieu thereof "95"; delete the numeral "5" and insert in lieu thereof "3"

And when so corrected recommends that the same be approved.

Rep. Swiontek Chairman moved that the report be adopted, which motion prevailed.

Rep. Reed

prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following:

HCR NO. 3014

and find the same correctly

Recommended Engrossed

Wagner Chairman Rep. Swiontek moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1038

HB NO. 1064

HB NO. 1135 \_\_\_\_\_

HB NO. 1139 \_\_\_\_\_

HB NO. 1160 \_\_\_\_\_

HB NO. 1185 \_\_\_\_\_

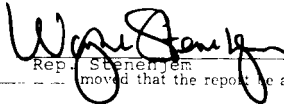
HB NO. 1263 \_\_\_\_\_

and find the same *correctly*

~~Engrossed~~  
Engrossed

Representative Lipsiea

motion prevailed, and the report was adopted.

 Chairman  
Rep. Stenjem moved that the report be adopted, which

### MOTIONS

Rep. Rued moved that the House reconsider its action whereby it accepted the Committee Report on House Bill No. 1313, which motion prevailed.

Rep. Rued moved that House Bill No. 1313 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Rep. Rued moved that House Bill Nos. 1613 and 1663 be returned to the House from the Committee on Industry, Business and Labor, and be re-referred to the Committee on State and Federal Government, which motion prevailed.

Rep. Erickson moved that House Bill No. 1097 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Erickson requested permission to withdraw House Bill No. 1097. There being no objection, it was so ordered by the Speaker.

Rep. Haugland moved that House Bill No. 1395 be returned to the House from the Committee on Social Services and Veterans Affairs and re-referred to the Committee on Natural Resources, which motion prevailed.

Rep. Haugland moved that House Bill Nos. 1601, 1621, 1635, 1655 and 1678 be returned to the House from the Committee on Social Services and Veterans Affairs and re-referred to the Committee on State and Federal Government which motion prevailed.

Rep. Lipsiea moved that House Bill No. 1310 be returned to the House from the Committee on Political Subdivisions for the purpose of withdrawal, which motion prevailed.

Rep. Lipsiea requested permission to withdraw House Bill No. 1310. There being no objection, it was so ordered by the Speaker.

### SIXTH ORDER OF BUSINESS

Rep. Rued moved that the amendments to House Bill No. 1065 as recommended by the Committee on Industry, Business and Labor as printed on page 375 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1247 as recommended by the Committee on Industry, Business and Labor as printed on page 376 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1265 as recommended by the Committee on Industry, Business and Labor as printed on page 377 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1273 as



HAUSAUER R. #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill lost.

**House Bill No. 1070.** — A Bill for an Act to create and enact chapter 27-17.1 of the North Dakota Century Code, relating to retirement of judges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 50; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		WEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		WELBY	•		VIG	•	
BERGE	•		HOUWMANN	•		WERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKLER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER		
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROOD	•		KRETSCHMAR	•		REITZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RIEHL	•				
ERICKSON	•		LANGLEY	•		RUED	•				
FLEMING	•		LARDY	•		SCHINDLER	•				
FREBORG	•		LARSON, F. #24	•		SCOFIELD	•				
GACKLE	•		LARSON, G. #29	•		SOLBERG	•				
GERL	•		LARSON, H. #7	•		STENEHJEM	•				
GORDER	•		LEE	•		STRINDEN	•				
GUNDERSON	•		LEIBHAN	•		SWONTEK	•				
GUNSCH	•		LIPSIA	•		THOMPSON	•				
HANSON	•		MAIXNER	•		THORSgard	•				
HAUGLAND	•		MARSDEN	•		TIMM	•				
HAUSAUER A. #49	•		MARTIN	•		TINJUM	•				
HAUSAUER, R. #25	•		MARTINSON	•		TWETEN	•				
HEDSTROM	•		MATHENY	•							

So the bill lost.

**House Bill No. 1255.** — A Bill for an Act to amend and reenact sections 15-40.1-16 and 15-40.1-16.1 of the North Dakota Century Code, relating to aid for school bus transportation within cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 67; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		WEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		WELBY	•		VIG	•	
BERGE	•		HOUWMANN	•		WERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKLER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER		
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROOD	•		KRETSCHMAR	•		REITZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RIEHL	•				
ERICKSON	•		LANGLEY	•		RUED	•				
FLEMING	•		LARDY	•		SCHINDLER	•				
FREBORG	•		LARSON, F. #24	•		SCOFIELD	•				
GACKLE	•		LARSON, G. #29	•							

● GERL		LARSON, H. #7	●	SOLBERG	●
GORDER	●	LEE	●	● STENEHJEM	
GUNDERSON	●	LEIBHAN	●	● STRINDEN	
GUNSCH	●	LIPSIEA	●	● SWONTEK	
HANSON	●	● MAXNER	●	THOMPSON	●
HAUGLAND	●	MARSDEN	●	THORSGARD	●
● HAUSAUER, A. #4	●	MARTIN	●	● TIMM	
● HAUSAUER, R. #25	●	MARTINSON	●	TINJUM	●
HEDSTROM	●	MATHENY	●	TWETEN	●

So the bill lost.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1043
- House Bill No. 1049
- House Bill No. 1068
- House Bill No. 1084
- House Bill No. 1103
- House Bill No. 1116
- House Bill No. 1119
- House Bill No. 1180
- House Bill No. 1200
- House Bill No. 1204
- House Bill No. 1269
- House Bill No. 1283
- House Bill No. 1286
- House Bill No. 1287
- House Concurrent Resolution No. 3019.

ROY GILBREATH, Chief Clerk  
MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2110
- Senate Bill No. 2125
- Senate Bill No. 2151
- Senate Bill No. 2179
- Senate Bill No. 2181
- Senate Bill No. 2243
- Senate Bill No. 2253
- Senate Bill No. 2258
- Senate Bill No. 2259
- Senate Bill No. 2260
- Senate Bill No. 2263
- Senate Bill No. 2268
- Senate Bill No. 2290
- Senate Bill No. 2321.

LEO LEIDHOLM, Secretary  
SECOND READING OF HOUSE BILLS

**House Bill No. 1038.** — A Bill for an Act making an appropriation for defraying the expenses of the crime victims reparations act under the supervision of the workmen's compensation bureau of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HEFMAN		•	MATTSON		•	UNHJEM	
•	BENEDICT		•	HOCKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUIMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R.		•	MURPHY	•	•	WALSH	
•	BLACK		•	JACOBSON, I.		•	MUSHIK		•	WEBER	•
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER	
•	CONMY		•	KINGSBURY		•	PELTIER		•	MR. SPEAKER	
•	CRABTREE		•	KLOUBEC		•	PETERSON				
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DuBORO		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RIED				
•	FREBORG		•	LARSON, F. # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, G. # 28		•	SCOFIELD				
•	GERL		•	LARSON, H. # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEH				
•	GUNSCH		•	LIPSIA		•	SWIONTEK				
•	HANSON		•	MAXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A. # 48		•	MARTIN		•	TIMM				
•	HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1063.** — A Bill for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, providing for coordination of adult basic and secondary education by the superintendent of public instruction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 17; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HEFMAN		•	MATTSON		•	UNHJEM	
•	BENEDICT		•	HOCKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUIMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON, I.		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER	
•	CONMY		•	KINGSBURY		•	PELTIER		•	MR. SPEAKER	
•	CRABTREE		•	KLOUBEC		•	PETERSON				
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DuBORO		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RIED				
•	FREBORG		•	LARSON, F. # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, G. # 28		•	SCOFIELD				
•	GERL		•	LARSON, H. # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEH				
•	GUNSCH		•	LIPSIA		•	SWIONTEK				
•	HANSON		•	MAXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A. # 48		•	MARTIN		•	TIMM				
•	HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1064.** — A Bill for an Act to amend and reenact sections 15-46-01 and 15-46-04 of the North Dakota Century Code,

relating to adult education programs and funding; and to repeal sections 15-46-02, 15-46-03, and 15-46-05 of the North Dakota Century Code, relating to requirements for the establishment of evening schools, salaries of evening school teachers, and the expenditure of evening school funds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 3; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUMANN		●	WERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY	●	●	WALSH	
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●	●		●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY	●	●	PELTIER	●			
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	
●			●	KNUDSON		●	POWERROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F. # 24		●	SCHINDLER				
●			●	LARSON, G. # 29		●	SCOFIELD				
●			●	LARSON, H. # 7		●	SOLBERG				
●		●	●	LEE		●	STENEHJEM				
●			●	LEIBHAN		●	STRINDEN				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAIXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSGARD				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TRJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1135.** — A Bill for an Act creating a new section relating to claims against the North Dakota national guard resulting from state active duty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 2; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON	●	●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUMANN		●	WERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER	●			
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	●
●			●	KNUDSON		●	POWERROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F. # 24		●	SCHINDLER				
●			●	LARSON, G. # 29		●	SCOFIELD				
●			●	LARSON, H. # 7		●	SOLBERG				
●			●	LEE		●	STENEHJEM	●			



● EAGLES	● LAPIG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1185.** — A Bill for an Act to create and enact a new section of chapter 14-17 of the North Dakota Century Code, relating to a presumption as to when a child was conceived; to amend and reenact subdivision e of subsection 1 of section 14-17-04 of the North Dakota Century Code, relating to the presumption of paternity; and to amend and reenact section 14-17-15 of the North Dakota Century Code, relating to the costs associated with the action under the Uniform Parentage Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 3; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOFMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, P			● MURPHY			● WEBER		
● BLACK			● JACOBSON, J			● MUSHK			● WENTZ		
● BOYUM			● KELLY			● NICHOLAS			● WESSMAN		
● BROKAW			● KENNELLY			● OLSON			● WINKJER		
● CHRISTENSEN			● KERMOY			● OPEDAHL					
● DONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETZSCHMAR			● RETZER					
● DUBORD			● KUCHER			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1248.** — A Bill for an Act to amend and reenact section 12-55-03 of the North Dakota Century Code, relating to executive meetings of the pardon board.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		

• BENEDICT	• HICKLE	• MEERS	• VANDER VORST
• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON, I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENHEJEM	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWONTEK	
• HANSON	• WAIXNER	• THOMPSON	
• HAUGLAND	• WARSDEN	• THORSgard	
• HAUSAUER, A. # 48	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1263.** — A Bill for an Act to create and enact a new section to chapter 15-41 of the North Dakota Century Code, providing for the adoption of accreditation standards by the superintendent of public instruction, and to amend and reenact sections 15-53.1-06 and 15-53.1-14 and subsection 1 of section 15-53.1-17 of the North Dakota Century Code, relating to annexation and reorganization of school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 22; nays, 76; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT	•		• HICKLE			• MEERS			• VANDER VORST	•	
• BERG		•	• HOFFNER			• MELBY			• VIG		•
• BERCE			• HOUMANN		•	• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		•
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		•
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOY			• OPEDAHL			• WINKJER		•
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		•
• DICK			• KNUDSON			• POMEROY					
• DIETZ		•	• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG		•	• LARSON, F. # 24			• SCHINDLER					
• GACKLE		•	• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENHEJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWONTEK					
• HANSON			• WAIXNER			• THOMPSON					
• HAUGLAND			• WARSDEN			• THORSgard					
• HAUSAUER, A. # 48			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill lost.

**House Bill No. 1290.** — A Bill for an Act to amend and reenact subsection 26 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption of ostomy supplies from the sales tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUWMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHEHY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1301.** — A Bill for an Act to amend and reenact sections 54-52.1-06 and 54-52.1-07 of the North Dakota Century Code, relating to the state contribution to the uniform group insurance program and optional coverage for employee's family.

Which has been read.

Rep. Wessman requested that he be excused from voting on House Bill No. 1301 because of a conflict of interest.

Rep. Strinden moved that Rep. Wessman and all others who declared a conflict of interest be permitted to vote on House Bill No. 1301, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 8; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		•
• BERG			• HOFFNER			• WELBY			• VIG		•
• BERGE			• HOUWMANN		•	• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					

● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1356.** — A Bill for an Act to amend and reenact section 15-60-04 of the North Dakota Century Code, relating to amount of loan from the state school construction fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 5; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HCKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		●
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEK			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #20			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN		●	● THORSGARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3007.** — A concurrent resolution directing an interim study by the Legislative Council of the feasibility and desirability of providing for comprehensive post-retirement adjustment programs for the Public Employees Retirement System, Teachers' Fund for Retirement, Highway Patrol retirement program, and Employment Security Bureau retirement program.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 84; nays, 9; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HCKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		

● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	● MR. SPEAKER
● CRABTREE	● KLOUBEC	● PETERSON	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. #24	● SCHINDLER	
● GACKLE	● LARSON, G. #29	● SCOFIELD	
● GERL	● LARSON, H. #7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSON	● LIPSIA	● SWONTEK	
● HANSON	● MAJNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. #48	● MARTIN	● TIMM	
● HAUSAUER, R. #25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3014.** — A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WELERS			● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOUMANN			● WERTEN			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #29			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSIA			● SWONTEK					
● HANSON			● MAJNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. #48			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the House Concurrent Resolution was declared adopted.

FIRST READING OF HOUSE  
CONCURRENT RESOLUTIONS

Reps. Mertens, Kuchera and Kretschar and Senators Hoffner, Holmberg and Wenstrom introduced:

**House Concurrent Resolution No. 3029.** — A concurrent resolution directing the Legislative Council to study the feasibility of public television coverage of the Forty-seventh Legislative Assembly.

Was read the first time and referred to the Committee on State and Federal Government.



FIRST READING OF SENATE  
CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4024.** — A concurrent resolution urging Governor Arthur A. Link to designate the week of October 7-13, 1979, as Fire Prevention Week, and October 7, 1979, as Firefighters' Memorial Sunday.

Was read the first time.

Rep. Kretschmar moved that the rules be suspended, that Senate Concurrent Resolution No. 4024 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE  
CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4024.** — A concurrent resolution urging Governor Arthur A. Link to designate the week of October 7-13, 1979, as Fire Prevention Week, and October 7, 1979, as Firefighters' Memorial Sunday.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1041, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 5, that the same

do pass.                       do not pass                       be placed on calendar  
without recommendation.

be amended as follows:

On page 1, after line 18, insert the words "a. Governor, one copy."

On page 1, line 19, strike the letter and period "a." and immediately thereafter insert "b."

On page 1, line 20, strike the letter and period "b." and immediately thereafter insert "c."

On page 1, line 21, strike the letter and period "c." and immediately thereafter insert "d."

On page 2, line 1, strike the letter and period "d." and immediately thereafter insert "e."

On page 2, line 3, strike the letter and period "e." and immediately thereafter insert "f."

On page 2, line 4, strike the letter and period "f." and immediately thereafter insert "g."

On page 2, line 5, strike the letter and period "g." and immediately thereafter insert "h."

On page 2, line 7, strike the letter and period "h." and immediately thereafter insert "i."

On page 2, line 8, strike the letter and period "i." and immediately thereafter insert "j."

On page 2, line 8, strike the words "one copy" and insert in lieu thereof "two copies"

On page 2, line 9, delete the letter and period "j." and insert in lieu thereof the letter and period "k."

On page 2, line 10, after the word copy, but before the period, insert ", upon request"

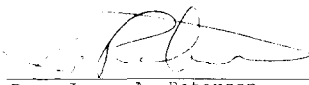
On page 3, line 17, delete the numerals "26,400.00" and insert in lieu thereof the numerals "5,000.00"

And renumber the lines accordingly

Statement of the Purpose of the Amendment: This amendment decreases the appropriation by \$21,400.00 and changes the format whereby each member of the Legislative Assembly receives copies.

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:



Rep. James A. Peterson

Chairman

House Bill No. 1041 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1074, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 8; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 16 delete the word "twenty" and insert in lieu thereof "ten"

On page 1, line 21 delete the word "twenty" and insert in lieu thereof "ten"

And renumber the lines accordingly.

And when so amended, recommends the same be placed on the calendar without recommendation.

Rep. Kloubec

Chairman

House

Bill No. 1074

was placed on the 6th

order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1075, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

HOUSE Bill No. 1075 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1092 has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 5; Absent, 0, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Chairman

House Bill No. 1092 Rep. Winkjer was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1098 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

but be re-referred to the Committee on Appropriations

Chairman

House Rep. Kloubec Bill No. 1098 was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1184 has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Chairman

House Rep. Winkjer Bill No. 1184 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1209, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 4 - after the word "land" and before the period, insert the following: ", excepting Canadian citizens who may not hold more than eighty acres"

On page 2, line 24 - delete the word "may" and insert in lieu thereof the word "shall"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas* Chairman

House Bill No. 1209 was placed on the 6th  
order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on TRANSPORTATION  
to whom was referred HOUSE

Bill No. 1212, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Erickson* Chairman

House Bill No. 1212 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1260, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 2; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 14 - delete the word "one-tenth" and insert in lieu thereof the word "one-twelfth"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

JOURNAL OF THE HOUSE

*Rep. Nicholas* Chairman  
Rep. Nicholas

House Bill No. 1260 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 1261, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*Rep. Nicholas* Chairman  
Rep. Nicholas

House Bill No. 1261 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred HOUSE Bill No. 1293, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 1, line 4, delete the word "with"
- On page 1, line 4, after the word "project" insert the words "and relating to joint exercise of powers"
- On page 1, line 5, after the word "agency" insert the words "with another public agency"
- On page 1, line 16, delete the words "for incorporation"
- On page 1, line 19, after the period insert ", and contracts for electric power and energy and related services"
- On page 2, line 6, after the word "project" insert "or"
- On page 9, line 14, delete the word "other"
- On page 9, line 17, after the word "contract" insert the words "or any similar contract"

And renumber the lines accordingly

And when so amended, recommends the same do pass

*Lang* Chairman  
Rep. Lang

House Bill No. 1293 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 1294, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Rep. Winkjer Bill No. 1294 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1295 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 13, delete ".49" and insert in lieu thereof the following: ".25"

On page 1, line 22, delete "\$4,414,000.00" and insert in lieu thereof the following: "\$1,000,000.00"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass., but be re-referred to the Committee on Appropriations.

Chairman

Rep. Knudson

House Bill No. 1295 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1299 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Kloubec

House Bill No. 1299 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1317 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:



..... Chairman  
Rep. Lang  
..... House ..... Bill No. 1317 ..... was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS  
to whom was referred HOUSE


Bill No. 1318, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 1, strike all of line 17
- On page 1, line 18, strike "four thousand, the sum of"
- On page 1, line 19, delete all the underlined words
- On page 1, line 20, delete the word "dollars" and strike the period
- On page 1, line 23, strike the "exceeding four thousand but"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



..... Chairman  
Rep. Lang  
..... House ..... Bill No. 1318 ..... was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES  
to whom was referred HOUSE

Bill No. 1320, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 2, line 13 delete "&" and also on line 13 insert a beginning bracket before "15.24"
- On page 2, line 14 delete the exclamation point and insert in lieu thereof an ending bracket

And renumber the lines accordingly.

And when so amended, recommends the same do pass.

*Rep. Kloubec*

Chairman

House Bill No. 1320 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1321 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Winkjer*

Chairman

House Bill No. 1321 was placed on the 11 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1330 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 1, delete the word "nine" and insert in lieu thereof the word "five"

On page 2, line 5, delete the strike through over the word "one" and also on line 5, delete the word "two"

On page 2, line 8, delete the strike through over the word "one", delete the word "two" and also on line 8, after the word "twenty" insert the word "fifty"

On page 2, line 12, delete the words "one hundred" and insert in lieu thereof the words "seventy-five"

On page 2, line 14, delete the word "fifty"

And renumber the lines accordingly.

And when so amended, recommends the same do pass.

*Haugland*

Chairman  
Rep. Haugland



JOURNAL OF THE HOUSE

House Bill No. 1330 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1340 has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 1, line 13 strike-through "or other animal"
On page 1, line 20 strike-through "However, any person may"
On page 1, strike-through lines 21 and 22
And renumber the lines accordingly.

And when so amended, recommends the same do pass.

Rep. Kloubec Chairman
Bill No. 1340 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1345 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Rep. Lang Chairman
Bill No. 1345 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1361 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Rep. Lang Chairman
Bill No. 1361 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House Concurrent Resolution

No. 3016, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 6 strike "descrip-" and insert in lieu thereof  
"disruption"

On page 1, line 7 strike "tion"

And renumber the lines accordingly.

And when so amended, recommends the same do pass,

Rep. Kloubec Chairman  
House Concurrent Resolution No. 3016 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

#### MESSAGE FROM THE SENATE Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2077

Senate Bill No. 2100.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS AND RESOLUTIONS

Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2077

Senate Bill No. 2100.

The Speaker signed the same in the presence of the House of Representatives.

#### MESSAGES TO THE SENATE House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2077

Senate Bill No. 2100.

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3014.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4024.

ROY GILBREATH, Chief Clerk

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order the House stand adjourned until 12:30 p.m., Friday, January 26, 1979, which motion prevailed.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2096.** — A Bill for an Act to create and enact nine new sections to chapter 4-30 of the North Dakota Century Code, relating to applicants for a dairy industries license satisfying the dairy department as to financial condition or otherwise providing security for payments to dairy producers; to amend and reenact sections 4-30-04, 4-30-07, 4-30-08, and 4-30-15 of the North Dakota Century Code, relating to the dairy department becoming trustee upon default of the licensee, remedies of claimants upon default of the licensee, dairy department appeals or compromises of actions, and suspension or revocation of license and judicial review; and to repeal section 4-30-03 of the North Dakota Century Code, relating to bonding of purchasers of dairy products.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2101.** — A Bill for an Act to amend and reenact sections 35-13-01, 35-13-02, 35-13-03, and 35-13-04 of the North Dakota Century Code, relating to authorization for a repairman's lien, contents of a lien statement and requirement of filing, inclusion of separate articles in one statement, and priority of liens.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2137.** — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to prior service credit and withdrawal from the public employees retirement system; and to provide for retroactivity.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2148.** — A Bill for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the time during which appropriations remain available.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2152.** — A Bill for an Act to amend and reenact sections 43-26-01, 43-26-04, 43-26-05, 43-26-06, 43-26-07, 43-26-08, 43-26-09, 43-26-10, 43-26-11, 43-26-12, and 43-26-13 of the North Dakota Century Code, relating to the examination, registration, and practice of physical therapy and physical therapist assistants; and to repeal sections 43-26-02 and 43-26-03 of the North Dakota Century Code, relating to the duties of the state board of medical examiners and the state physical therapy examining committee.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2154.** — A Bill for an Act to authorize the reimbursement of the federal government for the state's twenty-five percent share of the Individual and Family Grant Program that was conducted in North Dakota following the spring flood of 1978; and provide for an appropriation.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2155.** — A Bill for an Act to amend and reenact section 4-35-21 of the North Dakota Century Code, relating to reports of pesticide accidents or loss.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2172.** — A Bill for an Act to amend and reenact subsection 2 of section 6-01-03 of the North Dakota Century Code, relating to the makeup of the state credit union board.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2177.** — A Bill for an Act to amend and reenact section 6-05-28 of the North Dakota Century Code, relating to the examination of annuity, deposit, surety, and trust companies, fees therefore, and the commissioner's authority over such companies.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2207.** — A Bill for an Act to provide for the removal of harvested hay on the rights of way of the state highway system and providing for the forfeiture of the hay upon failure to remove.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2225.** — A Bill for an Act to amend and reenact sections 37-11-01 and 37-11-02 and to repeal sections 37-11-04, 37-11-06 and 37-11-07 of the North Dakota Century Code, relating to compensation for disability or death of members of the North Dakota National Guard.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2235.** — A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to authority of the board of county commissioners to construct, rebuild or repair a bridge under its own supervision.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2237.** — A Bill for an Act to amend and reenact section 57-06-01 of the North Dakota Century Code, relating to the exemption of one-way paging and communication systems from property taxation under chapter 57-06.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2244.** — A Bill for an Act to create and enact a new section to chapters 39-18, 39-22, and 39-22.1 of the North Dakota Century Code, relating to the disposition of mobile home dealer fees, motor vehicle dealer fees, and semitrailer dealer fees.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2247.** — A Bill for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to the registration dates for snowmobiles.

Which was read the first time and referred to the Committee on Transportation.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p.m., Friday, January 26, 1979.

ROY GILBREATH, Chief Clerk

EIGHTEENTH DAY

Bismarck, January 26, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Hensel Hendrickson, Trinity Lutheran Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Ker-mott, Peterson and Strinden.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventeenth Day and finds the same to be correct.

*Stan Swiontek*

Chairman

Rep. Meiers Rep. Swiontek moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1065
HB NO. 1247
HB NO. 1265
HB NO. 1273
HB NO. 1280
HB NO. 1289
HB NO. 1292
HB NO. 1305

and find the same correctly

ENGROSSED Engrossed

*Wagner*

Chairman

Representative Dietz Rep. Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Boyum moved that the House reconsider the action whereby the House accepted the Committee Report on House Bill No. 1293, which motion prevailed.

Rep. Boyum moved that House Bill No. 1293 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Rep. Gorder moved that House Bill Nos. 1499 and 1504 be returned to the House from the Committee on Appropriations for the purpose of withdrawal, which motion prevailed.

Rep. Gorder requested permission to withdraw House Bills 1499 and 1504. There being no objection, it was so ordered by the Speaker.

#### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1041 as recommended by the Committee on Appropriations as printed on pages 398 and 399 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1074 as recommended by the Committee on Natural Resources as printed on page 399 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1209 as recommended by the Committee on Agriculture as printed on page 401 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1260 as recommended by the Committee on Agriculture as printed on page 401 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1295 as recommended by the Committee on Education as printed on page 403 of the House Journal be adopted, which motion prevailed on a verification vote.

House Bill No. 1295 was re-referred to the Committee on Appropriations.

Rep. Lang moved that the amendments to House Bill No. 1318 as recommended by the Committee on Political Subdivisions as printed on page 404 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1320 as recommended by the Committee on Natural Resources as printed on pages 404 and 405 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1330 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 405 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1340 as recommended by the Committee on Natural Resources as printed on page 406 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Concurrent Resolution No. 3016 as recommended by the Committee on Natural Resources as printed on page 407 of the House Journal be adopted, which motion prevailed.

#### MOTIONS

Rep. Stenehjem moved that House Bill No. 1501 be returned to the House from the Committee on Appropriations for the purpose of withdrawal, which motion prevailed.

Rep. Stenehjem requested permission to withdraw House Bill No. 1501. There being no objection, it was so ordered by the Speaker.

Rep. Strinden moved that House Bill Nos. 1075 and 1321 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1075.** — A Bill for an Act to restrict and regulate



• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F #24	• SCHINDLER
• GACKLE	• LARSON, G #29	• SCOFIELD
• GERL	• LARSON, H #7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCHE	• LIPSIE	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER B #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHEWY	• TWETEN

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1047
- House Bill No. 1136
- House Bill No. 1141
- House Bill No. 1157
- House Bill No. 1182
- House Bill No. 1191
- House Bill No. 1213
- House Bill No. 1235
- House Bill No. 1251
- House Bill No. 1275
- House Bill No. 1315
- House Concurrent Resolution No. 3015
- House Concurrent Resolution No. 3018

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1317. — A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to the mileage reimbursement to county officials and their employees entitled by law to travel or mileage expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 3; nays, 89; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UMHJEM	•	
BENEDICT	•		HICKLE	•		MEERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOFMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSHE	•	
BLACK	•		JACOBSEN, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAH	•		WINKLER	•	
CONNY	•		KINGSBURY	•		PETIER	•				
CRABTREE	•		KLODBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POWERBY	•				
DIETZ	•		KOSKI	•		REGO	•				
DOTENROD	•		KRETSCHMAR	•		REZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F #24	•		SCHINDLER	•				
GACKLE	•		LARSON, G #29	•		SCOFIELD	•				
GERL	•		LARSON, H #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				





• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 26	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENHJEW
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIE	• SWONTEY
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

Speaker Wagner announced the House would stand at ease to await the Senate for a joint session.

#### MOTION

Rep. Strinden moved that a committee of two be appointed to escort Lt. Governor Sanstead to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Wentz and Walsh to such escort committee, and Lt. Governor Sanstead was escorted to the rostrum to preside over the Joint Session.

#### JOINT SESSION

A joint session of the 46th Legislative Assembly convened at 2:00 p. m., with Lt. Gov. Sanstead, President of the Senate, presiding.

Rep. Strinden moved that a committee of four be appointed to escort the Hon. Milton R. Young, United States Senator, to the rostrum, which motion prevailed.

President Sanstead appointed Reps. Solberg and Olson and Senators Redlin and Sandness to such committee, which committee subsequently escorted the Senator to the rostrum.

#### FIRST READING OF

#### HOUSE AND SENATE JOINT RESOLUTION

Rep. Strinden and Senator Nething introduced House and Senate Joint Resolution No. 1.

**Joint Resolution No. 1.** — A joint resolution welcoming the Honorable Milton R. Young to the Joint Session of the Forty-sixth Legislative Assembly, and recognizing his significant achievements.

Which was read the first time.

Senator Nething moved that House and Senate Joint Resolution No. 1 not be referred to committee, not be printed as a bill but printed in the Journal, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

#### JOINT RESOLUTION No. 1

Introduced by Reps. Strinden and Senator Nething.

A joint resolution welcoming the Honorable Milton R. Young to the Joint Session of the Forty-sixth Legislative Assembly, and recognizing his significant achievements.

WHEREAS, the Honorable Milton R. Young, United States Senator from the State of North Dakota, began his legislative career as a member of the North Dakota House of Representatives, representing District 24 during the Twenty-third Legislative Assembly (1933); and

WHEREAS, Senator Young then commenced, during the next biennium, a distinguished career in the North Dakota Senate, serving in that body from the Twenty-fourth Legislative Assembly (1935) through the Twenty-ninth Legislative Assembly (1945); and

WHEREAS, Senator Young has since that time made a biennial visit to each succeeding Legislative Assembly, this being his seventeenth appearance before the North Dakota Legislative Assembly; and

WHEREAS, Senator Young in his time as a state legislator and a national legislator has rendered outstanding service to the United States of America and the State of North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE FORTY-SIXTH LEGISLATIVE ASSEMBLY MEETING IN JOINT SESSION:

That the Forty-sixth Legislative Assembly is proud to welcome the Honorable Milton R. Young, United States Senator from North Dakota, to this Joint Session of the Forty-sixth Legislative Assembly held on Friday, January 26, 1979, and to commend and congratulate Senator Young on his most distinguished legislative career in service to North Dakota and the nation; and

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be presented to Senator Young.

SECOND READING OF  
HOUSE AND SENATE JOINT RESOLUTION

**Joint Resolution No. 1.** — A joint resolution welcoming the Honorable Milton R. Young to the Joint Session of the Forty-sixth Legislative Assembly, and recognizing his significant achievements.

Was read the second time.

The question being on the final adoption of the House and Senate Joint Resolution.

So the House and Senate Joint Resolution was declared adopted on a voice vote.

Senator Nothing moved that the following remarks of Senator Milton R. Young be printed in the Journal, which motion prevailed.

REMARKS

OF

HON. MILTON R. YOUNG  
UNITED STATES SENATOR

"I deeply appreciate this opportunity to speak at this Joint Session of the North Dakota State Legislature. It is like coming home again. It is difficult to realize that it was 46 years ago this month that I first became a member of the North Dakota House of Representatives. I have been coming here every session since, but this will be my last appearance as your United States Senator.

"I am pleased to note that there is still one member of the Legislature here who I served with — that wonderful lady and great Legislator, Brynhild Haugland. I believe this marks her 41st year as a Legislator, which is not only a record of time served but of great contributions to our State.

"My years as a State Legislator and a Member of the United States Senate have been a great experience. They have spanned the years from the tragic drought, grasshopper years and depression of the early '30's to now. Dollars were scarce then and valuable. Now they are plentiful but not worth much.

"I won my first election as a Legislator by only 37 votes and I won my last election by only 186. The Watergate debacle was as much of a handicap the last time I ran as the powerful Nonpartisan League was when I won my first election.

"I wish that the Congress of the United States was as fiscally responsible as the North Dakota Legislature has always been. Unwisely, each Administration and each Congress in recent years has embarked upon countless new and costly programs — some of them necessary. We could well get along without a great many. We are paying the price now for all these programs with huge expenditures and rampant inflation. The na-

tional debt is now over \$800 billion and the interest alone is \$46 billion a year.

“As long as the people of the United States continue to elect liberal-minded, big spending members of Congress, we will continue to have these problems. Many members of Congress, starting about four years ago, are very liberal-minded and until recently very proud of it. Even though there seems to be a conservative trend, most of them have just been re-elected.

“Bill Brock, Chairman of the Republican National Committee, recently on a national television program expressed concern about all of the ‘gimmicks’ members of Congress, and especially the House, have to perpetuate themselves in office. He should know as he was a member of both the House and Senate.

“Two Congressmen were just re-elected, one of whom had already been convicted on 29 counts of fraud and the other was under indictments returned by Grand Juries all the way from Pennsylvania to Los Angeles. One major ‘gimmick’ being used excessively is the boxholder franking privilege. Much of the franking privilege is necessary, but in recent years many liberals have cleverly used the boxholder franking privilege in mailing millions of letters that can make them appear to be either liberal or conservative — whichever meets the mood of the voters at election time. They are somewhat akin to the chameleon that can change colors to better cope with whatever environment they are in!

“The late Senator Langer once told me that any member of Congress with the franking privilege should never lose an election. At that time both the Senate and the House had the boxholder franking privilege. About 20 years ago, the Senate discontinued the boxholder franking privilege, but the House retained it. Since then, a member of the Senate has to address each letter.

“If a Congressional District has 200,000 boxholders, and some of them have more, and the Congressman used his boxholder franking privilege only five times a year, it would mean a million pieces of mail for each Congressman, each year. All Congressional mail is considered ‘First Class’ and the cost of the franking privilege for Congress this past fiscal year was over \$47 million. The General Accounting Office is not sure whether the Postal Service is even being reimbursed now for boxholder mail.

“The incumbent Members of Congress, as well as Governors and other high public officials, have other advantages. Forty-four members of the Senate are former Members of the House of Representatives or former Governors. They have a considerable advantage as candidates for the United States Senate. They naturally attain high voter identification. If a Democrat Governor of North Dakota would appoint enough key Republicans to boards and commissions of all kinds, he could hardly lose an election. In the last 52 years, no elected governor of North Dakota seeking re-election has ever been defeated.

“You would be interested to know that 42 of the present members of the United States Senate are former State Legislators. Just in my time, many members of this Legislature have been elected to Congress such as Hjalmer C. Nygaard — former Speaker, Fred Aandahl, Don Short, Rollie Redlin and Governor Link. Experience here is very helpful to anyone serving in Congress. All of the Governors of North Dakota since 1945 have been members of the Legislature.

“Changing the date of the Primary election from June to September provided an unnecessary advantage to incumbents in the top political offices. I am sure many of you recall that on previous occasions, and before

my last election, I urged that we return to a June Primary and I suggest it again.

"One of the worst features of the September Primary, in addition to giving an advantage to high ranking incumbent officials, is that it results in a much smaller voter turnout. The major reason for the smaller vote is that farmers in the rush to get their harvesting done, just aren't going to take the time off to go and vote. Many other voters are just returning from their summer homes and vacations.

"This September Primary has been quite effective in reducing farmer participation in primary elections. Most farmers prefer a June Primary. Along with a June Primary, farmers tell me they like the February-March Endorsing Conventions much better than the late ones we have now.

"I can understand why incumbent members of Congress, or a Governor, don't want to lose the advantage of a late primary. A new candidate for these high offices needs more adequate time to gain voter identification and to be able to finance and plan an effective campaign. Many members of Congress, including myself, start planning their campaigns a year or more before the election.

"Both National Parties have a policy of not providing financial assistance to new candidates until after the Primary. The present two months from the Primary Election to the General Election is just not enough. With the late September Primary, a new candidate has practically no chance at all.

"When I was appointed on March 12, 1945, I had to stand for election at the first statewide election which was in June of 1946. My nomination then was more important than the election.

"The nomination then, as now, was by a State Convention of delegates elected by Precinct Committeemen. When I sought the nomination, 2/3 of all the Precinct Committeemen then were Nonpartisan Leaguers. I had a very difficult problem getting a majority of delegates at that convention. The Nonpartisan League had their own candidate and former Senator Gerald P. Nye was an Independent Candidate. Politicians played it rough then. In my home county, for example, the League controlled the County Convention by only one vote, but in selecting their 11 delegates to the State Convention, they made sure I didn't have any.

"There was another problem. I was in serious trouble with my own party at that time because of a quite liberal stand I had taken on a hot national issue. This made it necessary for me to personally meet with many key Republicans all over the state before the convention to try to regain their support. Previous to the convention because of bad snowstorms, Highway No. 2 was completely blocked for ten days or more. To cope with this situation I had to hire a little plane with skis and held several meetings all the way from Williston to Devils Lake.

"I mention some of these experiences so that you can better understand some of the problems I encountered during my first years in the Senate. If I had received only a dozen less votes at that convention, I would have lost the nomination. Thus, I would have had to run as an Independent with practically no chance of being elected. That would have ended my political career. Thus, I didn't know until about three months before the election if I would even be the candidate.

"In succeeding years things were somewhat easier largely because I was one of less than ten State Legislators who, in the Session of 1943, founded the ROC movement which became a power in North Dakota politics for a quarter of a century.

"A new and rather serious problem has arisen with respect to nomina-

tions for a United States Senator in the case of a vacancy. Now, as then, the nomination is by convention and there is no Primary.

"When I received my nomination for election from the Precinct Committeemen, practically all of them were elected. Now a high percentage of them are not elected but appointed by District Chairmen of both parties. Thus, in the case of a vacancy in the Senate, a few political leaders in both parties, because of the appointments they have made of Precinct Committeemen, wield far more influence on nominations than ever before.

"There is another problem that has concerned people all over the state. This was brought into sharp focus during the Guy-Young election recount. The judges, which under the law supervised the recount, were fair and honest, but because of the vagueness of the present law, each one differed somewhat on whether a ballot should be counted. Hundreds of voters were disenfranchised because of our inadequate law which governs legality of ballots.

"In one precinct, all of the votes were voided because there was no stamp, not even a signature, by the election inspector. Many other ballots were disapproved because a primary stamp was used for the general election. The ballots in another precinct were counted, on the basis of the county canvass, since all the ballots had been lost. It is understandable why more and more voters do not bother to vote when they are not sure whether their vote will be counted.

"Because the recount procedure was in the nature of a judicial proceeding, it was necessary for both my opponent and me to hire lawyers. In my own case, the cost of the lawyers was some \$37,000. Although most of my lawyers discounted their fees, I still had to pay a sizable amount of the cost of the recount myself.

"Much good information could be obtained from the lawyers on both sides of this recount as well as from the judges involved. There have been several editorials on the subject of how the law could be improved.

"Permit me to give you some experiences I have had which cause me to suggest changes in our election laws. The late Senator Mundt, a good friend of mine, suffered a massive stroke in November, 1969. I, along with other Senators, visited him often, but speech for him was practically impossible. He served the remainder of his term, approximately three years, without attending any sessions of the Senate. When he was first stricken, South Dakota had a Republican Governor and many in South Dakota, especially Republicans, wanted him to resign so a Republican successor could be appointed. Many influential Democrats at that time urged him to stay on. Later when they had a Democrat Governor, it was Republicans who urged him not to resign.

"An unusual meeting was once arranged, at the request of some South Dakota people, whereby Senators Goldwater and Curtis, a leading Republican from South Dakota, and I were to take Senator Mundt over to the White House to meet with President Nixon. The purpose was for President Nixon to try and persuade Senator Mundt to resign. President Nixon and Senator Mundt had served together as members of the House of Representatives and Senate and had been close friends ever since.

"We were to meet at the White House at 5 o'clock one evening in late 1970. There was a heavy snowfall that afternoon making traffic very difficult and, for that and other reasons, the meeting was cancelled and, so far as I know, nothing more was done.

"Thus, South Dakota was left with only one Senator and lost the only seat they had on the Appropriations Committee. Some South Dakota people called on me to help them with their problems. Sioux Falls was great-

ly interested in a Federal project called EROS, which Senator Mundt had previously initiated. This EROS project now constantly receives and processes pictures from the Earth Satellite. They had some problems in getting the funds to make it a reality and I was able to help them. They were so appreciative that they named a street on this project in my honor.

"As a result of the Senator Mundt problem, the South Dakota Legislature revised its election law. Their new law requires that a special election be held not less than 80 and no more than 90 days after a vacancy occurs. The new law does not permit their Governor to appoint anyone to fill a vacancy. The Senate seat remains vacant until it is filled by a special or regular election.

"This is very similar to vacancies in the House of Representatives — where in the case of a vacancy, the seat remains vacant until a special or regular election. This new South Dakota law taking away the authority of the Governor to appoint a Senator to fill a vacancy, was enacted by a Democrat Legislature and signed by their then Democrat Governor.

"Contrary to many newspaper stories, I never have at any time or place suggested that our Governor not be permitted to make appointments to fill Senate vacancies.

"It was the South Dakota situation, which I was so close to, that caused me to make the recommendations I have with respect to changing our State law.

"You are all familiar with the recent situation in Minnesota where the last Governor and the last two United States Senators were not elected and the two Senators served by appointment — one of them for over a year. If Minnesota had provisions in their law such as I have suggested or the South Dakota law, requiring an election to be held within 90 days of a vacancy, they wouldn't have had the political fiasco that practically destroyed the long-powerful Democrat-Farmer-Labor Party. I'm not complaining about the Minnesota results!

"A vacancy in the United States Senate, for various reasons, occurs from time to time. It is entirely possible that North Dakota could have a similar situation. If we don't change our election law, we could have much the same results as Minnesota and South Dakota experienced.

"These proposed changes represent long-needed reform in our election law and more opportunity for new candidates to be elected to high office. These are proposals whose day has come.

"These proposed changes are not something that I need. I don't need any retirement legislation. The law permits me now to resign whenever I want.

"With the opposition of the Governor and the Congressman to my two suggested changes in our election law, they have little chance of being enacted.

"I can live with our present law. I have no intention to resign this year. If I should resign next year, I would do so early enough so all the candidates could have as long a time possible to campaign.

"I deeply appreciate being with you again, as I have every session since 1933."

#### REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Joint Resolution No. 1

And find the same correctly Enrolled.

Representative Dietz moved that the report be adopted, which motion prevailed, and the report was adopted.

REP. STENEHJEM, Chairman





relating to the definition of duty of support under the Revised Uniform Reciprocal Enforcement of Support Act; to amend and reenact section 14-12.1-24 of the North Dakota Century Code, relating to the powers and duties of district courts when acting as responding courts in actions for enforcement of support under the Revised Uniform Reciprocal Enforcement of Support Act; and to amend and reenact section 14-12.1-31 of the North Dakota Century Code, relating to the application of payments made under the Uniform Reciprocal Enforcement of Support Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 3; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
				HERMAN			WATTSOON				UNHJEM
				HICKLE			WEIERS				VANDER VORST
				HOFFNER			WELBY				VIG
				HOLMANN			WERTENS				WAGNER
				HOVE			MEYER				WALD
				JACOBSEN, R			MURPHY				WALSH
				JACOBSON, I			MUSHIK				WEBER
				KELLY			NICHOLAS				WENTZ
				KENNELLY			OLSON				WESSMAN
				KERMOTT			OPEDAHL				WINKJER
				KINGSBURY			PELTIER				
				KLOUBEC			PETERSON				MR. SPEAKER
				KNUDSON			POMEROY				
				KOSKI			REED				
				KRETSCHMAR			RETZER				
				KUCHERA			RICHARD				
				LANG			RICHIE				
				LANGLEY			RUEHL				
				LARDY			RUED				
				LARSON, F # 24			SCHINDLER				
				LARSON, G # 29			SCOFIELD				
				LARSON, H # 7			SOLBERG				
				LEE			STENEHJEM				
				LEIBHAN			STRINDEN				
				LIPSIEA			SWONTEK				
				MAIXNER			THOMPSON				
				MARSDEN			THORSGARD				
				MARTIN			TMM				
				MARTINSON			TINJUM				
				MATHENY			TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1212.** — A Bill for an Act to amend and reenact sections 39-08-06 and 39-08-07 of the North Dakota Century Code, relating to duty of drivers to give information and render aid and requiring drivers to give information concerning insurance coverage.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 2; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
				HERMAN			WATTSOON				UNHJEM
				HICKLE			WEIERS				VANDER VORST
				HOFFNER			WELBY				VIG
				HOLMANN			WERTENS				WAGNER
				HOVE			MEYER				WALD
				JACOBSEN, R			MURPHY				WALSH
				JACOBSON, I			MUSHIK				WEBER
				KELLY			NICHOLAS				WENTZ
				KENNELLY			OLSON				WESSMAN
				KERMOTT			OPEDAHL				WINKJER
				KINGSBURY			PELTIER				
				KLOUBEC			PETERSON				MR. SPEAKER
				KNUDSON			POMEROY				

● DIETZ	● KOSKI	● REED
● DOTZENROD	● KRETSCHMAR	● RETZER
● DuBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 25	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1247.** — A Bill for an Act to create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to assessment of premiums.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 4; absent and not voting, 13.

REGULAR SESSION									ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKES	●		● HERMAN	●		● MATSON	●		● UNHJEM	●				
● BENEDICT	●		● HICKLE	●		● MEIERS	●		● VANDER VORST	●				
● BERG	●		● HOFFNER	●		● MELBY	●		● VIG	●				
● BERGE	●		● HOUWANN	●		● MERTENS	●		● WAGNER	●				
● BERGER	●		● HOVE	●		● MEYER	●		● WALD	●				
● BJORNSON	●		● JACOBSEN R	●		● MURPHY	●		● WALSH	●				
● BLACK	●		● JACOBSON I	●		● MUSHK	●		● WEBER	●				
● BOYLUM	●		● KELLY	●		● NICHOLAS	●		● WENTZ	●				
● BROKAW	●		● KENNELLY	●		● OLSON	●		● WESSMAN	●				
● CHRISTENSEN	●		● KERWOTT	●		● OPEDAHL	●		● WINKLER	●				
● CONMY	●		● KINGSBUR	●		● PELTIER	●							
● CRABTREE	●		● KLOUBEC	●		● PETERSON	●		● MR. SPEAKER	●				
● DICK	●		● KNUDSON	●		● POMEROY	●							
● DIETZ	●		● KOSKI	●		● REED	●							
● DOTZENROD	●		● KRETSCHMAR	●		● RETZER	●							
● DuBORD	●		● KUCHERA	●		● RICHARD	●							
● EAGLES	●		● LANG	●		● RICHIE	●							
● ERICKSON	●		● LANGLEY	●		● RIEHL	●							
● FLEMING	●		● LARDY	●		● RUED	●							
● FREBORG	●		● LARSON F # 24	●		● SCHINDLER	●							
● GACKLE	●		● LARSON G # 25	●		● SCOFIELD	●							
● GERL	●		● LARSON H # 7	●		● SOLBERG	●							
● GORDER	●		● LEE	●		● STENEHJEM	●							
● GUNDERSON	●		● LEIBHAN	●		● STRINDEN	●							
● GUNSCHE	●		● LIPSIEA	●		● SWONTEK	●							
● HANSON	●		● MAIXNER	●		● THOMPSON	●							
● HAUGLAND	●		● MARSDEN	●		● THORSGARD	●							
● HAUSAUER A # 49	●		● MARTIN	●		● TIMM	●							
● HAUSAUER R # 25	●		● MARTINSON	●		● TINJUM	●							
● HEDSTROM	●		● MATHENY	●		● TWETEN	●							

So the bill passed and the title was agreed to.

**House Bill No. 1261.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to the grain and seed warehouse contract printed on warehouse receipts as it pertains to the amount charged for handling and delivery of grains and seeds.

Which has been read.

Rep. Peltier requested that he be excused from voting on House Bill No. 1261 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Peltier be allowed to vote on House Bill No. 1261, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 11; absent and not voting, 14.





● FREBORG	● LARSON F. #24	● SCHINDLER
● GACKLE	● LARSON G. #29	● SCOFIELD
● GERL	● LARSON H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIA	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #6	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1289.** — A Bill for an Act to create and enact a new subsection to section 65-01-02 of the North Dakota Century Code, relating to definition of disability; and to amend and reenact subsection 11 of section 65-01-02 and sections 65-01-09, 65-01-11, 65-03-02, 65-04-12, 65-05-03, 65-05-05, 65-05-07, 65-05-15, 65-09-02, 65-09-04, 65-10-01, 65-10-02, and 65-13-04.1 of the North Dakota Century Code, relating to definitions, the bureau's subrogation interest, burden of proof on claimants before the bureau, penalties for violation of safety rules and regulations, penalties for failure to obtain coverage, notification of permanent disability and impairment, receipt of compensation in other states, aggravation of prior injuries, appeals from bureau decisions, and denial of benefits to crime victims while incarcerated.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 8; nays, 81; absent and not voting, 11.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●					●
		●	HERMAN	●		MATTSON					UNHJEM
		●	HICKLE		●	●	MEIERS				VANDER VORST
		●	HOFFNER		●		MELBY				VIG
		●	HOUJMAN		●		MERTENS				WAGNER
		●	HOVE		●		MEYER				WALD
		●	JACOBSEN R		●		MURPHY				WALSH
		●	JACOBSON I		●		MUSHIK				WEBER
		●	KELLY		●		NICHOLAS				WENTZ
		●	KENNELLY		●		OLSON				WESSMAN
		●	KERMOTT	●		●	OPEDAHN				WINKLER
		●	KINGSBURY	●			PELTIER				
		●	KLOUBEC		●		PETERSON	●			MR. SPEAKER
		●	KNUDSON		●		POMEROY				
		●	KOSKI		●		REED				
		●	KRETSCHMAR		●		RETZER				
		●	KUCHERA		●		RICHARD				
		●	LANG		●		RICHIE				
		●	LANGLEY		●		RIEDL				
		●	LARDY		●		RILED				
		●	LARSON F. #24		●		SCHINDLER				
		●	LARSON G. #29		●		SCOFIELD				
		●	LARSON H. #7		●		SOLBERG				
		●	LEE		●		STENEHJEM				
		●	LEIBHAN		●		STRINDEN				
		●	LIPSIA		●		SWONTEK				
		●	MAXNER		●		THOMPSON				
		●	MARSDEN		●		THORSGARD				
		●	MARTIN		●		TIMM				
		●	MARTINSON		●		TINJUM				
		●	MATHENY		●		TWETEN				

So the bill lost.

**House Bill No. 1292.** — A Bill for an Act to create and enact a new section to chapter 23-21.1 of the North Dakota Century Code, relating to the resale of abandoned or neglected cemetery lots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 15; absent and not voting, 12.



REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1077, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 0, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Haugland Chairman

HOUSE

Bill No. 1077

Rep. Haugland was placed on the 11th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1100, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 3; Absent, 0, that the same

[ ] do pass. [X] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Rep Erickson Chairman

House Bill No. 1100 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1206, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 4, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

- On page 1, line 1 delete "subsection 23 of section"
On page 1, line 2 delete "20.1-03-12 and"
On page 1, line 3 delete everything after the comma
On page 1, line 4 delete "licenses and"
On page 1, delete all of section one from the bill starting on line 10 through line 19
On page 2, line 14 insert a comma after "shall" and also on line 14 strike the word "credit"
On page 2, line 15 delete the underlined material and strike the words "the state game and"

On page 2, strike all of line 16

On page 2, line 17 strike "chapter." and also on line 17 delete "The state treasurer shall"

On page 2, line 18 delete "remaining fifty percent" and insert in lieu thereof the word "funds"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

Rep. K. Ioube

Chairman

House Bill No. 1206 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1229, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 2; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 2, line 9 after the word "business," insert the words "and time expended by voluntary campaign workers,"

On page 2, line 26 after the word "business," insert the words "and time expended by voluntary campaign workers,"

On page 4, line 2 delete the word "one" and insert in lieu thereof the word "two" and after the word "hundred" insert the words "and fifty"

On page 4, line 3 delete the word "one" and insert in lieu thereof the word "two" and after the word "hundred" insert the words "and fifty"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Winkjer

Chairman

House Bill No. 1229 was placed on the 6 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1268, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 1; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:



- On page 1, line 1, delete the words "to create and enact two new sections to"
- On page 1, line 2, delete the words "chapter 26-03.1 of the North Dakota Century Code,"
- On page 1, line 3, following the word "in" insert the words "any individual or group"
- On page 1, line 4, following the word "policies" insert the words "and non-profit medical or hospital service contracts" and delete the words "an insurer's responsibility" and insert in lieu thereof the words "the responsibility of individual or group insurers and non-profit medical or hospital service corporations"
- On page 1, line 6, following the word "an" where it last appears insert the words "individual or group"
- On page 1, line 7, following the word "policy" insert the words "or non-profit medical or hospital service contract"
- On page 1, line 12, after "Section 1." insert the following: "PROVISIONS PROHIBITED IN INDIVIDUAL AND GROUP ACCIDENT AND SICKNESS INSURANCE POLICIES AND NON-PROFIT MEDICAL OR HOSPITAL SERVICE CONTRACTS." and delete the words "A new section to chapter 26.03.1 of the"
- On page 1, line 13, delete the words "North Dakota Century Code is hereby created and enacted to"
- On page 1, line 14, delete the words "read as follows:"
- On page 1, line 15, delete the words "PROVISIONS PROHIBITED IN ACCIDENT AND SICKNESS INSURANCE"
- On page 1, line 16, delete the following: "POLICIES.)"
- On page 1, line 17, following the second word "any" insert the words "individual or group"
- On page 1, line 18, following the word "policy" insert the words "or non-profit medical or hospital service contract" and following the word "company" insert the words "or non-profit medical or hospital service corporation"
- On page 1, line 20, following the word "insured" insert the words "or subscriber"
- On page 1, line 23, following the word "insured" insert the words "or subscriber"
- On page 1, line 24, following the word "policy" insert the words "or contract" and following the word "any" insert the words "individual or group" and following the word "company" insert the words "or non-profit medical or hospital service corporation"
- On page 2, line 3, following the word "insured" insert the words "or subscriber"
- On page 2, line 4, following the word "policy" insert the words "or contract"
- On page 2, line 5, following the word "any" insert the words "individual or group"
- On page 2, line 6, following the word "policy" insert the words "or non-profit medical or hospital service corporation contract" and following the word "company" insert the words "or non-profit medical or hospital service corporation"
- On page 2, line 10, following the word "insured" insert the words "or subscriber" and following the second word "insured" insert the words "or subscriber"

- On page 2, line 13, following the first period insert the following:  
"INDIVIDUAL OR GROUP INSURER OR NON-PROFIT MEDICAL OR  
HOSPITAL SERVICE CORPORATION RESPONSIBILITY - RELEASE  
OF INFORMATION TO SOCIAL SERVICE BOARD OF NORTH DAKOTA."  
and delete the words "A new section to chapter 26-03.1  
of the"
- On page 2, delete lines 14 through 17
- On page 2, line 18, delete the words "An insurer, as defined in  
section 26-02-02" and insert in lieu thereof the words  
"Any individual or group accident and sickness insurer or  
non-profit medical or hospital service corporation"
- On page 2, line 25, delete the comma and following the word "policy"  
insert the words "or non-profit medical or hospital service  
corporation contract" and delete the words "as defined in"
- On page 2, line 26, delete the words "section 26-03.1-01," and  
following the word "insurer" delete the comma and add the  
words "or non-profit service corporation"
- On page 2, line 28, following the word "insured" insert the words  
"or subscriber" and following the word "policy" insert  
the words "or contract" and delete the word "An" and  
insert in lieu thereof the word "The"
- On page 2, line 29, before the word "shall" insert the words "or  
non-profit medical or hospital service corporation"
- On page 3, line 4, delete the word "in-"
- On page 3, line 5, delete the word "surance" and following the  
word "benefits" insert the words "under the policy or  
contract"
- On page 3, line 7, following the word "policy" insert the words  
"or non-profit medical or hospital service corporation  
contract"
- On page 3, line 18, following the word "companies" insert the words  
"and non-profit medical or hospital service corporations"
- On page 3, line 25, following the word "insurer" insert the words  
"or subscriber"

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.



Chairman

HOUSE Bill No. 1268

Rep. Rued  
was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1270, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

*Haugland* Chairman  
Rep. Haugland

HOUSE Bill No. 1270 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION  
to whom was referred HOUSE

Bill No. 1271, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

*Erickson* Chairman  
Rep. Erickson

House Bill No. 1271 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION  
to whom was referred HOUSE

Bill No. 1285, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

- On page 3, delete the strike through over all the language on lines 33 and 34
- On page 4, delete the strike through over all the language on lines 1 and 2
- On page 4, line 10 delete the word "Non-user" and insert in lieu thereof the word "Non-used"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

*Erickson* Chairman  
Rep. Erickson

House Bill No. 1285 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS  
to whom was referred HOUSE

Bill No. 1293, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

- On page 1, line 4, delete the word "with"
- On page 1, line 4, after the word "project" insert the words "and relating to joint exercise of powers"
- On page 1, line 5, after the word "agency" insert the words "with another public agency"
- On page 1, line 16, delete the words "for incorporation"
- On page 1, line 19, before the period insert ", and contracts for electric power and energy and related services"
- On page 2, line 6, after the word "project" insert ",or"
- On page 9, line 14, delete the word "other"
- On page 9, line 17, after the word "contract" insert the words "or any similar contract"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Lang* Chairman

House \_\_\_\_\_ Rep. Lang \_\_\_\_\_  
 Bill No. 1293 \_\_\_\_\_ was placed on the 6th \_\_\_\_\_  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS  
 to whom was referred House

Bill No. 1308, has had the same under consideration and recommends, by a vote of  
 Ayes, 8; Nays, 6; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

*Lang* Chairman

House \_\_\_\_\_ Rep. Lang \_\_\_\_\_  
 Bill No. 1308 \_\_\_\_\_ was placed on the 11th \_\_\_\_\_  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION  
 to whom was referred HOUSE

Bill No. 1311, has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 1; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

- On page 1, line 19 strike the word "and" and insert in lieu thereof the word "or"
- On page 1, line 20 strike the words "free of charge"
- On page 2, line 3 strike the words "from a designated group of"

and insert in lieu thereof the words "bearing a decal with the words "driver education" appearing on it"

On page 2, line 4 strike the word "numbers"

On page 2, line 5 strike the words "free of"

On page 2, line 6 strike the word "charge"

On page 2, line 11 strike the words "with the designated" and insert in lieu thereof the words "bearing a decal with the words "driver education" appearing on it"

On page 2, line 12 strike the word "numbers"

On page 2, line 14 strike the words "free loan"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Erickson

House Bill No. 1311 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1313, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof the words "sections 43-04-02 and"

On page 1, line 3, after the word "to" insert the following: "a declaration of policy,"

On page 1, line 6, after the word "license" insert a semicolon and the following: "and to repeal sections 43-04-16 and 43-04-17 of the North Dakota Century Code, relating to an order fixing minimum barber service price schedules and the amendment or modification of price schedules after approval"

On page 1, after line 8, insert the following new section:

"SECTION 1. AMENDMENT.) Section 43-04-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows: 43-04-02. DECLARATION OF POLICY.) It is hereby declared that the practice of barbering, by reason of the personal contacts exercised therein, is a business affecting the public health, public welfare, and public safety, ~~that-unfair-and-uneconomic-trading-practices-which-have-been-and-are-now-being-carried-on-in-the-operation-of-barber-shops-in-this-state, and-unfair-competition-existing-between-individual-barber-shop-operators-of-this-state-have-brought-about-an-unjust-and-uneconomic-reduction-in-prices-for-services-commonly-performed-by-said-profession, and-that-the-decrease-in-income-and-purchasing-power-resulting-in-such-reduction-in-prices-have-made-it-impossible-for-many-members-of-said-occupation-within-this-state-to-maintain-a-healthful-standard-of-living, and-to-purchase-the-sanitary-products-and-equipment-necessary-to-support-and-maintain-reasonably-safe-and-healthful-barbering-service-to-the-public-and-in-the-interests-of-public-welfare, public-health-and-public-safety,~~ that immediate public supervision and control of said occupation in the exercise of the police power of this state and in accordance with the proper standards of said profession, are necessary

to the protection and preservation of the public health, public safety, and public welfare, and that this chapter is enacted in the exercise of the police power of this state to protect the public welfare, public health, and public safety."

On page 1, after line 18, insert the following new section:

"SECTION 3. AMENDMENT.) Subsection 2 of section 43-04-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 2. Every other rule or order of the board shall be posted for public inspection in the main office of the board, and a certified copy shall be filed in the office of the secretary of the board and published in the press publications representing the barber industry. An order applying only to a person or persons named therein shall be served on the person or persons affected. An order herein required shall be served by personal delivery of a certified copy or by mailing a certified copy in a sealed envelope with postage prepaid to each person affected thereby, or in the case of a corporation, to an officer or agent of the corporation upon whom a summons may be served in accordance with the provisions of law. The posting in the main office of the board of any rule or order not required by this chapter to be served, and such filing in the office of the secretary of the board and publishing in representative publications, shall constitute due and sufficient notice to all persons affected by such rule or order. A rule of the board when duly published, posted, and filed as provided in this section, shall have binding force and effect. ~~The provisions of this section as to service of orders shall not apply to orders fixing minimum prices as to which provision is made in section 43-04-16.~~"

On page 3, after line 21, insert the following new section:

"SECTION 6. REPEAL.) Sections 43-04-16 and 43-04-17 of the North Dakota Century Code are hereby repealed."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Chairman

HOUSE Bill No. 1313 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1341, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3 delete "mourning doves" and insert in lieu thereof "birds" and also on line 3 delete "powerlines" and insert in lieu thereof "utility lines"

On page 1, line 12 delete "MOURNING DOVES -" and also on line 12 delete "POWER" and insert in lieu thereof "UTILITY"

On page 1, line 13 delete "mourning doves" and insert in lieu thereof "birds"

On page 1, line 14 delete "electrical power transmission lines or telephone" and insert in lieu thereof "utility"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

Chairman

Rep. Kloubec  
Bill No. 1341

House \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House \_\_\_\_\_

Bill No. 1359, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Kloubec  
Bill No. 1359

House \_\_\_\_\_ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE \_\_\_\_\_

Bill No. 1367, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Erickson  
Bill No. 1367

House \_\_\_\_\_ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE \_\_\_\_\_

Bill No. 1375, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

*Lang* Chairman

House Bill No. 1375      Reed Lang  
order of business on the calendar for the succeeding legislative day.      was placed on the 11th

## MOTIONS

Rep. Strinden moved that House Bill Nos. 1299, 1305, 1345 and 1361 be laid over one legislative day, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Monday, January 29, 1979, which motion prevailed.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Reps. Vig and Reed introduced:

**House Concurrent Resolution No. 3030.** — A concurrent resolution urging Congress to develop a uniform definition of the term "veteran" for all federal programs relating to veterans.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Crabtree and Erickson and Senator Smykowski introduced:

**House Concurrent Resolution No. 3031.** — A concurrent resolution urging the President and Congress to provide assistance to railroads linking agricultural areas and urban market areas of the nation.

Was read the first time and referred to the committee on Transportation.

Reps. Martinson, Kermott, Lee and Pomeroy introduced:

**House Concurrent Resolution No. 3032.** — A concurrent resolution directing a study by the Legislative Council to review the equity and adequacy of retirement provisions for supreme court and district court judges.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Strinden, Backes, Mushik and Kretschmar introduced:

**House Concurrent Resolution No. 3033.** — A concurrent resolution in support of Northern Tier Pipeline.

Was read the first time and referred to the committee on Natural Resources.

Reps. Retzer and Gorder introduced:

**House Concurrent Resolution No. 3034.** — A concurrent resolution of the North Dakota Legislative Assembly calling for an amendment to the United States Constitution proposing to the several states the requirement of a balanced United States cash budget for each session of Congress except in time of war or national emergency.

Was read the first time and referred to the committee on Constitutional Revision.

Rep. Strinden and Senator Nothing introduced:



**House Concurrent Resolution No. 3035.** — A concurrent resolution directing a Legislative Council study of the relationship between American Indian tribal governments and North Dakota state government.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Marsden, Berg, Fleming, R. Hausauer, Mertens and Nicholas introduced:

**House Concurrent Resolution No. 3036.** — A concurrent resolution urging Congress to change the name of Lake Audubon and to name it after a prominent North Dakotan.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Matheny and Walsh introduced:

**House Concurrent Resolution No. 3037.** — A concurrent resolution urging that the construction of the Garrison Diversion Project and the condemnation of land for mitigation acreage required by the project be halted until certain information has been provided to the people of North Dakota.

Was read the first time and referred to the committee on Agriculture.

Reps. Olson, Solberg and Unhjem introduced:

**House Concurrent Resolution No. 3038.** — A concurrent resolution urging North Dakota Governor Arthur A. Link to proclaim a "North Dakota Forgotten Victims Week."

Was read the first time and referred to the committee on Political Subdivisions.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2110.** — A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to purchase short term commercial and finance company paper.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2125.** — A Bill for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to the highway commissioner releasing abstracts of operating records on court order only, and to repeal section 39-16-03.1 of the North Dakota Century Code, relating to confidentiality of driver record abstracts more than three years old.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2151.** — A Bill for an Act to establish a legislative committee on administrative rules with authority to review proposed and existing administrative rules.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2179.** — A Bill for an Act to amend and reenact section 7-01-04 of the North Dakota Century Code, relating to capital of savings and loan associations.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2181.** — A Bill for an Act to amend and reenact section 6-03-70 of the North Dakota Century Code, relating to submission of reports to the commissioner.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2243.** — A Bill for an Act to create and enact a new section to chapter 55-02 of the North Dakota Century Code, to provide protection of archeological, historical or paleontological sites by limiting access to and release of information from files held by the state historical society of North Dakota.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2253.** — A Bill for an Act to create and enact five new sections to chapter 14-09 of the North Dakota Century Code, relating to wage assignment and orders for withholding and transmitting earnings for child support enforcement purposes; procedures for dissolving, revoking or modifying such assignments or orders; duties and liabilities of employers under such assignments and orders; and the creation of a lien on property to aid in the enforcement of child support obligations.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2258.** — A Bill for an Act to create and enact a new section to chapter 57-58 of the North Dakota Century Code, relating to personal property replacement money; to amend and reenact subsection 2 of section 57-02-08.1, sections 57-05-01, 57-13-03, 57-34-02 and 57-34-03 of the North Dakota Century Code, relating to a minimum amount of refund for senior citizens, the assessment date of railroad property, the annual meeting place of the state board of equalization, reports of telephone companies, and the computation of telephone company tax by the tax commissioner.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2259.** — A Bill for an Act to create and enact a new subsection to section 25-09-05, a new section to chapter 57-35, a new section to chapter 57-35.1, and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to confidentiality of tax information; and to amend and reenact subsection 4 of section 50-09-08, subsection 2 of section 57-37.1-22, and subsection 3 of section 57-38-57 of the North Dakota Century Code, relating to confidentiality of tax information.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2260.** — A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to the deduction of taxes paid to foreign countries; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2263.** — A Bill for an Act to create and enact a new subsection to section 14-15-09 of the North Dakota Century Code, relating to petitions for the adoption of persons and to amend and reenact section 50-12-17 of the North Dakota Century Code, relating to providing a penalty for the unlawful placement of children for adoption.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2268.** — A Bill for an Act to create and enact a new section to chapter 24-12 and to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code, relating to the payments of

rewards in matters concerning highway vandalism and to provide for signing of highway construction projects.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2290.** — A Bill for an Act to amend and reenact section 36-21.1-09 of the North Dakota Century Code, relating to restrictions on giving away animals.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2321.** — A Bill for an Act to amend and reenact section 15-53.1-27 of the North Dakota Century Code, relating to the continuance of elementary schools in reorganized districts.

Which was read the first time and referred to the Committee on Education.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Monday, January 29, 1979.

ROY GILBREATH, Chief Clerk

NINETEENTH DAY

Bismarck, January 29, 1979

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

The prayer was offered by Rev. Harold Vold, Concordia College, Moorhead, Minnesota.

The roll was called, and all members were present except Reps. Backes, DuBord, Gerl, Kloubec, Retzer and Scofield.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the

Journal has carefully examined the Journal of the Eighteenth

day and recommends that the same be corrected as follows:

On page 438, line 22, correct the spelling of "definition"

On page 439, line 16, correct the spelling of "resolution"

And when so corrected recommends that the same be approved.

*Steve Swiontek* Chairman  
Rep. Swiontek

Rep. Pomeroy

moved that the report be adopted, which motion

prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1041
- HB NO. 1074
- HB NO. 1209
- HB NO. 1260
- HB NO. 1295
- HB NO. 1318
- HB NO. 1320
- HB NO. 1330
- HB NO. 1340
- HCR NO. 3016

and find the same correctly } ~~Enrolled~~  
Engrossed

*Wayne Stender* Chairman  
Rep. Stender ~~moved~~ moved that the report be adopted, which

Representative Hanson  
motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

HCR NO. 3014

and find the same correctly } Enrolled  
~~ENGROSSED~~

*Wayne Stender* Chairman  
Rep. Stender ~~moved~~ moved that the report be adopted, which

Representative Hanson  
motion prevailed, and the report was adopted.

MOTIONS

Rep. Hanson moved that House Bill No. 1382 be returned to the House from the Committee on Natural Resources for the purpose of withdrawal, which motion prevailed.

Rep. Hanson requested permission to withdraw House Bill No. 1382. There being no objection, it was so ordered by the Speaker.

Rep. Kingsbury moved that House Bill No. 1406 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Kingsbury requested permission to withdraw House Bill No. 1406. There being no objection, it was so ordered by the Speaker.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution No. 3014

And the Speaker signed the same in the presence of the House of Representatives.

SIXTH ORDER OF BUSINESS

Rep. Kloubec moved that the amendments to House Bill No. 1206 as recommended by the Committee on Natural Resources as printed on pages 429 and 430 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1229 as recommended by the Committee on Judiciary as printed on page 430 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1268 as recommended by the Committee on Industry, Business and Labor as printed on pages 430, 431 and 432 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1285 as recommended by the Committee on Transportation as printed on page 433 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1293 as recommended by the Committee on Political Subdivisions as printed on pages 433 and 434 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1311 as recommended by the Committee on Transportation as printed on pages 434 and 435 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1313 as recommended by the Committee on Industry, Business and Labor as printed on pages 435 and 436 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1341 as recommended by the Committee on Natural Resources as printed on pages 436 and 437 of the House Journal be adopted, which motion prevailed.

MOTIONS

Rep. Wessman moved that House Bill No. 1498 be returned to the House from the Committee on Transportation for the purpose of withdrawal, which motion prevailed.

Rep. Wessman requested permission to withdraw House Bill No. 1498. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

**House Bill No. 1070.** — A Bill for an Act to create and enact chapter 27-17.1 of the North Dakota Century Code, relating to retirement of judges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 27; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	HERMAN		●	MATTSON		●	UNHJEM	
		●		HICKLE	●		MEIERS			VANDER VORST	
●				HOFFNER			MELBY	●		VIG	●
●				HOUWMANN		●	MERTENS			WAGNER	
●				HOVE	●		MEYER			WALD	
●				JACOBSEN, R.		●	MURPHY			WALSH	
●				JACOBSON, I.		●	MUSHIK			WEBER	
●				KELLY		●	NICHOLAS			WENTZ	
		●		KENNELLY	●		OLSON			WESSMAN	
●				KERMOTT	●	●	OPEDAH			WINKLER	
●				KINGSBURY			PETLIER				
●				KLOUBEC		●	PETERSON			MR SPEAKER	
●				KNUDSON			POMEROY				
●				KOSKI		●	REED				
●				KRETSCHMAR			RETTZ				
●				KUCHERA			RICHARD				
●				LANG		●	RICHE				
●				LANGLEY	●		RIEHL				
●				LARDY			RUED				
●				LARSON, F. # 24		●	SCHINDLER				
●				LARSON, G. # 29		●	SCOFIELD				
●				LARSON, H. # 7	●		SOLBERG				
				LEE	●	●	STENEHJEM				
		●		LEIBHAN	●		STRINDEN				
		●		LIPSIEA		●	SWONTEK				
●				MAXNER			THOMPSON				
●				MARSDEN	●		THORSGARD				
●				MARTIN			TIMM				
●				MARTINSON	●		TINJUM				
●				WATHEBY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1100.** — A Bill for an Act to create and enact a new section to chapter 2-03 of the North Dakota Century Code, relating to strobe lights on structures in excess of five hundred feet.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 13; nays, 84; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	•		HEFMAN	•		MATTSON	•	UNHJEM	•
BENEDICT	•		HICKLE	•		MEIERS	•	VANDER VORST	•
BERG	•		HOFFNER	•		MELBY	•	VIG	•
BERGE	•		HOFMANN	•		MERTENS	•	WAGNER	•
BERGER	•		HOVE	•		MEYER	•	WALD	•
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH	•
BLACK	•		JACOBSON, I.	•		MUSHIK	•	WEBER	•
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ	•
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN	•
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKLER	•
CONNY	•		KINGSBURY	•		PELTIER	•		
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR SPEAKER	•
DICK	•		KNUDSON	•		POMEROY	•		
DIETZ	•		KOSKI	•		REED	•		
DOTZENROD	•		KRETSCHMAR	•		RETZER	•		
DUBORD	•		KUCHERA	•		RICHARD	•		
EAGLES	•		LANG	•		RICHIE	•		
ERICKSON	•		LANGLEY	•		RIEHL	•		
FLEMING	•		LARDY	•		RUED	•		
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•		
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•		
GERL	•		LARSON, H. # 7	•		SOLBERG	•		
GORDER	•		LEE	•		STENEHJEM	•		
GUNDERSON	•		LEIBHAN	•		STRINDEN	•		
GUNSCH	•		LIPSIEA	•		SWONTEK	•		
HANSON	•		MAIXNER	•		THOMPSON	•		
HAUGLAND	•		MARSDEN	•		THORSGARD	•		
HAUSAUER, A. # 46	•		MARTIN	•		TIMM	•		
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•		
HEDSTROM	•		MATHENY	•		TWETEN	•		

So the bill lost.

**House Bill No. 1270.** — A Bill for an Act to amend and reenact section 50-18-07 of the North Dakota Century Code, relating to furnishing information to communities and requiring a certificate of need before establishing or expanding boarding home for the aged and infirm.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 7; nays, 89; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	•		HEFMAN	•		MATTSON	•	UNHJEM	•
BENEDICT	•		HICKLE	•		MEIERS	•	VANDER VORST	•
BERG	•		HOFFNER	•		MELBY	•	VIG	•
BERGE	•		HOFMANN	•		MERTENS	•	WAGNER	•
BERGER	•		HOVE	•		MEYER	•	WALD	•
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH	•
BLACK	•		JACOBSON, I.	•		MUSHIK	•	WEBER	•
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ	•
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN	•
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKLER	•
CONNY	•		KINGSBURY	•		PELTIER	•		
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR SPEAKER	•
DICK	•		KNUDSON	•		POMEROY	•		
DIETZ	•		KOSKI	•		REED	•		
DOTZENROD	•		KRETSCHMAR	•		RETZER	•		
DUBORD	•		KUCHERA	•		RICHARD	•		
EAGLES	•		LANG	•		RICHIE	•		
ERICKSON	•		LANGLEY	•		RIEHL	•		
FLEMING	•		LARDY	•		RUED	•		
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•		
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•		
GERL	•		LARSON, H. # 7	•		SOLBERG	•		
GORDER	•		LEE	•		STENEHJEM	•		
GUNDERSON	•		LEIBHAN	•		STRINDEN	•		
GUNSCH	•		LIPSIEA	•		SWONTEK	•		
HANSON	•		MAIXNER	•		THOMPSON	•		
HAUGLAND	•		MARSDEN	•		THORSGARD	•		
HAUSAUER, A. # 46	•		MARTIN	•		TIMM	•		
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•		
HEDSTROM	•		MATHENY	•		TWETEN	•		

So the bill lost.

**House Bill No. 1271.** — A Bill for an Act to amend and reenact subsection 2 of section 2-06-13 of the North Dakota Century Code, relating to federal and state aid for airports and designation of the aeronautics commission as agent to receive and disburse federal and state moneys for all general aviation airport authorities for improvements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 89; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON			UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G # 25		•	SCOFIELD		•			
GER		•	LARSON, H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENHJEM		•			
GUNDERSON		•	LEIBMAN		•	STRINDEN		•			
GUNSCH		•	LIPSIA		•	SWIONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER, A # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1359.** — A Bill for an Act to create and enact a new section to chapter 20.1-07 of the North Dakota Century Code, relating to the taking of fox and coyote with dogs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 66; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F # 24		•	SCHINDLER		•			



54-42-02.1 of the North Dakota Century Code, relating to the organization, meetings, and compensation of the merit system council; to amend and reenact sections 54-42-01, 54-44.3-01, 54-44.3-11, 54-44.3-12, 54-44.3-15, 54-44.3-16, 54-44.3-20, 54-44.3-21, and 54-44.3-22 of the North Dakota Century Code, relating to the merit system council and legislative intent and the establishment, powers, and duties of the state personnel division; and to repeal sections 54-44.3-02, 54-44.3-03, 54-44.3-04, 54-44.3-05, 54-44.3-06, 54-44.3-07, 54-44.3-08, 54-44.3-09, 54-44.3-10, 54-44.3-13, 54-44.3-14, 54-44.3-17, 54-44.3-18, 54-44.3-19, 54-44.3-23, 54-44.3-24, 54-44.3-25, 54-44.3-26, and 54-44.3-27 of the North Dakota Century Code, relating to the state personnel board, records of the central personnel division, assistance to cities and political subdivisions, application of central personnel system to certain employees, prohibitive conduct, penalty for violation, and records of the merit system council.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Leibhan and Vander Vorst introduced:

**House Bill No. 1619.** — A Bill for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08 of the North Dakota Century Code, relating to enrollment periods used in determining per-pupil foundation program payments for school districts.

Was read the first time and referred to the committee on Education.

Reps. Gerl and Fleming introduced:

**House Bill No. 1620.** — A Bill for an Act to provide for the determination of the fair market rental value of leaseholds on railroad rights of way; and to amend and reenact subsection 4 of section 49-01-01 of the North Dakota Century Code, relating to the definition of rate.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Stenehjem, Unhjem, Mushik and Sens. Holmberg, Redlin and Christensen introduced:

**House Bill No. 1621.** — A Bill for an Act relating to adult abuse, protection orders, temporary protection orders, assistance of peace officers in service or execution of protection orders, the right to apply for relief, the exclusiveness of the remedy from other remedies, emergency relief; and providing a penalty for violation of a protection order.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Mushik, Olson and Stenehjem and Senators H. Christensen and Redlin introduced:

**House Bill No. 1622.** — A Bill for an Act to create and enact chapter 50-06.2 of the North Dakota Century Code, providing counseling, training, jobs, services, and health care for displaced homemakers.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Fleming, R. Hausauer and Weber introduced:

**House Bill No. 1623.** — A Bill for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to authority of the highway commissioner and local authorities to regulate the use of highways in their respective jurisdiction and to deposit funds collected in their respective road funds for highway purposes.

Was read the first time and referred to the committee on Transportation.

Reps. Fleming, Mushik, Herman and Knudson introduced:





Mr. President: I have the honor to transmit herewith the following:  
House Concurrent Resolution No. 3014  
Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2021
- Senate Bill No. 2023
- Senate Bill No. 2052
- Senate Bill No. 2223
- Senate Bill No. 2224
- Senate Bill No. 2297
- Senate Bill No. 2319
- Senate Bill No. 2377
- Senate Concurrent Resolution No. 4013

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit:  
Senate Concurrent Resolution No. 4024  
Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
Senate Concurrent Resolution No. 4024  
And the Speaker signed the same in the presence of the House of Representatives.

SECOND READING OF HOUSE BILLS

**House Bill No. 1260.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to raising storage rates for warehouse and storage contracts.

Which has been read.

Rep. Langley requested that he be excused from voting on House Bill No. 1260 because of a conflict of interest.

Rep. Backes moved that Rep. Langley be allowed to vote on House Bill No. 1260, which motion prevailed.

Rep. Peltier requested that he be excused from voting on House Bill No. 1260 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Peltier be allowed to vote on House Bill No. 1260, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 57; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	HERMAN		•	WATTSON			UNHJEM	•
•	BENEDICT		•	HICKLE		•	WEIERS			VANDER VORST	•
	BERG			HOFFNER	•	•	MELBY	•		VG.	•
	BERGE	•		HOUMANN	•	•	MERTENS			WAGNER	•
	BERGER	•	•	HOVE		•	MEYER			WALD	•
•	BJORNSON			JACOBSEN R.	•		MURPHY			WALSH	•
	BLACK	•	•	JACOBSON I.			MUSHIK	•		WEBER	
	BOYUM	•	•	KELLY		•	NICHOLAS		•	WFNT7	

BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKLER	•
CONMY	•	KINGSBURY	•	PELTIER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERIKSSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON F # 24	•	SCHINDLER	•		
GACKLE	•	LARSON G # 29	•	SCOFIELD	•		
GERL	•	LARSON H # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIEA	•	SWIONTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER A # 49	•	MARTIN	•	TIMM	•		
HAUSAUER R # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1299.** — A Bill for an Act to amend and reenact section 20.1-03-08 of the North Dakota Century Code, relating to nonresident fishing license requirements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 38; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			•	HERMAN		•	MATTSON		•	UNHJEM	
		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
			•	HOFFNER			MELBY		•	VIG	
			•	HOUWMANN			MERTENS		•	WAGNER	
			•	HOVE			MEYER		•	WALD	
			•	JACOBSEN R		•	MURPHY		•	WALSH	
			•	JACOBSON I			MUSHIK		•	WEBER	•
			•	KELLY			NICHOLAS		•	WENTZ	
			•	KENNELLY			OLSON		•	WESSMAN	
			•	KERMOTT			OPEDAHL		•	WINKLER	
			•	KINGSBURY			PELTIER				
			•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
			•	KNUDSON		•	POMEROY				
			•	KOSKI		•	REED				
			•	KRETSCHMAR		•	RETZER				
			•	KUCHERA		•	RICHARD				
			•	LANG			RICHIE		•		
			•	LANGLEY			RIEHL		•		
			•	LARDY			RUED		•		
			•	LARSON F # 24		•	SCHINDLER		•		
			•	LARSON G # 29		•	SCOFIELD		•		
			•	LARSON H # 7			SOLBERG		•		
			•	LEE		•	STENEHJEM		•		
			•	LEIBHAN		•	STRINDEN		•		
			•	LIPSIEA		•	SWIONTEK		•		
			•	MAIXNER		•	THOMPSON		•		
			•	MARSDEN		•	THORSGARD		•		
			•	MARTIN		•	TIMM		•		
			•	MARTINSON		•	TINJUM		•		
			•	MATHENY		•	TWETEN		•		

So the bill passed and the title was agreed to.

**House Bill No. 1305.** — A Bill for an Act to authorize the state board of higher education to exchange land presently used by Hettinger experiment station for land presently owned by Hettinger public school district no. 13.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●			●	JACOBSEN, I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAH		●	WINKJER	
●			●	KINGSBURY		●	PELTIER		●	MR. SPEAKER	
●			●	KLOUBEC		●	PETERSON				
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F. # 24		●	SCHINDLER				
●			●	LARSON, G. # 29		●	SCOFIELD				
●			●	LARSON, H. # 7		●	SOLBERG				
●			●	LEE		●	STENEHJEM				
●			●	LEIBMAN		●	STRINDEN				
●			●	LIPSIA		●	SHOKTEK				
●			●	MAJNER		●	THOMPSON				
●			●	MARSDEN		●	THORSGARD				
●			●	MARTIN		●	TMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Concurrent Resolution No. 4024

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1308.** — A Bill for an Act to amend and reenact subsection 12 of section 40-57-03 of the North Dakota Century Code, relating to the powers of a municipality under the Municipal Industrial Development Act, and providing that construction, reconstruction, improvement, and betterment projects where the lessee is a governmental entity or public institution are subject to chapter 48-02 which deals with government construction projects.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 64; nays, 33; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●			●	JACOBSEN, I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAH		●	WINKJER	
●			●	KINGSBURY		●	PELTIER		●	MR. SPEAKER	
●			●	KLOUBEC		●	PETERSON				
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				

● FREBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 29	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWINTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. # 49	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Duane Brekke, and Rep. Brekke was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1318.** — A Bill for an Act to amend and reenact subsections 2 and 5 of section 11-10-10 of the 1977 Supplement to the North Dakota Century Code, relating to the salaries of county officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 11; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE		●	● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER			● MR SPEAKER		
● CRABTREE			● KLOUBEC			● PETERSON					
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD		●	● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD		●			
● EAGLES			● LANG			● RICHIE					
● ERIKSON			● LANGLEY			● RIEHL					
● FLEWING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD		●			
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON		●	● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWINTEK		●			
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN		●	● THORSGARD		●			
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following: House Concurrent Resolution No. 3014

Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1320.** — A Bill for an Act to amend and reenact subsection 26 of section 20.1-03-12 and section 20.1-06-07 of the North Dakota Century Code, relating to the fee and effective period for fish house licenses.

Which has been read.





**House Bill No. 1340.** — A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of horses and mules in hunting big game.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEW		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON		•	• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW		•	• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 48			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHEWY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1345.** — A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to mileage reimbursement for county officials.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEW		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWONTEK					

• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #45	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1361.** — A Bill for an Act to amend and reenact subsection 1 of section 11-15-12 of the North Dakota Century Code, relating to mileage for sheriffs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 10; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE		•	• HOLMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW		•	• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY		•	• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON		•	• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER		•			
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON		•	• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED		•			
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #28			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER		•	• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIAE			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD		•			
• HAUSAUER A. #49			• MARTIN			• TIMM					
• HAUSAUER R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN		•			

So the bill passed and the title was agreed to.

**House Bill No. 1375.** — A Bill for an Act to amend and reenact sections 11-28.3-03, 11-28.3-04, 11-28.3-09, 57-15-50, 57-15-51, and 57-15-51.1 of the North Dakota Century Code, relating to increasing the city, county, township, and rural ambulance service district mill levies allowed for ambulance services and providing for a dedicated ambulance sinking fund for replacement of equipment and ambulances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 15; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE		•	• HOLMANN		•	• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		•
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN		•	• KERWOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					

● CRABTREE	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**MOTIONS**

Rep. Kloubec requested unanimous consent of the House to amend House Concurrent Resolution No. 3016, which request was granted.

Rep. Kloubec moved that engrossed House Concurrent Resolution No. 3016 be amended as follows:

On Page 2, line 5, following the word "community" delete the word "of" and insert in lieu thereof the word "or"

Which motion prevailed.

Rep. Kloubec moved that the rules be suspended and that House Concurrent Resolution No. 3016 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF A HOUSE  
CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3016.** — A concurrent resolution directing the Legislative Council to study floodplain management, including the construction of dikes and other devices for flood control regulation.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the House Concurrent Resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 1074. — A Bill for an Act to amend and reenact sections 61-02-46 and 61-02-50 of the North Dakota Century Code, relating to the amount and negotiability of revenue bonds issued by the water commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 55; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN		●	●	WATTSO				UNHEM
●			HICKLE		●	●	WEERS		●		VANDER VORST
●			HOEFNER				WELBY		●		VIG
●			HOUMANN			●	WERTENS				WAGNER
●			HOVE		●	●	MEYER		●		WALD
●			JACOBSEN R		●		MURPHY		●		WALSH
●			JACOBSON I			●	MUSHIK		●		WEBER
●			KELLY				NICHOLAS		●		WENTZ
●			KENNELLY		●		OLSON		●		WESSMAN
●			KERMOTT			●	OPEDAHL				WINKER
●			KINGSBURY		●		PETTER				WR SPEAKER
●			KLOUBEC		●		PETERSON				
●			KNUDSON			●	POWEROY				
●			KOSKI				REED				
●			KRETSCHMAR				RETZER				
●			KUCHERA		●	●	RICHARD				
●			LANG		●		RICHIE				
●			LANGLEY			●	RIEHL				
●			LARDY				RUED				
●			LARSON F # 24		●		SCHINDLER				
●			LARSON G # 29		●		SCOFIELD				
●			LARSON H # 7		●		SOLBERG				
●			LEE		●	●	STENEJEM				
●			LEIBHAN		●		STRINDEN				
●			LIPSIA		●		SWONTEK				
●			MAIXNER		●		THOMPSON				
●			MARSDEN		●		THORSGARD				
●			MARTIN				TIMM				
●			MARTINSON		●	●	TINJUM				
●			MATHENY		●		TWETEN				

So the bill lost.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution No. 3014

was delivered to the Governor Secretary of State at the hour of

3:01 o'clock P.M., January 29, 1979

Wayne Stenejem, Rep. Wayne Stenejem, Chairman

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1012, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 4; Absent, 2, that the same

- do pass, do not pass, be placed on calendar without recommendation, be amended as follows

On page 1, line 12, delete the numerals "410,913" and insert in lieu thereof the numerals "398,097"

On page 1, line 17, delete the numerals "74,603" and insert in lieu thereof the numerals "73,580"

On page 1, line 18, delete the numerals "96,972" and insert in lieu thereof the numerals "90,612"

On page 1, line 20, delete the numerals "18,923" and insert in lieu thereof the numerals "13,490"

On page 1, line 23, delete the numerals "410,913" and insert in lieu thereof the numerals "398,097"

On page 2, line 1, delete the numerals "190,913" and insert in lieu thereof the numerals "178,097"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to reduce the amount recommended for salaries and wages by \$1,023 which will provide adequate funds for 6.5 percent annual salary increases and adequate fringe benefits including family medical insurance coverage. The amounts recommended for fees and services is reduced by \$6,360 and supplies and materials by \$5,433 to provide funds based on 7 percent annual inflation increases over present levels of expenditures.



Rep. James A. Peterson Chairman

House Bill No. 1012 was placed on the 6th order of business on the calendar for the succeeding legislative day.

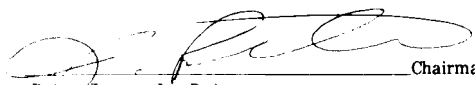
Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1013, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson Chairman

House Bill No. 1013 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1080, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Martinson Chairman  
House Bill No. 1080 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1233 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Rep. Rued Chairman  
HOUSE Bill No. 1233 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1238 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 1, that the same

[ ] do pass. [X] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Rep. Erickson Chairman  
House Bill No. 1238 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS to whom was referred HOUSE

Bill No. 1240 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 4, after the numerals "50-25.1-02," insert the following: "subsection 1 of section 50-25.1-03,"

On page 4, line 28, delete the word "a"

On page 4, line 29, delete the words "day care center,"

On page 5, line 14, after the word "neglect." insert the following: "All team members, at the time of their selection and thereafter, shall be staff members of the public or private agency which they represent, or shall serve without remuneration."

On page 5, after line 19, insert the following section:

"SECTION 6. AMENDMENT.) Subsection 1 of section 50-25.1-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 1. Any physician, nurse, dentist, optometrist, medical examiner or coroner, or any other medical or mental health professional, religious practitioner of the healing arts, schoolteacher or administrator, school counselor, social worker, day care center or any other child care worker, police or law enforcement officer having knowledge of or reasonable cause to suspect that a child coming before him in his official or professional capacity is abused or neglected shall report the circumstances to the division."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*Haugland* Chairman

HOUSE Bill No. 1240 Rep. Haugland was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1246, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*James A. Peterson* Chairman

Rep. James A. Peterson

House Bill No. 1246 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Bill No. 1259, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Martinson* Chairman

Rep. Martinson

House Bill No. 1259 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Bill No. 1267, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 6; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Rep. Martinson Chairman  
House Bill No. 1267 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1278 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Rep. Martinson Chairman  
House Bill No. 1278 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1319 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

- On page 1 delete all of line 17 and insert in lieu thereof the following: "Agency" means the North Dakota student financial assistance agency.
- On page 2, line 14 after the word "resident" insert the following: ", pursuant to Chapter 15-10-19 of the North Dakota Century Code,"
- On page 2, line 28 delete "BOARD OF HIGHER EDUCATION" and insert in lieu thereof the following: "NORTH DAKOTA STUDENT FINANCIAL ASSISTANCE AGENCY" and also on line 28 delete the second word "board" and insert in lieu thereof the word "agency"
- On page 3, line 17 delete the word "board" and insert in lieu thereof the word "agency"
- On page 4, line 4 delete the word "board" and insert in lieu thereof the word "agency"
- On page 4, line 9 delete the word "board" and insert in lieu thereof the word "agency"
- On page 4, delete all of lines 15,16, and 17 and insert in lieu thereof the following new language: "completion of any term, any refund to the student and/or repayment to the tuition assistance grant fund shall be governed by the published refund/repayment policy of the institution"
- on page 4, line 18 delete the word "semester"
- On page 4, line 20 delete the word "board" and insert in lieu thereof the word "agency"
- On page 4, line 24 delete "state board of higher" and insert in lieu thereof the following: "North Dakota student financial assistance agency"
- On page 4, line 25 delete the word "education"



And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the committee on Appropriations

*Rep. Knudson*  
Rep. Knudson

Chairman

House Bill No. 1319 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1333, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Rued*  
Rep. Rued

Chairman

HOUSE Bill No. 1333 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1346, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, delete all of lines 21 and 22.

On page 2, line 1, delete the numeral "3" and insert in lieu thereof the numeral "2"

On page 2, after line 6, insert the following:

" 3. Licenses with current registration shall not be required to pay the initial license fee."

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

*Rep. Rued*  
Rep. Rued

Chairman

HOUSE Bill No. 1346 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1369, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Chairman

HOUSE Bill No. 1369 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1423 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 2; Absent, 0 that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Chairman

HOUSE Bill No. 1423 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1416 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1 that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 3 after the word "teachers" insert the following: " , and declaring an emergency"

On page 1, after line 19 insert the following:

"SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

House Bill No. 1416 Rep. Knudson was placed on the 6 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1532 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2 that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

*Rep. Knudsen* \_\_\_\_\_ Chairman  
Rep. Knudsen  
House Bill No. 1532 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate  
Bill No. 2102, has had the same under consideration and recommends, by a vote of  
Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

*J. Peterson* \_\_\_\_\_ Chairman  
Rep. James A. Peterson  
Senate Bill No. 2102 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate  
Bill No. 2103, has had the same under consideration and recommends, by a vote of  
Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

*J. Peterson* \_\_\_\_\_ Chairman  
Rep. James A. Peterson  
Senate Bill No. 2103 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

ANNOUNCEMENT

Rep. Strinden requested that the record show that on February 2 and 3, 1979, Reps. Unhjem and Hoffner and Senator Curtis Peterson will represent the 46th Legislative Assembly at a conference sponsored by the Council on State Governments on medical and health costs, which conference is to be held in St. Louis, Missouri.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Tuesday, January 30, 1979, which motion prevailed.

FIRST READING OF HOUSE  
CONCURRENT RESOLUTIONS

Rep. H. Larson introduced:

**House Concurrent Resolution No. 3039.** — A concurrent resolution urging a moratorium on structural changes in the North Dakota judicial system and directing the Legislative Council to arrange for an independent study of the judicial system by a consultant and to prepare any necessary legislation.

Was read the first time and referred to the Committee on Judiciary.

Rep. Wentz introduced:

**House Concurrent Resolution No. 3040.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making public the lending criteria utilized by financial institutions.

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

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2080.** — A Bill for an Act to amend and reenact sections 20.1-02-23, 20.1-02-24, and 20.1-02-25 of the North Dakota Century Code, relating to the membership, compensation, meetings, and duties of the state game and fish advisory board.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2091.** — A Bill for an Act to amend and reenact subsection 4 of section 63-01.1-02, subsection 2 of section 63-01.1-03, and section 63-01.1-04 of the North Dakota Century Code, relating to definition of noxious weed, determination of which weeds are noxious statewide and countywide, and giving the county control authority power to declare county noxious weed for county purposes.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2107.** — A Bill for an Act to amend and reenact section 6-09.1-02 of the North Dakota Century Code, relating to the appointment, membership, officers, terms, duties, and compensation of the Bank of North Dakota advisory board of directors.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2121.** — A Bill for an Act to amend and reenact section 39-10.2-06 of the North Dakota Century Code, relating to requiring anyone, under the age of eighteen, operating a motorcycle to wear protective headgear, requiring anyone operating a motorcycle, eighteen or older, to have headgear in possession at all times, and requiring anyone riding upon a motorcycle to wear headgear at all times.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2168.** — A Bill for an Act to limit the establishment of radioactive waste material repositories in North Dakota.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2182.** — A Bill for an Act to amend and reenact section 6-03-59 of the North Dakota Century Code, relating to loan limitation.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2185.** — A Bill for an Act to amend and reenact section 6-01-18 of the North Dakota Century Code, relating to reports and examinations of institutions insured in federal deposit insurance corporation.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2187.** — A Bill for an Act to amend and reenact section 6-01-09 of the North Dakota Century Code, relating to the supervision and examination of banks.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2196.** — A Bill for an Act to create and enact three new subdivisions to subsection 26 of section 57-39.2-04 and three new subdivisions to subsection 12 of section 57-40.2-04 of the North Dakota Century Code, relating to exemptions from sales and use tax for sales of equipment used to modify motor vehicles, real property, and motorized implements of husbandry for use by physically disabled individuals; and to create and enact a new subsection to 57-40.3-04 of the North Dakota Century Code, relating to an exemption from the motor vehicle excise tax for certain sales to handicapped individuals.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2198.** — A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for the examination of banks.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2200.** — A Bill for an Act to amend and reenact sections 6-09-29, 6-10-06, and 7-05-01 of the North Dakota Century Code, relating to fees for the examination of the Bank of North Dakota, agents for deposits, and savings and loan associations.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2234.** — A Bill for an Act to amend and reenact sections 16-10-12 and 16-10-16 of the North Dakota Century Code, if House Bill No. 1138 is not approved by the forty-sixth legislative assembly, relating to compensation for election officials.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2242.** — A Bill for an Act to amend and reenact section 15-20.2-04 of the North Dakota Century Code, relating to multi-district center boards, appointment of members, terms, compensation and vacancies.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2262.** — A Bill for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to the application of refunds and credits; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2269.** — A Bill for an Act to amend and reenact subsection 1 of section 15-34.1-03, and sections 15-36-11, 15-38-07, 15-41-24 and 15-41-25 of the North Dakota Century Code, relating to the requirements for the minimum curriculum of all schools and the approval of private schools.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2284.** — A Bill for an Act to provide an appropriation to the Grafton state school to indemnify Mrs. Ray Holt, Mrs. Myrtle McDonald, Mr. Tim Holt, Nygard's Auto, Inc., and Wally's Fairway Foods, all of Grafton, North Dakota, for property and other losses suffered due to the acts of residents of Grafton state school.

Which was read the first time and referred to the Committee on State and Federal Government.

MONDAY, JANUARY 29, 1979

469

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Tuesday, January 30, 1979.

ROY GILBREATH, Chief Clerk

TWENTIETH DAY

Bismarck, January 30, 1979

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

The prayer was offered by Rev. Ted Kalkwarf, Faith Lutheran Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gerl, Hove, Kloubec and Scofield.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Nineteenth Day and finds the same to be correct.

Handwritten signature of Steve Swigtek, Chairman, Rep. Swigtek

Rep. Houmann moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1206
HB NO. 1229
HB NO. 1268
HB NO. 1285
HB NO. 1293
HB NO. 1311
HB NO. 1313
HB NO. 1341

and find the same correctly Engrossed

Handwritten signature of Wayne Strinden, Chairman, Rep. Strinden

Representative Hanson moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Strinden moved that that portion of House Rule No. 45 pertaining to the date all bills and resolutions must be reported out of committee be

suspended, and that that date now be designed as the 35th legislative day, excluding those measures excepted in the rule, which motion prevailed.

Rep. Strinden moved that that portion of Joint Rules No. 8 pertaining to all bills and resolutions being sent to the other house be suspended, and the cross-over date be designated as the 37th legislative day, excluding those measures excepted in the rule, which motion prevailed.

#### ANNOUNCEMENT

Rep. Strinden requested that the record show that Rep. Stenehjem will replace Rep. Unhjem as a representative of the 46th Legislative Assembly at the Health Care Cost Conference in St. Louis, Missouri, on February 2 and 3, 1979.

#### MOTIONS

Rep. Stenehjem moved that House Bill No. 1390 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Stenehjem requested permission to withdraw House Bill No. 1390. There being no objection, it was so ordered by the Speaker.

Rep. Berger moved that House Bill No. 1227 be returned to the House from the Committee on Political Subdivisions for the purpose of withdrawal, which motion prevailed.

Rep. Berger requested permission to withdraw House Bill No. 1227. There being no objection, it was so ordered by the Speaker.

Rep. Knudson moved that the House reconsider its action whereby House Bill No. 1305 was passed, which motion prevailed.

Rep. Knudson moved that engrossed House Bill No. 1305 be re-referred to the Committee on Education, which motion prevailed.

Rep. Unhjem moved that the House reconsider its action whereby House Bill No. 1260 failed to pass, which motion prevailed.

Rep. Unhjem moved that engrossed House Bill No. 1260 be re-referred to the Committee on Agriculture, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1012 as recommended by the Committee on Appropriations as printed on pages 459 and 460 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1240 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 461 and 462 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1319 as recommended by the Committee on Education as printed on pages 463 and 464 of the House Journal be adopted, which motion prevailed.

House Bill No. 1319 was re-referred to the Committee on Appropriations.

Rep. Rued moved that the amendments to House Bill No. 1346 as recommended by the Committee on Industry, Business and Labor as printed on page 464 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1416 as recommended by the Committee on Education as printed on page 465 of the House Journal be adopted, which motion prevailed.



REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Joint Resolution #1

was delivered to the Secretary of State for his approval at the hour of

1:10 o'clock p.m., January 30, 1979

Wayne Stenejem, Chairman

SECOND READING OF HOUSE BILLS

House Bill No. 1238. — A Bill for an Act to assist cities in relocating bridges causing flood damage; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 82; absent and not voting, 2.

Table with columns: REGULAR SESSION, ROLL-CALL, 1979 LEGISLATURE. Rows list representatives and their voting status (YEAS, N-V, NAYS).

So the bill lost.

House Bill No. 1246. — A Bill for an Act to amend and reenact section 22 of chapter 587 of the 1975 Session Laws of North Dakota, relating to an appropriation for administration of the Uniform Crime Victims Reparations Act and providing retroactive application.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 90; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	•		HERMAN	•		MATTSON	•	UNJEM	•
BENEDICT	•		HICKLE	•		MEIERS	•	VANDER VORST	•
BERG	•		HOFFNER	•		MELBY	•	VIG	•
BERGE	•		HOUMANN	•		MERTENS	•	WAGNER	•
BERGER	•		HOVE	•		MEYER	•	WALD	•
BJOHNSON	•		JACOBSEN, R	•		MURPHY	•	WALSH	•
BLACK	•		JACOBSON, I	•		MUSHIK	•	WEBER	•
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ	•
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN	•
CHRISTENSEN	•		KERMOTT	•		OPEDAH	•	WINKER	•
CONNY	•		KINGSBURY	•		PELTIER	•		
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR. SPEAKER	•
DICK	•		KNUDSON	•		POMEROY	•		
DIETZ	•		KOSKI	•		REED	•		
DOTZENROD	•		KRETSCHMAR	•		RETZER	•		
DuBORD	•		KUCHERA	•		RICHARD	•		
EAGLES	•		LANG	•		RICHIE	•		
ERICKSON	•		LANGLEY	•		RIEHL	•		
FLEMING	•		LARDY	•		RUED	•		
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•		
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•		
GERL	•		LARSON, H # 7	•		SOLBERG	•		
GORDER	•		LEE	•		STENEHJEM	•		
GUNDERSON	•		LEIBHAN	•		STRINDEN	•		
GUNSCH	•		LIPSIEA	•		SWONTEK	•		
HANSON	•		MAUXNER	•		THOMPSON	•		
HAUGLAND	•		MARSDEN	•		THORSgard	•		
HAUSAUER, A # 48	•		MARTIN	•		TIMM	•		
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•		
HEDSTROM	•		MATHENY	•		TWETEN	•		

So the bill lost.

**House Bill No. 1267.** — A Bill for an Act to amend and reenact subsections 1, 2, 3, 4, 5 and 9 of section 51-10-06, sections 51-10-10, 51-10-11, and 51-10-15 of the North Dakota Century Code, relating to the administration and enforcement of the Unfair Trade Practices Law; and to repeal sections 51-10-12, and 51-10-13, of the North Dakota Century Code and section 51-10-14 of the 1977 Supplement to the North Dakota Century Code, relating to the powers, duties and composition of the North Dakota Trade Commission, and to the issuance of retailer's licenses.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were yeas, 7; nays, 89; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	•		HERMAN	•		MATTSON	•	UNJEM	•
BENEDICT	•		HICKLE	•		MEIERS	•	VANDER VORST	•
BERG	•		HOFFNER	•		MELBY	•	VIG	•
BERGE	•		HOUMANN	•		MERTENS	•	WAGNER	•
BERGER	•		HOVE	•		MEYER	•	WALD	•
BJOHNSON	•		JACOBSEN, R	•		MURPHY	•	WALSH	•
BLACK	•		JACOBSON, I	•		MUSHIK	•	WEBER	•
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ	•
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN	•
CHRISTENSEN	•		KERMOTT	•		OPEDAH	•	WINKER	•
CONNY	•		KINGSBURY	•		PELTIER	•		
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR. SPEAKER	•
DICK	•		KNUDSON	•		POMEROY	•		
DIETZ	•		KOSKI	•		REED	•		
DOTZENROD	•		KRETSCHMAR	•		RETZER	•		
DuBORD	•		KUCHERA	•		RICHARD	•		
EAGLES	•		LANG	•		RICHIE	•		
ERICKSON	•		LANGLEY	•		RIEHL	•		
FLEMING	•		LARDY	•		RUED	•		
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•		
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•		
GERL	•		LARSON, H # 7	•		SOLBERG	•		
GORDER	•		LEE	•		STENEHJEM	•		
GUNDERSON	•		LEIBHAN	•		STRINDEN	•		
GUNSCH	•		LIPSIEA	•		SWONTEK	•		
HANSON	•		MAUXNER	•		THOMPSON	•		
HAUGLAND	•		MARSDEN	•		THORSgard	•		
HAUSAUER, A # 48	•		MARTIN	•		TIMM	•		

HAUSAUER, R. #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill lost.

**House Bill No. 1333.** — A Bill for an Act to amend and reenact sections 49-05-05 and 49-05-06 of the North Dakota Century Code, relating to notice to the public service commission of proposed rate changes with respect to cost of fuel adjustment clauses and public service commission hearings on proposed public utility rates with respect to cost of fuel adjustment clauses.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 58; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN			MATTSON		UNHJEM
BENEDICT			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUHANN			MERTENS		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON			JACOBSEN, R.			MURPHY		WALSH
BLACK			JACOBSON, I.			MUSHIK		WEBER
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL		WINKJER
CONMY			KINGSBURY			PELTIER		
CRABTREE			KLOUBEC			PETERSON		MR. SPEAKER
DICK			KNUDSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENHOF			KRETSCHMAR			RETZER		
DUBORD			KUCHERA			RICHARD		
EAGLES			LANG			RICHIE		
ERICKSON			LANGLEY			RIEHL		
FLEMING			LARDY			RUED		
FREBORG			LARSON, F. #24			SCHINDLER		
GACKLE			LARSON, G. #28			SCOPIELD		
GERL			LARSON, H. #7			SOLBERG		
GORDER			LEE			STENEHJEM		
GUNDERSON			LEIBHAN			STRINDEN		
GUNSCH			LIPSEA			SWONTEK		
HANSON			MAUXNER			THOMPSON		
HAUGLAND			MARSDEN			THORSGARD		
HAUSAUER, A. #49			MARTIN			TIMM		
HAUSAUER, R. #25			MARTINSON			TINJUM		
HEDSTROM			MATHENY			TWETEN		

So the bill lost.

**MOTION**

Rep. Strinden moved that House Bill No. 1369 be placed at the foot of the calendar, which motion prevailed.

**MESSAGE TO THE SENATE**  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1065
- House Bill No. 1075
- House Bill No. 1092
- House Bill No. 1184
- House Bill No. 1212
- House Bill No. 1247
- House Bill No. 1261
- House Bill No. 1265
- House Bill No. 1273
- House Bill No. 1280
- House Bill No. 1292
- House Bill No. 1294



have misunderstood and if so I do apologize, but the testimony indicated to me that if someone interested in starting a business received a grant from this Commission, and then in two or three weeks decided to sell that business to another person, he would not have to pay back that grant to whom had granted it. I object to that system, and I would object to it even more vigorously if it were going to our citizens other than Indians. I am not against it because it goes to Indians. I do not think we should have that kind of program, and that is the reason I voted 'No'."

SECOND READING OF HOUSE BILLS

**House Bill No. 1080.** — A Bill for an Act to provide for the deposit of trade commission funds in the general fund; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to gubernatorial appointments; and to repeal subsections 1 through 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the North Dakota Century Code, relating to the North Dakota trade commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 2; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			●	HERMAN		●	MATTSON		●	UNHJEM	
●	BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST	
●	BERG		●	HOFFNER		●	MELBY		●	VIG	
●	BERGE		●	HOLMANN		●	MERTENS			WAGNER	
●	BERGER		●	HOVE		●	MEYER		●	WALD	
●	BJORNSON		●	JACOBSEN, R		●	MURPHY		●	WALSH	
●	BLACK		●	JACOBSON, I		●	MUSHIK		●	WEBER	
●	BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ	
●	BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN	●
●	CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKLER	
●	CONNY		●	KINGSBURY		●	PELTIER			MR. SPEAKER	
●	CRABTREE		●	KLOUBEC		●	PETERSON				
●	DICK		●	KNUDSON		●	POMEROY				
●	DIETZ		●	KOSKI		●	REED				
●	DOTZENROD		●	KRETSCHMAR		●	RETZER				
●	DUBORD	●	●	KUCHERA		●	RICHARD	●			
●	EAGLES		●	LANG		●	RICHIE				
●	ERICKSON		●	LANGLEY		●	RIEHL				
●	FLEWING		●	LARDY		●	RUED				
●	FREBORG		●	LARSON, F. # 24		●	SCHINDLER				
●	GACKLE		●	LARSON, G. # 28		●	SCOFIELD				
●	GERL		●	LARSON, H. # 7		●	SOLBERG				
●	GORDER		●	LEE		●	STENEHJEM				
●	GUNDERSON		●	LEIBHAN		●	STRINDEN				
●	GUNSCH		●	LIPSIEA		●	SWONTEK				
●	HANSON		●	MAIXNER		●	THOMPSON				
●	HAUGLAND		●	MARSDEN		●	THORSGARD				
●	HAUSAUER A. # 49		●	MARTIN		●	TIMM				
●	HAUSAUER R. # 25		●	MARTINSON		●	TINJUM				
●	HEDSTROM		●	MATHEW		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1206.** — A Bill for an Act to amend and reenact subsection 1 of section 20.1-13-03 of the North Dakota Century Code, relating to the distribution of revenue derived from motorboat licenses and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 55; nays, 42; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BACKES		●	HERMAN		●	MATTSON	●	●	UNHJEM	
●	BENEDICT		●	HICKLE	●	●	MEIERS		●	VANDER VORST	

• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOLMANN	• WERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOIT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F #24	• SCHINDLER	
• GACKLE	• LARSON G #20	• SCOFFIELD	
• GERL	• LARSON H #7	• SOLBERG	
• GORDER	• LEE	• STENEJEW	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A #49	• MARTIN	• TIMM	
• HAUSAUER R #25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1229.** — A Bill for an Act providing for the filing of statements of campaign contributions and expenditures by candidates and political committees and parties, the audit of such statements; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 15; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOEN			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY					
• BERGE		•	• HOLMANN			• WERTENS			• WAGNER		
• BERGER		•	• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY		•	• OLSON		•	• WESSMAN		
• CHRISTENSEN			• KERMOIT		•	• OPEDAHL			• WINKLER		
• CONMY			• KINGSBURY		•	• PELTIER		•			
• CRABTREE			• KLOUBEC			• PETERSON			MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED		•			
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #20			• SCOFFIELD		•			
• GERL			• LARSON H #7			• SOLBERG					
• GORDER		•	• LEE			• STENEJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN		•			
• GUNSCH		•	• LIPSIEA		•	• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN		•	• THORSGARD					
• HAUSAUER A #49			• MARTIN			• TIMM		•			
• HAUSAUER R #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN		•			

So the bill passed and the title was agreed to.

**House Bill No. 1233.** — A Bill for an Act to amend and reenact section 26-25-15 of the North Dakota Century Code, relating to the maximum benefits and assessments under a benevolent society membership contract.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 6.

REGULAR SESSION									ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
• BACKES			• HERMAN			• WATTSON			• UNHJEM					
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST					
• BERG			• HOFFNER			• MELBY			• YIG					
• BERGE			• HOUMANN			• MERTENS			• WAGNER					
• BERGER			• HOVE			• MEYER			• WALD					
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH					
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER					
• BOYUM			• KELLY			• NICHOLAS			• WENTZ					
• BROKAW			• KENNELLY			• OLSON			• WESSMAN					
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER					
• CONMY			• KINGSBURY			• PELTIER								
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER					
• DICK			• KNUDSON			• POMEROY								
• DIETZ			• KOSKI			• REED								
• DOTZENROD			• KRETSCHMAR			• RETZER								
• DUBORD			• KUCHERA			• RICHARD								
• EAGLES			• LANG			• RICHIE								
• ERICKSON			• LANGLEY			• RIEHL								
• FLEMING			• LARDY			• RUED								
• FREBORG			• LARSON, F. # 24			• SCHINDLER								
• GACKLE			• LARSON, G. # 29			• SCOFIELD								
• GERL			• LARSON, H. # 7			• SOLBERG								
• GORDER			• LEE			• STENEHJEM								
• GUNDERSON			• LEIBHAN			• STRINDEN								
• GUNSCHE			• LIPSIEA			• SWONTEK								
• HANSON			• MAIXNER			• THOMPSON								
• HAUGLAND			• MARSDEN			• THORSgard								
• HAUSAUER, A. # 49			• MARTIN			• TIMM								
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM								
• HEDSTROM			• MATHENY			• TWETEN								

So the bill passed and the title was agreed to.

**House Bill No. 1259.** — A Bill for an Act to amend and reenact section 55-10-11 of the North Dakota Century Code, relating to the acquisition of historic sites by the state historical society.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 11; absent and not voting, 6.

REGULAR SESSION									ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
• BACKES			• HERMAN			• WATTSON			• UNHJEM					
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST					
• BERG			• HOFFNER			• MELBY			• YIG					
• BERGE			• HOUMANN			• MERTENS			• WAGNER					
• BERGER			• HOVE			• MEYER			• WALD					
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH					
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER					
• BOYUM			• KELLY			• NICHOLAS			• WENTZ					
• BROKAW			• KENNELLY			• OLSON			• WESSMAN					
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER					
• CONMY			• KINGSBURY			• PELTIER								
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER					
• DICK			• KNUDSON			• POMEROY								
• DIETZ			• KOSKI			• REED								
• DOTZENROD			• KRETSCHMAR			• RETZER								
• DUBORD			• KUCHERA			• RICHARD								
• EAGLES			• LANG			• RICHIE								
• ERICKSON			• LANGLEY			• RIEHL								
• FLEMING			• LARDY			• RUED								
• FREBORG			• LARSON, F. # 24			• SCHINDLER								
• GACKLE			• LARSON, G. # 29			• SCOFIELD								
• GERL			• LARSON, H. # 7			• SOLBERG								
• GORDER			• LEE			• STENEHJEM								
• GUNDERSON			• LEIBHAN			• STRINDEN								
• GUNSCHE			• LIPSIEA			• SWONTEK								
• HANSON			• MAIXNER			• THOMPSON								
• HAUGLAND			• MARSDEN			• THORSgard								
• HAUSAUER, A. # 49			• MARTIN			• TIMM								
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM								
• HEDSTROM			• MATHENY			• TWETEN								

So the bill passed and the title was agreed to.

**House Bill No. 1268.** — A Bill for an Act relating to prohibited provisions in any individual or group accident and sickness insurance policies and nonprofit medical or hospital service contracts, and the responsibility of individual or group insurers and nonprofit medical or hospital service corporations to release information to the social service board of North Dakota pertaining to the coverage of an individual under an individual or group accident and sickness insurance policy or nonprofit medical or hospital service contract.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 4; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	WATTSON		●	LUNHEM	
●			●	HICKLE		●	WEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R		●	MURPHY		●	WALSH	
●			●	JACOBSON		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKLER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSO		●	MR. SPEAKER	
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHER		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON F # 24		●	SCHINDLER				
●			●	LARSON G # 29		●	SCOPELDO				
●			●	LARSON H # 31		●	SOLBERG				
●			●	LEE		●	STENEHEM				
●			●	LEIBMAN		●	STRINDEN				
●			●	LIPSICA		●	SWIONTEK				
●			●	MAKNER		●	THOMPSON				
●			●	MARSDEN		●	THURSGARD				
●			●	MARTIN		●	TUMM				
●			●	MARTINSON		●	TUNUM				
●			●	MATHEWY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1278.** — A Bill for an Act to create and enact section 54-14-04.2 of the North Dakota Century Code, relating to the use of automatic fund transfer systems by the office of the budget for departmental payrolls, and to authorize two pay periods a month.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	WATTSON		●	LUNHEM	
●			●	HICKLE		●	WEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R		●	MURPHY		●	WALSH	
●			●	JACOBSON		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKLER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSO				
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				



• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRANDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Mike Olienyk, and Rep. Olienyk was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1285.** — A Bill for an Act to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to interstate carrier registration and identification; to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to violation of commission order or rule and penalty; to amend and reenact subsections 4, 5, 6, 7, 8, 9, 10, and 11 of section 49-18-01, subsection 6 of section 49-18-02 and sections 49-18-14 and 49-18-17 of the North Dakota Century Code, relating to definitions, exemption of agricultural commodities, factors to be considered by the commission in granting certificates, and discontinuance of service by common motor carriers by order of the commission; and to repeal sections 49-18-34.1, 49-18-35, 49-18-36, 49-18-37, 49-18-38, 49-18-38.1, 49-18-38.2, 49-18-38.3, and 49-18-39 of the North Dakota Century Code, relating to regulation of agricultural carriers.

Which has been read.

Rep. Kretschmar moved that the rules be suspended, and the House dispense with the reading of the title to House Bill No. 1285, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDET			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOJMAN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRANDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					

● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A #48	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1293.** — A Bill for an Act to create and enact a new section to chapter 40-33.2 of the North Dakota Century Code, relating to joint exercise of powers by a city with another public agency in respect to its electric utility system or any project and relating to joint exercise of powers by a municipal power agency with another public agency; to create and enact two new subsections to section 40-33.2-05 of the North Dakota Century Code, relating to exempting bonds and notes issued by a municipal power agency from taxation, and right of any holder of bonds or notes issued by a municipal power agency to bring suit; and to amend and reenact subsection 6 of section 40-33.2-02, subdivision g of subsection 1 of section 40-33.2-03, subsection 4 of section 40-33.2-03, subsection 9 of section 40-33.2-03, subsection 2 of section 40-33.2-05, and section 40-33.2-08 of the North Dakota Century Code, relating to definition of governing body of a city, requirements for agency agreements, bylaws of municipal power agencies, amendment of agency agreements, issuance of bonds and notes and pledges of revenues by the municipal power agencies, and city powers in regard to municipal power agencies, and contracts for electric power and energy and related services.

Which has been read.

Rep. Kretschmar moved that the rules be suspended and that the House dispense with the reading of the title to House Bill No. 1293, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		●
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDALH			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #29			● SCOFELD	●				
● GERL			● LARSON, H #7			● SOLBERG					
● GORDER			● LEE			● STENHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIE			● SWINDEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A #48			● MARTIN			● TIMM					
● HAUSAUER, R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1311.** — A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code relating to motor vehicles exempt from registration fees.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KINGSBURY			● OPEDAHL			● WINKJER		
● CONNY			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● CRABTREE			● KNUDSON			● POMEROY					
● DICK			● KOSKI			● REED					
● DIETZ			● KRETSCHMAR			● RETZER					
● DOTZENROD			● KUCHERA			● RICHARD					
● DuBORD			● LANG			● RICHE					
● EAGLES			● LANGLEY	●		● RIED					
● ERICKSON			● LARDY			● RUED					
● FLEMING			● LARSON, F. #24			● SCHINDLER					
● FREBORG			● LARSON, G. #29			● SCOFIELD	●				
● GACKLE			● LARSON, H. #7			● SOLBERG					
● GERL			● LEE			● STENEHJEM					
● GORDER			● LEIBMAN			● STRANDEN					
● GUNDERSON			● LIPSIEA			● SWONTER					
● GUNSCH			● MAIXNER			● THOMPSON					
● HANSON			● MARSDEN			● THORSGARD					
● HAUGLAND			● MARTIN			● TIMM					
● HAUSAUER A. #49			● MARTINSON			● TINJUM					
● HAUSAUER R. #25			● MATHENY			● TWETEN					
● HEDSTROM											

So the bill passed and the title was agreed to.

**House Bill No. 1313.** — A Bill for an Act to amend and reenact sections 43-04-02 and 43-04-07, subsection 2 of section 43-04-11, subsection 5 of section 43-04-12, and section 43-04-42 of the North Dakota Century Code, relating to a declaration of policy, the compensation of members of the board of barber examiners, rules and orders, the general powers of the board, and the fees to be paid by an applicant for a barbering license; and to repeal sections 43-04-16 and 43-04-17 of the North Dakota Century Code, relating to an order fixing minimum barber service price schedules and the amendment or modification of price schedules after approval.

Which has been read.

Rep. Hedstrom requested that he be excused from voting on House Bill No. 1313 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Hedstrom and any others declaring a conflict of interest be permitted to vote on House Bill No. 1313, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		●

● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSO	● MR SPEAKER
● DICK	● KNUTSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORPER	● LEE	● STENEHEW	
● GUNDERSON	● LEIBMAN	● STRINDEL	
● GUNSCHE	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1341.** — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to hunting birds on utility lines and providing a penalty; and to amend and reenact subsection 6 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of game birds to include mourning doves.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 54; nays, 43; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE			
YEAS	N-V		YEAS	N-V		YEAS	N-V			
●		BACKS	●		HERMAN	●		WATSON	●	UNHEIM
●	●	BENEDICT	●	●	HICKLE	●	●	WEIERS	●	VANDERVORST
●		BERG	●		HOFFNER	●		MELBY	●	VIG
●		BERGE	●		HOUWMANN	●		MERTENS	●	WAGNER
●	●	BERGER	●	●	HOVE	●	●	MUEYER	●	WALD
●		BJORNSON	●		JACOBSEN, R	●		MURPHY	●	WALSH
●	●	BLACK	●	●	JACOBSON, I	●	●	MUSHIK	●	WEBER
●		BOYUM	●	●	KELLY	●	●	NICHOLAS	●	WENTZ
●		BROKAW	●		KENNELLY	●		OLSON	●	WESSMAN
●	●	CHRISTENSEN	●	●	KERNOTT	●	●	OPEDAHL	●	WINKLER
●		CONNY	●		KINGSBURY	●	●	PELTIER		
●		CRABTREE	●		KLOUBEC	●		PETERSO		● MR SPEAKER
●		DICK	●		KNUTSON	●		POMEROY		
●		DIETZ	●		KOSKI	●		REED		
●		DOTZENROD	●		KRETSCHMAR	●		RETZER		
●		DuBORD	●		KUCHERA	●	●	RICHARD		
●		EAGLES	●		LANG	●	●	RICHIE		
●		ERICKSON	●		LANGLEY	●	●	RIEHL		
●	●	FLEMING	●	●	LARDY	●	●	RUED		
●		FREBORG	●		LARSON, F # 24	●	●	SCHINDLER		
●		GACKLE	●	●	LARSON, G # 29	●	●	SCOFIELD		
●		GERL	●	●	LARSON, H # 7	●	●	SOLBERG		
●	●	GORPER	●		LEE	●	●	STENEHEW		
●		GUNDERSON	●		LEIBMAN	●	●	STRINDEL		
●		GUNSCHE	●		LIPSIEA	●	●	SWONTEK		
●		HANSON	●		MAIXNER	●	●	THOMPSON		
●	●	HAUGLAND	●	●	MARSDEN	●	●	THORSGARD		
●		HAUSAUER, A # 49	●		MARTIN	●	●	TIMM		
●		HAUSAUER, R # 25	●		MARTINSON	●	●	TINJUM		
●	●	HEDSTROM	●	●	MATHENY	●	●	TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1423.** — A Bill for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to liability of manufacturers to retailers for performing warranty services on certain items.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 11; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT ●			HICKLE			MEIERS		VANDER VORST
BERG		●	HOFFNER			MELBY		VIG
BERGE			HOUWANN		●	MERTENS		WAGNER
BERGER			HOVE		●	MEYER		WALD
BJORNSON			JACOBSEN R		●	MURPHY		WALSH
BLACK			JACOBSON I			MUSHIK		WEBER
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL		WINKLER
COMNY			KINGSBURY			PELTER		
CRABTREE			KLOUBEC		●	PETERSON		MR. SPEAKER
DICK			KNUSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			RETZER		
DUBORD			KUCHERA			RICHARD		
EAGLES			LANG			RICHIE		
ERICKSON			LANGLEY			RIEHL		
FLEMING			LARDY			RUED		
FREBORG			LARSON F # 24			SCHINDLER		
GACKLE			LARSON G # 29			SCOFIELD		
GERL			LARSON H # 7			SOLBERG		
GORDER			LEE			STENEHJEM		
GUNDERSON			LEIBHAN			STRINDEN		
GUNSCHE			LIPSIEA		●	SWONTEK		
HANSON			MAIXNER			THOMPSON		
HAUGLAND			MARSDEN			THORSGARD		●
HAUSAUER A # 49			MARTIN			TIMM		
HAUSAUER R # 25			MARTINSON			TINJUM		
HEDSTROM			MATHENY			TWETEN		●

So the bill passed and the title was agreed to.

**House Bill No. 1532.** — A Bill for an Act to amend and reenact subsection 2 of section 15-39.1-24 of the North Dakota Century Code, relating to receiving additional credit for teaching toward retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT ●			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUWANN			MERTENS		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON			JACOBSEN R			MURPHY		WALSH
BLACK			JACOBSON I			MUSHIK		WEBER
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL		WINKLER
COMNY		●	KINGSBURY			PELTER		
CRABTREE			KLOUBEC			PETERSON		MR. SPEAKER
DICK			KNUSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			RETZER		
DUBORD			KUCHERA			RICHARD		
EAGLES			LANG			RICHIE		
ERICKSON			LANGLEY			RIEHL		●
FLEMING			LARDY			RUED		
FREBORG			LARSON F # 24			SCHINDLER		
GACKLE			LARSON G # 29			SCOFIELD		
GERL			LARSON H # 7			SOLBERG		
GORDER			LEE			STENEHJEM		
GUNDERSON			LEIBHAN			STRINDEN		
GUNSCHE			LIPSIEA			SWONTEK		
HANSON			MAIXNER			THOMPSON		
HAUGLAND			MARSDEN			THORSGARD		
HAUSAUER A # 49			MARTIN			TIMM		
HAUSAUER R # 25			MARTINSON			TINJUM		
HEDSTROM			MATHENY			TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1369.** — A Bill for an Act to amend and reenact section 43-09-11 of the North Dakota Century Code, relating to qualifications for applicants for an electrician's license.

Which has been read.

Rep. DuBord requested that he be excused from voting on House Bill No. 1369 because of a conflict of interest.

Rep. Mushik moved that Rep. DuBord be allowed to vote on House Bill No. 1369, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 72; absent and not voting, 5.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●			●			● UNHEM
● BENEDICT			● HERMAN		● MATTSON			● VANDER VORST
● BERG			● HICKLE		● MEIERS			● VIG
● BERGE		●	● HOFFNER		● MELBY			● WAGNER
● BERGER		●	● HOUMANN		● MERTENS			● WALD
● BJORNSON			● HOVE		● MEYER			● WALSH
● BLACK			● JACOBSEN R		● MURPHY			● WEBER
● BOYUM			● JACOBSON I		● MUSHIK			● WENTZ
● BROKAW		●	● KELLY		● NICHOLAS			● WESSMAN
● CHRISTENSEN		●	● KENNELLY	●	● OLSON			● WINKJER
● CONMY			● KERWOTT		● OPEDAH			
● CRABTREE		●	● KINGSBUR		● PELTIER			MR SPEAKER
● DICK		●	● KLOUBEC		● PETERSON			
● DIETZ		●	● KNUDSON		● POMEROY			
● DOTZENROD			● KOSKI		● REED			
● DuBORD			● KRETSCHMAR		● RETZER			
● EAGLES			● KUCHERA		● RICHARD			
● ERICKSON			● LANG		● RICHIE			
● FLEMING			● LANGLEY		● RIEHL			
● FLEBORG			● LARDY		● RUED			
			● LARSON F # 24		● SCHINDLER			
			● LARSON G # 28		● SCOFIELD			
			● LARSON H # 7		● SOLBERG			
			● LEE		● STENEHJEM			
			● LEIBHAN		● THOMPSON			
			● LIPSIA		● STRINDEN			
			● MAIXNER		● SWONTEK			
			● MARSDEN		● THORSGARD			
● HAUSAUER A # 48			● MARTIN		● TIMM			
● HAUSAUER R # 25			● MARTINSON		● TJUM			
● HEDSTROM		●	● MATHENY		● TWETEN			

So the bill lost.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2102.** — A Bill for an Act to authorize the state board of higher education to issue revenue bonds for the construction of student housing at the state school of science at Wahpeton; to provide an appropriation; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN		● MATTSON			● UNHEM
● BENEDICT			● HICKLE		● MEIERS			● VANDER VORST
● BERG			● HOFFNER		● MELBY			● VIG
● BERGE			● HOUMANN		● MERTENS			● WAGNER
● BERGER			● HOVE		● MEYER			● WALD
● BJORNSON			● JACOBSEN R		● MURPHY			● WALSH
● BLACK			● JACOBSON I		● MUSHIK			● WEBER
● BOYUM			● KELLY		● NICHOLAS			● WENTZ
● BROKAW			● KENNELLY		● OLSON			● WESSMAN
● CHRISTENSEN			● KERWOTT		● OPEDAH			● WINKJER
● CONMY			● KINGSBUR		● PELTIER			
● CRABTREE			● KLOUBEC		● PETERSON			MR SPEAKER
● DICK			● KNUDSON		● POMEROY			
● DIETZ			● KOSKI		● REED			
● DOTZENROD			● KRETSCHMAR		● RETZER			
● DuBORD			● KUCHERA		● RICHARD			
● EAGLES			● LANG		● RICHIE			
● ERICKSON			● LANGLEY		● RIEHL			
● FLEMING			● LARDY		● RUED			
● FLEBORG			● LARSON F # 24		● SCHINDLER			

● GACKLE	● LARSON G. # 29	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. # 49	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2103.** — A Bill for an Act to provide an appropriation for construction of a classroom-auditorium building at the state school of science; and to declare an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 5; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNKJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOUJMAN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		●
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLA			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KHETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1014, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 4, that the same

- do pass.     
  do not pass.     
  be placed on calendar without recommendation.
- be amended as follows:

On page 1, after line 15, insert the following line: "Includes salary of Commissioner not to exceed 46,200 for the biennium"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment places a limitation of 46,200 on the salary of the Commissioner.

  
Rep. James A. Peterson Chairman

House Bill No. 1014 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1018, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10, delete the numerals "1,170,160" and insert in lieu thereof the numerals "1,162,566"

On page 1, line 15, delete the numerals "910,961" and insert in lieu thereof the numerals "903,367"

On page 1, line 20, delete the numerals "1,170,160" and insert in lieu thereof the numerals "1,162,566"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment reduces the salaries and wages by \$7,594.00.

  
Rep. James A. Peterson Chairman

House Bill No. 1018 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1035, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete the numerals "616,472" and insert in lieu thereof the numerals "619,116"

On page 1, line 16, delete the numerals "235,684" and insert in lieu thereof the numerals "238,328"

On page 1, line 24, delete the numerals "616,472" and insert in lieu thereof the numerals "619,116"



And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment would provide for full medical insurance coverage.

  
Rep. James A. Peterson Chairman

House Bill No. 1035 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1048, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.


be amended as follows:

On page 2, line 18 after the word "officer" delete the words "or employee"

On page 2, line 24 after the word "officer" delete the words "or employee"

And renumber the lines accordingly

And when so amended, recommends the same do pass. but be re-referred to the Committee on Appropriations.

  
Rep. Winkjer Chairman

House Bill No. 1048 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1058, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21, after the word "overpayment" insert the words "of tax"

On page 1, line 22, after the word "return" insert the words "or after the date such return was filed or after the date the tax due was fully paid, whichever comes later,"

On page 1, line 22, after the period insert the words "If the amount of tax imposed by chapter 57-38 is reduced by reason of a carryback of a net operating loss or net capital loss, the interest in this section shall not start accruing until after the close of the taxable year in which the net operating loss or net capital loss occurred."

On page 2, line 32, after the word "overpayment" insert the words "of tax"

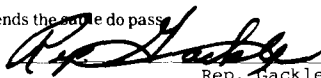
On page 2, line 33, after the word "return" insert the words "or after the date such return was filed or after the date the tax due was fully paid, whichever comes later,"

On page 3, line 20, delete the words "of section 1"

On page 3, line 21, delete the word "years" and insert in lieu thereof the word "periods"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

 Chairman  
Rep. Gackle  
House Bill No. 1058 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION


to whom was referred HOUSE

Bill No. 1179, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

 Chairman  
Rep. Gackle  
House Bill No. 1179 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1309, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 2, line 15, delete the words "adult adopted child" and insert in lieu thereof the words "adopted person"

On page 2, line 20, delete the word "and" and insert in lieu thereof the word "or"

On page 3, line 22, delete the word "child" and insert in lieu thereof the word "person"

On page 5, line 3, delete the word "parents" and insert in lieu thereof the word "parent", and after the comma delete the remainder of the line and insert in lieu thereof the following: "the identifying information shall not be disclosed to the adopted child. After two years have elapsed, the adopted child may again proceed under subsection 4 of section 14-15-16. If the child placing agency certifies to the social service board that it has been unable to notify the genetic parent after this second search, and if the"

On page 5, line 4, after the word "has" insert the word "not"

On page 5, line 6, delete the words "or other requested"

On page 5, line 7, delete the word "information"

On page 5, line 25, delete the words "parents have" and insert in lieu thereof the words "parent has"

On page 5, line 28, delete the word "a" and insert in lieu thereof the word "the"

On page 5, line 31, after the period insert the following: "If the genetic parent has died and has not filed an unrevoked affidavit with the social service board stating that identifying information shall not be disclosed, the information shall be forwarded to and released by the social service board to the adopted child."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Haugland* Chairman  
Rep. Haugland

HOUSE Bill No. 1309 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1314, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1314 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1322, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 18, after the word "are" insert the words "twenty percent of"

On page 2, line 1, delete the words "in the proportion that the benefits" and insert in lieu thereof the words "twenty percent of the difference between the amount of benefits the claimant is receiving and the benefits in effect on July 1, 1975, in the same proportion as the claimant's present benefits bear to the maximum benefits in effect at the time of injury."

On page 2, line 2, delete all of lines 2, 3, 4, 5 and 6.

On page 2, line 22, insert the following section:

SECTION 5. PREMIUM RATE NOT TO BE INCREASED.) During the period of July 1, 1979 through June 30, 1981 the bureau shall not effectuate any increase to base premium to any employer as the result of this amendment. Rate adjustment required as the result of other benefit increases provided by law or due to other increased costs or based on actuarial studies or merit rating shall not be limited by this section.

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

HOUSE Bill No. 1322 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1334, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 2, line 2, after the period insert the following new language: The industrial commission shall solicit nominations from the appropriate constituent groups. The constituent groups may include, but are not limited to, the North Dakota bankers association, the state credit union board, the state savings & loan association, the accredited and/or approved postsecondary institutions in the state, the North Dakota student association, the state board of higher education and the Bank of North Dakota.

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

House Rep. Knudson was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION to whom was referred HOUSE

Bill No. 1339, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 2, that the same

- do pass. X do not pass. be placed on calendar without recommendation. be amended as follows:

House Rep. Gackie was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION  
to whom was referred HOUSE

Bill No. 1351, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 1; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. Gackle

House Bill No. 1351 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION  
to whom was referred HOUSE

Bill No. 1364, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 1; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

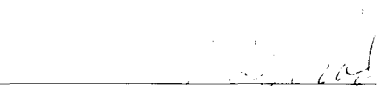
 Chairman  
Rep. Gackle

House Bill No. 1364 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1365, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. Rued

HOUSE Bill No. 1365 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

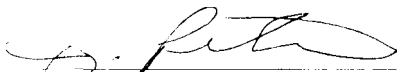
Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1366, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

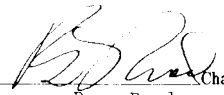
- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

\_\_\_\_\_ Chairman  
HOUSE Bill No. 1366 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1376, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 4, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

  
Rep. James A. Peterson Chairman  
House Bill No. 1376 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE  
Bill No. 1398, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 1, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

  
Rep. Rued Chairman  
HOUSE Bill No. 1398 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE  
Bill No. 1403, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

\_\_\_\_\_ Chairman  
HOUSE Bill No. 1403 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE  
Bill No. 1426, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

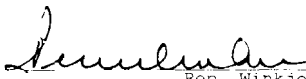
do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

\_\_\_\_\_ Chairman  
HOUSE Bill No. 1426 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1441, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

 \_\_\_\_\_ Chairman  
Rep. Winkjer  
HOUSE Bill No. 1441 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR  
to whom was referred HOUSE

Bill No. 1457, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 1; Absent, 0, that the same

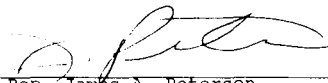
do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

\_\_\_\_\_ Chairman  
HOUSE Bill No. 1457 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1525, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

 \_\_\_\_\_ Chairman  
Rep. James A. Peterson  
HOUSE Bill No. 1525 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1526, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman Rep. James A. Peterson

House Bill No. 1526 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1632, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 8; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation. XX be amended as follows:

On page 1, line 7, after the word "three" insert the words "or more"

On page 1, line 8, after the word "government" insert the words "funded from general fund dollars in whole or in part"

And when so amended, recommends the same do pass.

Chairman Rep. James A. Peterson

House Bill No. 1632 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1645, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation. XX be amended as follows:

Chairman Rep. James A. Peterson

House Bill No. 1645 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred Senate

Bill No. 2049, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 0; Absent, 1, that the same



- do pass.     
  do not pass.     
  be placed on calendar without recommendation.  
 be amended as follows:




\_\_\_\_\_ Rep. Conmy      \_\_\_\_\_ Sen. Wenstrom, Chairman  
 Senate Bill No. 2049 was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

MOTIONS

Rep. Kretschmar moved that 200 more copies be printed of the following House Concurrent Resolutions: 3006, 3007, 3008, 3012, 3015 and 3021, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Wednesday, January 31, 1979, which motion prevailed.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2021.** Pardon Board and Parole Office — A Bill for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2023.** Adjutant General — A Bill for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2052.** — A Bill for an Act to create and enact a new subsection to section 19-03.1-01 of the North Dakota Century Code, relating to the definition of hashish; and to amend and reenact subsection 14 of section 19-03.1-01, subdivisions k through u of subsection 4 of section 19-03.1-05, and section 19-03.1-23 of the North Dakota Century Code, relating to the definition of marijuana, to the inclusion of hashish as a schedule I controlled substance, and providing penalties for possession of marijuana and hashish.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2223.** — A Bill for an Act to amend and reenact section 6-01-07 of the North Dakota Century Code, relating to records of state banking board, state credit union board and commissioner of banking and financial institutions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2224.** — A Bill for an Act to create and enact section 6-01-07.1 of the North Dakota Century Code, relating to confidentiality of records.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2297.** — A Bill for an Act to provide for a mill levy or service charge by cities or park districts for the operation and maintenance of forestry activities.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2319.** — A Bill for an Act to amend and reenact section 18-11-07, subsection 2 of section 18-11-15, and section 18-11-18 of the North Dakota Century Code, relating to officers of an alternate firemen's relief association, service pensions for association members, and proportional decrease in benefits for association members.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2377.** — A Bill for an Act to amend and reenact sections 15-62.2-01, 15-62.2-02, 15-62.2-03, and 15-62.2-04 of the North Dakota Century Code, relating to the student financial assistance program and providing that the program be administered by the state board of higher education.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4013.** — A concurrent resolution urging Congress to formulate a single, rational policy for regulating nuclear materials and development.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Wednesday, January 31, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-FIRST DAY

Bismarck, January 31, 1979

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

The prayer was offered by Rev. Norman E. Winkelman, Calvary United Methodist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Backes, Erickson, Gunsch, Kelly, Martin, Murphy, Scofield and Tinjum.

A quorum was declared by the Speaker.

ANNOUNCEMENT

Rep. Strinden requested that the record show that the Committee on Finance and Taxation was in session until 1:00 p. m., and as a result some of the members of that committee were not on the floor at the time of roll call.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twentieth

day and recommends that the same be corrected as follows:

On page 472, line 2, delete "38th" and insert in lieu thereof "35th",

On page 472, line 7, delete "40th" and insert in lieu thereof "37th",

On page 472, delete lines 27, 28 and 29, and on line 30 following the word "that" insert the word "engrossed"

On page 488, following line 32, insert: "On page 1, line 11, delete the numeral '616,472' and insert in lieu thereof '619,116'"

And when so corrected recommends that the same be approved.

Rep. Swiontek Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1012

HB NO. 1240

HB NO. 1319

HB NO. 1346

HB NO. 1416

and find the same correctly

} ~~Enrolled~~  
Engrossed

*Wayne Stenjin*  
Rep. Stenjin

Chairman

Representative Meyer moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Tweten moved that the House reconsider its action whereby it accepted the committee report on House Bill No. 1339, which motion prevailed.

Rep. Tweten moved that House Bill No. 1339 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Murphy moved that House Bill No. 1594 be returned to the House from the Committee on Judiciary, and then be re-referred to the Committee on Agriculture, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1014 as recommended by the Committee on Appropriations as printed on page 487 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1018 as recommended by the Committee on Appropriations as printed on page 488 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1035 as recommended by the Committee on Appropriations as printed on pages 488 and 489 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1048 as recommended by the Committee on Judiciary as printed on page 489 of the House Journal be adopted, which motion prevailed.

House Bill No. 1048 was re-referred to the Committee on Appropriations.

Rep. Gackle moved that the amendments to House Bill No. 1058 as recommended by the Committee on Finance and Taxation as printed on pages 489 and 490 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1309 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 490 and 491 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1322 as recommended by the Committee on Industry, Business and Labor as printed on pages 491 and 492 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1334 as recommended by the Committee on Education as printed on page 492 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1632 as recommended by the Committee on Appropriations as printed on page 496 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that the House reconsider its action by which House Bill No. 1229 was passed.

Rep. Backes requested a recorded roll call vote, which request was granted.

ROLL CALL

The question was on the motion of Rep. Strinden to reconsider the action by which House Bill No. 1229 was passed, the roll was called and there were ayes, 60; nays, 37; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN			WATTSON			UNHJEM		
BENEDICT		●	HICKLE			WEIERS		●	VANDERVORST		
BERG		●	HOFFNER			MELBY		●	VIG		
BERGE		●	HOUWMAN			MERTENS		●	WAGNER		
BERGER		●	HOVE			MEYER		●	WALD		
BJORNSON		●	JACOBSEN, R			MURPHY			WALSH		●
BLACK		●	JACOBSEN, I			MUSHIK		●	WEBER		●
BOYUM		●	KELLY			NICHOLAS			WENTZ		
BROKAW		●	KENNELLY			OLSON			WESSMAN		●
CHRISTENSEN		●	KERMOTT			OPEDAHL		●	WINKLER		
CONNY		●	KINGSBURY			PELTIER			MR. SPEAKER		
CRABTREE		●	KLOUBEC			PETERSON					
DICK		●	KNUDSON			POMEROY		●			
DIETZ		●	KOSKI		●	REED					
DOTZENROD		●	KRETSCHMAR			RETZER		●			
DUBORD		●	KUCHERA			RICHARD		●			
EAGLES		●	LANGLEY		●	RICHIE		●			
ERIKSON		●	LARDY			RUED		●			
FLEMING		●	LARSON, F # 24			SCHINDLER		●			
FREBORG		●	LARSON, G # 29			SCOFIELD		●			
GACKLE		●	LARSON, H # 7			SOLBERG		●			
GERL		●	LEE			STENEHJEM					
GORDER		●	LEIBHAN			STRINDEN					
GUNDERSON		●	LIPSIA			SWIONTEK					
GUNSCH		●	MAIXNER			THOMPSON		●			
HANSON		●	MARSDEN			THORSgard		●			
HAUGLAND		●	MARTIN		●	TIMM		●			
HAUSAUER, A # 69		●	MARTINSON			TINJUM		●			
HAUSAUER, R # 25		●	MATHENY		●	TWETEN		●			
HEDSTROM		●									

So the motion prevailed.

Rep. Strinden moved that House Bill No. 1229 be laid over one legislative day, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2245
- Senate Bill No. 2294
- Senate Bill No. 2352
- Senate Bill No. 2357
- Senate Bill No. 2366
- Senate Bill No. 2375
- Senate Concurrent Resolution No. 4022
- Senate Concurrent Resolution No. 4048 LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1111 LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1041
- House Bill No. 1070
- House Bill No. 1077
- House Bill No. 1209
- House Bill No. 1299

- House Bill No. 1308
- House Bill No. 1318
- House Bill No. 1320
- House Bill No. 1330
- House Bill No. 1340
- House Bill No. 1345
- House Bill No. 1361
- House Bill No. 1375

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1179.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the adjustment of individual income tax brackets.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 78; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
• BENEDICT			HICKLE		•	MEIERS		•	VANDERVORST		•
BERG			• HOFFNER			MELBY		•	VIG		•
BERGE		•	HUHMANN		•	MERTENS		•	WAGNER		•
• BERGER			HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	• WALSH		•
BLACK			• JACOBSON, I.			• MUSHIK			WEBER		•
BOYUM		•	• KELLY			NICHOLAS		•	WENTZ		•
• BROKAW			KENNELLY		•	• OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	• OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	• PELTIER		•			
CRABTREE		•	KLOUBEC		•	• PETERSON		•	MR. SPEAKER		
DICK		•	• KNUDSON			• POMEROY					
DIEZ			• KOSKI			REED		•			
DOTZENROD			KRETSCHMAR		•	RETZER		•			
• DUBORD			KUCHERA		•	• RICHARD		•			
EAGLES		•	LANG		•	• RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
• FLEMING			• LARDY			RUED		•			
FREBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. # 20		•	SCOFIELD		•			
• GERL			LARSON, H. # 7		•	• SOLBERG		•			
GORDER		•	LEE		•	• STENEHJEM		•			
GUNDERSON		•	LEIBMAN		•	STRINDEN		•			
GUNSCH		•	LIPSIEA		•	SWONTEK		•			
• HANSON			• MAXNER			THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGAARD		•			
HAUSAUER, A. # 49		•	MARTIN		•	• TIMM		•			
HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1351.** — A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, making all sales to non-North Dakotans exempt from sales tax if they are here for the express purpose of making the purchase and not as tourists.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 12; nays, 86; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
• BENEDICT			HICKLE		•	MEIERS		•	VANDERVORST		•
BERG		•	• HOFFNER			MELBY		•	VIG		•
BERGE		•	HUHMANN		•	MERTENS		•	WAGNER		•
• BERGER			HOVE		•	MEYER		•	• WALD		•

BJORNSON	•	JACOBSEN, R	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON, I	•	MUSHIK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKJER	•
CONNY	•	KINGSBURY	•	PELTER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G # 29	•	SCOFIELD	•		
GERL	•	LARSON, H # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIA	•	SWONTEK	•		
HANSON	•	MAXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER, A # 49	•	MARTIN	•	TIMM	•		
HAUSAUER, R # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1403.** — A Bill for an Act to repeal section 49-06-17 of the North Dakota Century Code, relating to limitation on number of valuation or revaluation orders.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 89; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOLMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
GERL	•		LARSON, H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWONTEK	•				
HANSON	•		MAXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A # 49	•		MARTIN	•		TIMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

MOTION

Rep. Dotzenrod moved that the House reconsider its action whereby House Bill No. 1333 failed to pass.

Rep. Mertens requested a recorded roll call vote, which request was granted.

ROLL CALL

Question was on the motion of Rep. Dotzenrod for the House to reconsider its action whereby House Bill No. 1333 failed to pass, the roll was called and there were ayes, 38; nays, 60; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	•	MATTSON	•
•			•	HICKLE	•	•	MEIERS	•
•			•	HOFFNER	•	•	MELBY	•
•	•		•	HOUWMANN	•	•	MERTENS	•
•			•	HOVE	•	•	MEYER	•
•			•	JACOBSEN, R	•	•	MURPHY	•
•			•	JACOBSON, I	•	•	MUSHIK	•
•			•	KELLY	•	•	NICHOLAS	•
•			•	KENNELLY	•	•	OLSON	•
•			•	KERMOTT	•	•	OPEDAHL	•
•			•	KINGSBURY	•	•	PELTIER	•
•			•	KLOUBEC	•	•	PETERSON	•
•			•	KNUDSON	•	•	POWEROY	•
•	•		•	KOSKI	•	•	REED	•
•			•	KRETSCHMAR	•	•	RETZER	•
•			•	KUCHERA	•	•	RICHARD	•
•			•	LANG	•	•	RICHIE	•
•			•	LANGLEY	•	•	RIEHL	•
•			•	LARDY	•	•	RUED	•
•			•	LARSON, F # 24	•	•	SCHINDLER	•
•			•	LARSON, G # 29	•	•	SCOFIELD	•
•			•	LARSON, H # 7	•	•	SOLBERG	•
•			•	LEE	•	•	STENEHJEM	•
•			•	LEIBHAN	•	•	STRONDE	•
•			•	LIPSIA	•	•	SWIONTEK	•
•			•	MAIXNER	•	•	THOMPSON	•
•			•	MARSDEN	•	•	THORSGARD	•
•			•	MARTIN	•	•	TIMM	•
•			•	MARTINSON	•	•	TINJUM	•
•			•	MATHENY	•	•	TWETEN	•
								•
								MR. SPEAKER

Therefore, the motion failed.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Doug Nordby, and Rep. Nordby was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1012.** Council on Human Resources — A Bill for an Act making an appropriation for defraying the expenses of the governor's council on human resources of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 34; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	•	MATTSON	•
•			•	HICKLE	•	•	MEIERS	•
•			•	HOFFNER	•	•	MELBY	•
•	•		•	HOUWMANN	•	•	MERTENS	•
•			•	HOVE	•	•	MEYER	•
•			•	JACOBSEN, R	•	•	MURPHY	•
•			•	JACOBSON, I	•	•	MUSHIK	•
•			•	KELLY	•	•	NICHOLAS	•
•			•	KENNELLY	•	•	OLSON	•
•			•	KERMOTT	•	•	OPEDAHL	•
•			•	KINGSBURY	•	•	PELTIER	•
•			•	KLOUBEC	•	•	PETERSON	•
•			•	KNUDSON	•	•	POWEROY	•
•	•		•	KOSKI	•	•	REED	•
•			•	KRETSCHMAR	•	•	RETZER	•
•			•	KUCHERA	•	•	RICHARD	•
•			•	LANG	•	•	RICHIE	•
•			•	LANGLEY	•	•	RIEHL	•
•			•	LARDY	•	•	RUED	•
•			•	LARSON, F # 24	•	•	SCHINDLER	•
•			•	LARSON, G # 29	•	•	SCOFIELD	•
•			•	LARSON, H # 7	•	•	SOLBERG	•
•			•	LEE	•	•	STENEHJEM	•
•			•	LEIBHAN	•	•	STRONDE	•
•			•	LIPSIA	•	•	SWIONTEK	•
•			•	MAIXNER	•	•	THOMPSON	•
•			•	MARSDEN	•	•	THORSGARD	•
•			•	MARTIN	•	•	TIMM	•
•			•	MARTINSON	•	•	TINJUM	•
•			•	MATHENY	•	•	TWETEN	•
								•
								MR. SPEAKER





EAGLES	●	● LANG	● RICHIE
ERICKSON	●	● LANGLEY	● RIEHL
FLEMING	●	● LARDY	● RUED
● FREBORG		● LARSON, F #24	● SCHINDLER
● GACKLE	●	● LARSON, G #26	● SCOFIELD
● GERL		● LARSON, H #7	● SOLBERG
● GORDER		● LEE	● STENEHJEW
● GUNDERSON	●	● LEIGHAN	● STRANDEN
● GUNSON	●	● LIPSIEA	● SWONTEK
● HANSON		● MAIXNER	● THOMPSON
● HAUGLAND	●	● MARSDEN	● THORSGARD
● HAUSAUER A #46		● MARTIN	● TIMM
● HAUSAUER R #25	●	● MARTINSON	● TINJUM
● HEDSTROM	●	● MATHENY	● TWETEN

So the bill lost for want of a required two-thirds majority.

**House Bill No. 1346.** — A Bill for an Act to amend and reenact sections 23-19-01, 23-19-04, and 23-19-05 of the North Dakota Century Code, relating to license and permit requirements for the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; license and permit fees; and licenses and license tags.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 25; absent and not voting 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATSON			● UNHJEM		
● BENEDICT		●	● HICKLE			● MEIERS			● VANDER VORST		
● BERG	●		● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUWANN			● MERTENS		●	● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I		●	● MUSHK			● WEBER	●	
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN	●	
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKLER		
● CONMY	●		● KINGSBURY			● PELTIER					
● CRABTREE	●		● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK		●	● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD	●		● KRETSCHWAR			● RETZER					
● DUBORD			● KUCHERA		●	● RICHARD					
● EAGLES			● LANG			● RICHIE					
ERICKSON		●	● LANGLEY	●		● RIEHL					
FLEMING		●	● LARDY	●		● RUED					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #26			● SCOFIELD	●				
● GERL			● LARSON, H #7			● SOLBERG		●			
● GORDER			● LEE			● STENEHJEW					
● GUNDERSON		●	● LEIGHAN			● STRANDEN					
● HANSON			● LIPSIEA			● SWONTEK					
● HAUGLAND			● MAIXNER			● THOMPSON					
● HAUSAUER A #46			● MARSDEN			● THORSGARD					
● HAUSAUER R #25	●		● MARTIN			● TIMM					
● HEDSTROM			● MARTINSON			● TINJUM					
			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**House Bill No. 1364.** — A Bill for an Act to create and enact section 57-38-29.1 of the North Dakota Century Code, relating to an income tax credit for child and dependent care expenses; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 61; nays, 31; absent and not voting 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG	●		● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUWANN		●	● MERTENS		●	● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		●

• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POWERDY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 26	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEJEW	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSON	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINLUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1365.** — A Bill for an Act to amend and reenact subsection 1 of section 47-16-07.1 of the North Dakota Century Code, relating to real property and dwelling security deposits.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 4; absent and not voting 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	WATTSON			•	UNHJEW
•			•	HICKLE			•	WEIERS			•	VANDER VORST
•			•	HOFFNER			•	WELBY			•	WAGNER
•			•	HOLMANN	•		•	WERTENS			•	WALD
•			•	HOVE			•	MEYER			•	WALSH
•			•	JACOBSEN R			•	MURPHY			•	WALS
•			•	JACOBSON I			•	MUSHIK	•		•	WEBER
•			•	KELLY			•	NICHOLAS			•	WENTZ
•			•	KENNELLY			•	OLSON			•	WESSMAN
•			•	KERMOTT			•	OPEDAHL			•	WINKJER
•			•	KINGSBURY	•		•	PELTIER			•	MR SPEAKER
•			•	KLOUBEC			•	PETERSON				
•			•	KNUDSON			•	POWERDY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY			•	RIEHL				
•			•	LARDY	•		•	RUED				
•			•	LARSON F # 24			•	SCHINDLER				
•			•	LARSON G # 26			•	SCOFIELD				
•			•	LARSON H # 7			•	SOLBERG				
•			•	LEE	•		•	STENEJEW				
•			•	LEIBHAN			•	STRINDEN				
•			•	LIPSIEA			•	SWONTEK				
•			•	MAIXNER	•		•	THOMPSON				
•			•	MARSDEN			•	THORSGARD				
•			•	MARTIN			•	TIMM				
•			•	MARTINSON			•	TINLUM				
•			•	MATHENY			•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1366.** — A Bill for an Act to create and enact a new section to chapter 6-05 of the North Dakota Century Code, relating to common trust funds of affiliates.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON			• UNHJEM		
• BENEVOCT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #29			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGAR					
• HAUSAUER, A. #49			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1376.** — A Bill for an Act to authorize the state board of higher education to issue revenue bonds for the construction of student housing at North Dakota state university of agriculture and applied science; to provide an appropriation; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 2; absent and not voting 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON			• UNHJEM		
• BENEVOCT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #29			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGAR					
• HAUSAUER, A. #49			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.



● BERGE	● HOUHMANN	● MERTENS	● WAGNER
● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN, R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWOTT	● OPEDAHL	● WINKLER
● CONMY	● KINGSBURY	● PELTIER	● MR. SPEAKER
● CRABTREE	● KLOUBEC	● PETERSON	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1426.** — A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to extending powers granted federally chartered savings and loan associations to state-chartered savings and loan associations.

Which has been read.

Rep. Swiontek requested that he be excused from voting on House Bill No. 1426 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Swiontek be allowed to vote on House Bill No. 1426, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 6; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE		●	● WEIBS			● VANDER VORST		
● BERG			● HOFFNER			● WEIBS			● VIG		
● BERGE			● HOUHMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM		●	● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON		●	● POMEROY					
● DIETZ			● KOSKI			● REED		●			
● DOTZENROD			● KRETSCHMAR		●	● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH		●	● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A # 49			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1441.** — A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts.







● FLEWING	LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEM
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNTSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1645.** — A Bill for an Act to amend and reenact sections 57-54-14 and 57-54-19 of the North Dakota Century Code, relating to transferring a portion of motor fuel taxes collected to the state snowmobile fund; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 53; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	HERMAN		●	MATTSON		●	UNHJEM		●
		●	HCKLE		●	MEIERS		●	VANDER VORST		●
●			● HOFFNER			MELBY			● VIG		
●		●	● HOUWANN		●	● WERTENS		●	WAGNER		
BERGER		●	HOVE		●	MEYER		●	● WALD		
● BJORNSON		●	● JACOBSEN, P.		●	MURPHY		●	● WALSH		
BLACK		●	● JACOBSON, I.		●	MUSHK		●	WEBER		●
● BOYUM			KELLY		●	● NICHOLAS		●	WENTZ		●
● BROKAW			KENNELLY		●	● OLSON		●	● WESSMAN		
● CHRISTENSEN			KERNOTT		●	● OPEDAHL		●	WINKLER		
● CONNY			KINGSBURY		●	● PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	● MR. SPEAKER		
DICK		●	● KNUDSON		●	● POMEROY		●			
DIEZT		●	KOSKI		●	● REED		●			
● DOTZENROD			KRETSCHMAR		●	RETZER		●			
DuBORD		●	KUCHERA		●	● RICHARD		●			
● EAGLES			LANG		●	● RICHIE		●			
ERIKSSON		●	● LANGLEY		●	RIEL		●			
● FLEWING			LARDY		●	● RUED		●			
● FREBORG			● LARSON, F # 24		●	● SCHINDLER		●			
GACKLE		●	● LARSON, G # 29		●	● SCOFIELD		●			
● GERL			● LARSON, H # 7		●	SOLBERG		●			
● GORDER		●	LEE		●	● STENEHEM		●			
● GUNDERSON			LEIBMAN		●	STRINDEN		●			
● GUNTSCH			LIPSIA		●	SWONTEK		●			
● HANSON			MAIXNER		●	● THOMPSON		●			
● HAUGLAND		●	● MARSDEN		●	● THORSgard		●			
● HAUSAUER, A # 49			● MARTIN		●	TIMM		●			
● HAUSAUER, R # 25			● MARTINSON		●	TINJUM		●			
● HEDSTROM		●	MATHENY		●	● TWETEN		●			

So the bill lost.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2049.** — A Bill for an Act to create and enact a new section to chapter 46-03 of the North Dakota Century Code, relating to the numbering and arrangement of the state constitution for publication.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			MATTSON			● UNHJEM		
			HCKLE			MEIERS			● VANDER VORST		
●			● HOFFNER			MELBY					
●		●	● HOUWANN		●	● WERTENS		●	WAGNER		
BERGER		●	HOVE		●	MEYER		●	● WALD		

• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOIT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEW	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWONTEK	
• HANSON	• MAIKNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

#### RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Elinor Hendrickson, and Rep. Hendrickson was thereupon introduced to the House.

#### APPOINTMENT OF A COMMITTEE

Speaker Wagner announced the appointment of the following to the Committee on Joint Memorial Service: Reps. Lipsiea, Houmann and Hanson.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4047.** — A concurrent resolution offering a panegyric pronouncement on the press; declaring Thursday, February 15, 1979, as North Dakota Editors Day at the Forty-sixth Legislative Assembly; and welcoming Mr. Walter Ridder, a distinguished journalist and former national columnist, to North Dakota.

Was read the first time.

Rep. Kretschmar moved that the rules be suspended, that Senate Concurrent Resolution No. 4047 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4047.** — A concurrent resolution offering a panegyric pronouncement on the press; declaring Thursday, February 15, 1979, as North Dakota Editors Day at the Forty-sixth Legislative Assembly; and welcoming Mr. Walter Ridder, a distinguished journalist and former national columnist, to North Dakota.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

#### MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the 5th Order of Business, and at the conclusion of the 5th Order of Business, the House be on the 9th Order of Business, and at the conclusion of the 9th Order, the House be on the 13th Order of Business, and at the conclusion of the 13th Order, the House stand adjourned until 1:00 p.m., Thursday, February 1, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1022, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10, delete the numerals "402,942" and insert in lieu thereof the numerals "408,168"

On page 1, line 15, delete the numerals "240,006" and insert in lieu thereof the numerals "245,234"

On page 1, line 19, delete the numerals "402,942" and insert in lieu thereof the numerals "403,168"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment increases salaries by \$5,226.00 to provide for adequate fringe benefits.

Rep. James A. Peterson

Chairman

House

Bill No. 1022

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1023, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete the numerals "356,254" and insert in lieu thereof the numerals "361,266"

On page 1, line 14, delete the word "bienniumbeginning" and insert in lieu thereof the words "biennium beginning"

On page 1, line 16, delete the numerals "221,812" and insert in lieu thereof the numerals "226,824"

On page 1, line 20, delete the numerals "356,254" and insert in lieu thereof the numerals "361,266"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

Increase salaries of the Milk Stabilization Board by \$5,012.00 to provide for adequate fringe benefits.

  
Rep. James A. Peterson Chairman

House Bill No. 1023 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1039, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1039 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1040, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:


  
Rep. James A. Peterson Chairman

House Bill No. 1040 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1088, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 4; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. Martinson Chairman

House Bill No. 1088 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1146, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1146 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1217, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1217 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1220, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

House Rep. Martinson Chairman  
Bill No. 1220 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State a  
to whom was referred House

Bill No. 1243, has had the same u  
Ayes, 11; Nays, 0; Absen

do pass.  do not pass. [   
 be amended as follows:

House Rep. Martinson  
Bill No. \_\_\_\_\_  
order of business on the calendar for the succeeding legisla

Mr. Speaker: Your Committee on INDUSTRY, BU: \_\_\_\_\_  
to whom was referred HOUSE

Bill No. 1266, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:



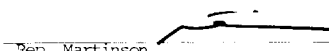
Chairman

HOUSE Bill No. 1266 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1281, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:



Rep. Martinson

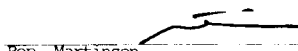
Chairman

House Bill No. 1281 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1327, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:



Rep. Martinson


Chairman

House Bill No. 1327 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1338, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:



Chairman

House Bill No. 1338 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1349, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 4; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

HOUSE Bill No. 1349 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1357, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 4, line 6, delete the word "seventy-" and insert in lieu thereof the word "fifty"

On page 4, line 7, delete the word "five"

And renumber the lines accordingly.

And when so amended, recommends the same do pass.



Chairman

HOUSE Bill No. 1357 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

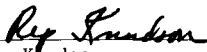
Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1378, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

House Rep. Knudson Bill No. 1378 was placed on the 11th order of business on the calendar for the succeeding legislative day.

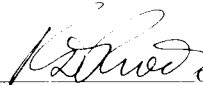
Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1379, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 7; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

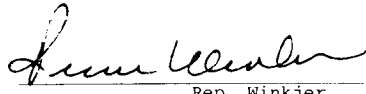
 Chairman

HOUSE Bill No. 1379 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1386, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 1; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

 Chairman

House Bill No. 1386 Rep. Winkjer was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1394, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 1, line 2, delete the word "two" and insert in lieu thereof the word "a" and also delete the word "sections" and insert in lieu thereof the word "section"

On page 1, line 4, delete the following: ", and the deposit of" and insert in lieu thereof a period.

On page 1, delete all of lines 5 and 6.

On page 3, delete all of lines 16 through 35.

On page 4, delete all of lines 1 through 22.

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

 Chairman

HOUSE Bill No. 1394 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1401, has had the same under consideration and recommends, by a vote of



Ayes, 15 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Chairman

HOUSE Bill No. 1401 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1408 , has had the same under consideration and recommends, by a vote of

Ayes, 13 ; Nays, 0 ; Absent, 3 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Chairman

HOUSE Bill No. 1408 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1412 , has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 1 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Chairman

House Bill No. 1412 Rep. Winkjer was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1419 , has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 1 ; Absent, 3 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 3, line 28, delete the words "twenty-five" and insert in lieu thereof the word "fifteen"

On page 3, line 32, delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 4, line 1, delete the word "ten" and insert in lieu thereof the word "fifteen"

On page 4, line 31, delete the words "twenty-five" and insert in lieu thereof the word "fifteen"

On page 4, line 34, delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 5, line 2, delete the word "ten" and insert in lieu thereof the word "fifteen"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.



Chairman

HOUSE Bill No. 1419 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

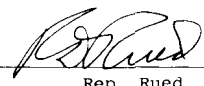
Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1420, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

HOUSE Bill No. 1420 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1422, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

HOUSE Bill No. 1422 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1431, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 22, after the word "all" insert the words "data concerning"

On page 2, line 23, delete the word "earned" and insert in lieu thereof the word "written"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass

Chairman

HOUSE Bill No. 1431

Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1432, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 2; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

Chairman

House

Bill No. 1432

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1433, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Winkjer

House

Bill No. 1433

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1437, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

Chairman

House

Bill No. 1437

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1443, has had the same under consideration and recommends, by a vote of Ayes, 7; Nays, 4; Absent, 4, that the same

- do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Martinson Chairman

House Bill No. 1443 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1468, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 2; Absent, 3, that the same

- [X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Martinson Chairman

House Bill No. 1468 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1471, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

- [X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Winkjer Chairman

House Bill No. 1471 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1494, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 2; Absent, 0, that the same

- [ ] do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Winkjer Chairman

House Bill No. 1494 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1528, has had the same under consideration and recommends, by a vote of Ayes, 7; Nays, 7; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Chairman

House Rep. Winkjer Bill No. 1528 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1555, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 4; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Chairman

House Rep. Winkjer Bill No. 1555 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1565, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 3, line 2, delete the words "until the" and insert in lieu thereof the following new language: "to such time as the teacher exercises the election authorized by this section,"

On page 3, delete line 3

On page 3, line 4, delete all of the language before the word "and"

On page 3, line 31, delete the numerals "2,500,000.00" and insert in lieu thereof the numerals "2,990,000.00"

On page 3, line 34, after the word "contribution" insert the following: ", with interest, and interest on teacher assessments"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations.

Chairman

House Rep. Knudson Bill No. 1565 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1582, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 0, that the same


- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

House Rep. Winkjer  
Bill No. 1582 was placed on the 1th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1584, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same


- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Chairman  
House Rep. Winkjer  
Bill No. 1584 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred House

Bill No. 1614, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 1, that the same


- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

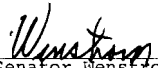
  
Chairman  
House Rep. Knudson  
Bill No. 1614 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision  
to whom was referred House Concurrent Resolution

Bill No. 3005, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. Conny  
House Concurrent Resolution No. 3005 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

  
Co-Chairman

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Rep. Wessman introduced:

**House Concurrent Resolution No. 3041.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the State of North Dakota withdrawing from the social security system with respect to state employees.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Richard, Winkjer, Solberg and A. Hausauer and Senator Krauter introduced:

**House Concurrent Resolution No. 3042.** — A concurrent resolution directing the Legislative Council to conduct a study of severed mineral interests in North Dakota.

Was read the first time and referred to the committee on Natural Resources.

FIRST READING OF SENATE BILLS  
AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 2014.** North Dakota Soldiers' Home — A Bill for an Act making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2287.** — A Bill for an Act to amend and reenact section 49-18-02 of the North Dakota Century Code, relating to excepting motor carriers transporting nonliquid fertilizers from regulation by the public service commission.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2295.** — A Bill for an Act to amend and reenact subsection 5 of section 43-35-02, and sections 43-35-07 and 43-35-17 of the North Dakota Century Code, relating to certificates issued by the state board of water well contractors.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2315.** — A Bill for an Act to repeal chapter 19-05 of the North Dakota Century Code, relating to oleomargarine.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2330.** — A Bill for an Act to allow low pressure natural gas pipelines to cross federal lands located in North Dakota.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2333.** — A Bill for an Act to create and enact a new section to chapter 8-08 of the North Dakota Century Code, relating to a limitation on actions by common carriers.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2359.** — A Bill for an Act to create and enact a new subsection to section 49-02-02 of the North Dakota Century Code, relating to cooperation with federal and state agencies dealing with federal energy laws.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2360.** — A Bill for an Act to amend and reenact

section 15-40.2-08 of the North Dakota Century Code relating to residency determination in child placement cases for school tuition purposes.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2384.** — A Bill for an Act to provide a new subsection to section 15-38.1-14 of the North Dakota Century Code, pertaining to executive sessions under the Teachers' Representation and Negotiation Act; and to declare an emergency.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4022.** — A concurrent resolution urging the President of the United States and the Congress to grant the state of North Dakota a two-year delay in complying with the regulations being promulgated by the Department of the Interior pursuant to the Surface Mining Reclamation and Control Act of 1977.

Which was read the first time and referred to the Committee on Natural Resources.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Thursday, February 1, 1979.

ROY GILBREATH, Chief Clerk



TWENTY-SECOND DAY

Bismarck, February 1, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. Jay Stratton, Lord of Life Lutheran Church, Bismarck.

The roll was called, and all members were present except Reps. Crabtree, Kretschmar, H. Larson, Lee, Leibhan, Nicholas and Scofield.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-first Day and finds the same to be correct.

Handwritten signature of Rep. Swiertek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1014
HB NO. 1018
HB NO. 1035
HB NO. 1048
HB NO. 1058
HB NO. 1309
HB NO. 1322
HB NO. 1334
HB NO. 1632

and find the same correctly Engrossed

Handwritten signature of Wayne Stenehjem, Chairman

Representative Lipsiea moved that the report be adopted, which motion prevailed, and the report was adopted.

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

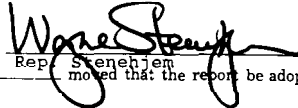
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

HB NO. 1111

and find the same correctly

Enrolled  
~~Engrossed~~

Representative Lipsiea  
 motion prevailed, and the report was adopted.

 Chairman  
 Rep. Stenehjem moved that the report be adopted, which

### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1022 as recommended by the Committee on Appropriations as printed on page 515 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1023 as recommended by the Committee on Appropriations as printed on pages 515 and 516 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1357 as recommended by the Committee on Industry, Business and Labor as printed on page 519 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1394 as recommended by the Committee on Industry, Business and Labor as printed on page 520 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1419 as recommended by the Committee on Industry, Business and Labor as printed on pages 521 and 522 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1431 as recommended by the Committee on Industry, Business and Labor as printed on pages 522 and 523 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1565 as recommended by the Committee on Education as printed on page 525 of the House Journal be adopted, which motion prevailed.

House Bill No. 1565 was re-referred to the Committee on Appropriations.

### MOTIONS

Rep. Weber moved that the House reconsider its action whereby House Bill No. 1645 was lost, which motion prevailed on a verification vote.

Rep. Weber moved that House Bill No. 1645 be laid over one legislative day, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1088.** — A Bill for an Act to provide for the automatic termination, and the review, continuation, or reestablishment of the state board for Indian scholarships, student financial assistance program advisory board, and the scholarship program administered by the state board of nursing; providing for the mechanics of termination, including a year's phaseout period; providing a schedule for the termination and review process; providing for performance reviews of these agencies and activities by the state auditor; providing

for consideration of these performance reviews and the holding of hearings and the preparing of reports and recommendations on these reviews by the legislative audit and fiscal review committee; providing for legislative review of all agencies and activities scheduled for termination; and to amend section 54-35-02.2, relating to the powers and duties of the legislative audit and fiscal review committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 62; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•	UNHJEM
BENEDICT	•		HICKLE	•		MEIERS	•	VANDER VORST
BERG	•		HOFFNER	•		MELBY	•	VIG
BERGE	•		HOUMANN	•		MERTENS	•	WAGNER
BERGER	•		HOVE	•		MEYER	•	WALD
BJORNSON	•		JACOBSEN R	•		MURPHY	•	WALSH
BLACK	•		JACOBSON I	•		MUSHIK	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKLER
CONWAY	•		KINGSBURY	•		PELTIER	•	
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR SPEAKER
DICK	•		KNUDSON	•		POMEROY	•	
DIETZ	•		KOSKI	•		REED	•	
DOTZENROD	•		KRETSCHMAR	•		RETZER	•	
DUBORD	•		KUCHERA	•		RICHARD	•	
EAGLES	•		LANG	•		RICHIE	•	
ERICSON	•		LANGLEY	•		RIEHL	•	
FLEMING	•		LARDY	•		RUED	•	
FREIBORG	•		LARSON F # 24	•		SCHINDLER	•	
GACKLE	•		LARSON G # 29	•		SCOFIELD	•	
GERL	•		LARSON H # 7	•		SOLBERG	•	
GORDER	•		LEE	•		STENEHJEM	•	
GUNDERSON	•		LEIBHAN	•		STRINDEN	•	
GUNSCH	•		LIPSIEA	•		SWONTEK	•	
HANSON	•		MAIXNER	•		THOMPSON	•	
HAUGLAND	•		MARSDEN	•		THORSGARD	•	
HAUSAUER A # 49	•		MARTIN	•		TIMM	•	
HAUSAUER R # 25	•		MARTINSON	•		TINJUM	•	
HEDSTROM	•		MATHENY	•		TWETEN	•	

So the bill lost.

**House Bill No. 1146.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, providing a committee to review the decisions of the coal development impact office director, and relating to the creation of the coal development impact office and appointment of the director, and providing for senate confirmation of the director's appointment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 3; nays, 93; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•	UNHJEM
BENEDICT	•		HICKLE	•		MEIERS	•	VANDER VORST
BERG	•		HOFFNER	•		MELBY	•	VIG
BERGE	•		HOUMANN	•		MERTENS	•	WAGNER
BERGER	•		HOVE	•		MEYER	•	WALD
BJORNSON	•		JACOBSEN R	•		MURPHY	•	WALSH
BLACK	•		JACOBSON I	•		MUSHIK	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKLER
CONWAY	•		KINGSBURY	•		PELTIER	•	
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR SPEAKER
DICK	•		KNUDSON	•		POMEROY	•	
DIETZ	•		KOSKI	•		REED	•	

DOTZENROD	KRETSCHMAR	RETZER
DUBORD	KUCHERA	RICHARD
EAGLES	LANG	RICHIE
ERICKSON	LANGLEY	RIEHL
FLEMING	LARBY	RIED
FREIBORG	LARSON F. #24	SCHWILDER
GACKLE	LARSON G. #29	SCOFIELD
GERL	LARSON H. #7	SOLBERG
GORDER	LEE	STENHEJEW
GUNDERSON	LEIBHAN	STRINDEN
GUNTSCH	LIPSIEA	SWIONTEK
HANSON	MAXNER	THOMPSON
HAUGLAND	MARSDEN	THORSgard
HAUSAUER, A. #49	MARTIN	TIMM
HAUSAUER, R. #25	MARTINSON	TINJUM
HEDSTROM	MATHEHY	TWETEN

So the bill lost.

**House Bill No. 1266.** — A Bill for an Act to provide for a health care occupational licensing board; to create and enact a new subsection of section 43-17.1-01; to amend and reenact subsection 2 of section 43-05-01, sections 43-05-10, 43-05-11, 43-05-16, subsection 2 of section 43-06-01, sections 43-06-08, 43-06-18, subsection 3 of section 43-12-26.1, subsection 1 of section 43-12.1-02, sections 43-12.1-10, 43-12.1-14, subsection 2 of section 43-13-01, sections 43-13-11, sections 43-13-17, 43-13-20, 43-13-23, 43-13-24, 43-13-25, 43-13-26, subsection 2 of section 43-15-01, sections 43-15-18, 43-15-20, 43-15-23, 43-15-24, 43-15-26, 43-15-27, 43-15-45, subsection 3 of section 43-17-01, sections 43-17-17, 43-17-22, 43-17-24, 43-17-25, 43-17-26, 43-17-30, 43-17-35, subsection 1 of section 43-17.1-02, section 43-17.1-03, subsection 2 of section 43-17.1-05, subsection 7 of section 43-17.1-06, sections 43-17.1-07, 43-20-02, 43-20-05, 43-20-06, 43-20-07, 43-20-10, 43-26-02, 43-26-06, 43-26-07, 43-26-08, 43-26-11, subsection 2 of section 43-28-01, subsection 2 of section 43-28-02, sections 43-28-11, 43-28-12.1, 43-28-18, 43-28-19, 43-28-21, 43-28-23, 43-28-25, subsection 1 of section 43-32-01, sections 43-32-18, 43-32-20, 43-32-13, 43-32-14, subsection 1 of section 43-33-01, subsection 4 of section 43-33-01, subsection 1 of section 43-37-02; and to repeal sections 43-05-03, 43-05-04, 43-05-05, 43-05-06, 43-05-07, 43-06-03, 43-06-04, 43-06-05, 43-12-1-05, 43-12.1-06, 43-12.1-07, 43-12.1-09, 43-13-03, 43-13-04, 43-13-05, 43-13-06, 43-13-07, 43-13-08, 43-13-09, 43-13-10, 43-13-12, 43-13-14, 43-13-29, 43-15-03, 43-15-04, 43-15-05, 43-15-06, 43-15-07, 43-15-08, 43-15-09, 43-15-12, 43-15-13, 43-17-03, 43-17-04, 43-17-05, 43-17-06, 43-17-07, 43-17-08, 43-17-12, 43-17-14, 43-17-28, 43-26-03, 43-26-04, 43-26-05, 43-28-03, 43-28-04, 43-28-05, 43-28-09, 43-32-02, 43-32-03, 43-32-04, 43-32-05, 43-32-06, 43-32-07, 43-32-11, 43-33-15, 43-33-16, 43-33-17, 43-37-05, 43-37-07, and 43-37-08, all of the North Dakota Century Code, relating to health care occupations, the licensing thereof, and the promotion of competition therein.

Which has been read.

Rep. Marsden moved that the House dispense with the reading of the title to House Bill No. 1266, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 83; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•			•			•			•
BACKES		•	BERMAN		•	WATTSON		•	UNHEIM		•
BENEDICT		•	HICKLE		•	WEIFERS		•	HANDER VORST		•
BERG		•	HOFNER		•	WELBY		•	HIG		•
BERGE		•	HOUIMANN		•	MERTENS		•	HAGNER		•
• BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORKSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	PELTIER		•			

CRABTREE	•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RIEHL	•		
ERICKSON	•	LANGLEY	•	RUED	•		
FLEMING	•	LARDY	•	SCHINDLER	•		
FREBORG	•	LARSON, F. # 24	•	SCOFIELD	•		
GACKLE	•	LARSON, G. # 29	•	SOLBERG	•		
GERL	•	LARSON, H. # 7	•	STENEJEM	•		
GORDER	•	LEE	•	STRINDEN	•		
GUNDERSON	•	LEIBHAN	•	SWONTEK	•		
GUNSCH	•	LIPSIEA	•	THOMPSON	•		
HANSON	•	MAIXNER	•	THORSGARD	•		
HAUGLAND	•	MARSDEN	•	TIMM	•		
HAUSAUER, A. # 49	•	MARTIN	•	TINJUM	•		
HAUSAUER, R. # 25	•	MARTINSON	•	TWETEN	•		
HEDSTROM	•	MATHENY	•				

So the bill lost.

**House Bill No. 1349.** — A Bill for an Act requiring the labeling of a date on perishable food packages; providing a penalty; and providing an effective date.

Which has been read.

Rep. Mertens requested that he be excused from voting on House Bill No. 1349 because of a conflict of interest.

Rep. Dietz requested that she be excused from voting on House Bill No. 1349 because of a conflict of interest.

Rep. Strinden moved that Reps. Mertens and Dietz be allowed to vote on House Bill No. 1349, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 82; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON	•		UNHJEM	•	
•			HICKLE	•		MEERS	•		VANDER VORST	•	
•			HOFFNER	•		MELSDY	•		VIG	•	
•			HOUIMANN	•		MERTENS	•		WAGNER	•	
•			HOUVE	•		MEYER	•		WALD	•	
•			JACOBSEN, R.	•		MURPHY	•		WALSH	•	
•			JACOBSEN, I.	•		MUSHIK	•		WEBER	•	
•			KELLY	•		NICHOLAS	•		WENTZ	•	
•			KENNELLY	•		OLSON	•		WESSMAN	•	
•			KEMPOTT	•		OPEDAHN	•		WINKLER	•	
•			KINGSBURY	•		PETTER	•				
•			KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
•			KNUDSON	•		POMEROY	•				
•			KOSKI	•		REED	•				
•			KRETSCHMAR	•		RETZER	•				
•			KUCHERA	•		RICHARD	•				
•			LANG	•		RIEHL	•				
•			LANGLEY	•		RUED	•				
•			LARDY	•		SCHINDLER	•				
•			LARSON, F. # 24	•		SCOFIELD	•				
•			LARSON, G. # 29	•		SOLBERG	•				
•			LARSON, H. # 7	•		STENEJEM	•				
•			LEE	•		STRINDEN	•				
•			LEIBHAN	•		SWONTEK	•				
•			LIPSIEA	•		THOMPSON	•				
•			MAIXNER	•		THORSGARD	•				
•			MARSDEN	•		TIMM	•				
•			MARTIN	•		TINJUM	•				
•			MARTINSON	•		TWETEN	•				
•			MATHENY	•							

So the bill lost.

**House Bill No. 1386.** — A Bill for an Act to amend and reenact section 16-07-07 of the North Dakota Century Code, relating to filling a vacancy in the office of United States senator; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 90; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	WATTSON		•	UNHJEW		•
BENEDICT		•	HICKLE		•	WEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	WELBY		•	VIG		•
BERGE		•	HOUJMAN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POWEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEWING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON F #24		•	SCHINDLER		•			
GACKLE		•	LARSON G #29		•	SCOFIELD		•			
GERL		•	LARSON H #7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEW		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIEA		•	SWONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER A #49		•	MARTIN		•	TIMM		•			
HAUSAUER R #25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1401.** — A Bill for an Act to amend and reenact subsection 18 of section 26-41-03 of the North Dakota Century Code, relating to the definition of serious injury under the North Dakota Auto Accident Reparations Act.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 88; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	WATTSON		•	UNHJEW		•
BENEDICT		•	HICKLE		•	WEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	WELBY		•	VIG		•
BERGE		•	HOUJMAN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POWEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEWING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON F #24		•	SCHINDLER		•			
GACKLE		•	LARSON G #29		•	SCOFIELD		•			
GERL		•	LARSON H #7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEW		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIEA		•	SWONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER A #49		•	MARTIN		•	TIMM		•			
HAUSAUER R #25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1420.** — A Bill for an Act to repeal section 26-41-14 of the North Dakota Century Code, relating to the equitable allocation of

losses among insurers under the North Dakota Auto Accidents Reparations Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 1; nays, 95; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLDUBEC		•	PETERSON		•			
DICK		•	KNUDSON		•	POMEROY		•	MR SPEAKER		•
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORG		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G # 29		•	SCOFIELD		•			
GERL		•	LARSON, H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIHAN		•	STRINDEN		•			
GUNSCH		•	LIPSEA		•	SWONTEK		•			
HANSON		•	MAXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1443.** — A Bill for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, increasing the membership of the health council, and providing representation of the state chiropractic association and the state health care association on the health council and its health committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 54; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLDUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORG		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G # 29		•	SCOFIELD		•			
GERL		•	LARSON, H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIHAN		•	STRINDEN		•			
GUNSCH		•	LIPSEA		•	SWONTEK		•			

• HANSON	• MAIXNER	• THOMPSON
HAUGLAND	MARSDEN	THORSGARD
HAUSAUER A #49	MARTIN	TIMM
HAUSAUER R #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill lost.

**House Bill No. 1494.** — A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the hours polls are required to be open on election days; or, in the alternative, to amend and reenact section 16.1-01-03 of the North Dakota Century Code as created by section 1 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the hours polls are required to be open on election days.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 54; nays, 44; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			HERMAN	•		• MATTSOEN		• UNHJEM
BENEDICT	•		HICKLE	•		• WEIGERS		• VANDERVORST
BERG	•		• HOFENER			• WIGBY		• VIG
• BERGE			HOLMANN	•		• WERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			JACOBSEN R	•		• MURPHY		• WALSH
BLACK	•		• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
BROKAW	•		• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			KERMOTT	•		• OPEDAHL		• WINKLER
CONMY	•		• KINGSBURY			• PELTIER		
CRABTREE	•		• KLOUBEC			• PETERSON		MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
DIETZ	•		KOSKI	•		• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
DUBORD	•		KUCHERA	•		• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
FLEMING	•		LARDY	•		• RUED		
FREBORG	•		• LARSON F #24			• SCHINDLER		
• GACKLE			• LARSON G #29			• SCOFIELD		
• GERL			• LARSON H #7			• SOLBERG		
• GORDER			• LEE			• STENEHJEW		
GUNDERSON	•		• LEIBHAN			• STRINDEN		
GUNSCH	•		• LIPSIEA			• SWINTEK		
• HANSON			• MAIXNER			• THOMPSON		
HAUGLAND	•		• MARSDEN			• THORSGARD		
HAUSAUER A #49			MARTIN	•		TIMM		
HAUSAUER R #25			MARTINSON	•		TINJUM		
HEDSTROM	•		MATHENY	•		TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1555.** — A Bill for an Act to amend and reenact section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator; or, in the alternative, if House Bill No. 1138 is approved by the forty-sixth legislative assembly, to create and enact section 16.1-13-08 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator; and, if House Bill No. 1138 is approved by the forty-sixth legislative assembly, to repeal section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 85; absent and not voting, 6.



REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		● UNHJEM
BENEDICT ●		●	HICKLE ●			MELERS ●		VANDER VORST ●
BERG ●			HOFNER ●			MELBY ●		VIG ●
BERGE ●		●	HOUANN ●			MERTENS ●		WAGNER ●
BERGER ●		●	HOVE ●			METZER ●		WALD ●
BJORNSON ●			JACOBSEN R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON I ●			MUSHK ●		WEBER ●
BOYUM ●		●	KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●		●	KERMOTT ●			OPEDAH ●		WINKLER ●
CONMY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOBEC ●			PETERSON ●		● MR SPEAKER
DICK ●		●	KNUDSON ●			POMEROY ●		
DIETZ ●		●	KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORG ●		●	KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●		●	LANGLEY ●			RIEHL ●		
FLEWING ●		●	LARDY ●			RUED ●		
FREBORG ●			LARSON F #24 ●			SCHINDLER ●		
GACKLE ●		●	LARSON G #29 ●			SCOFIELD ●		
GERL ●			LARSON H #7 ●			SOLBERG ●		
GORDER ●		●	LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSCH ●		●	LIPSIEA ●			SWONTEK ●		
HANSON ●		●	MAINKNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER A #49 ●		●	MARTIN ●			TIMM ●		
HAUSAUER R #25 ●		●	MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the bill lost.

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2102

Senate Bill No. 2103

Senate Concurrent Resolution No. 4047

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1013

House Bill No. 1080

House Bill No. 1206

House Bill No. 1233

House Bill No. 1259

House Bill No. 1268

House Bill No. 1278

House Bill No. 1285

House Bill No. 1293

House Bill No. 1311

House Bill No. 1313

House Bill No. 1341

House Bill No. 1423

House Bill No. 1532

House Concurrent Resolution No. 3016

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:



**House Bill No. 1018.** Department of Banking and Financial Institutions — A Bill for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 3; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN		•	• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R			• MURPHY		• WALSH
• BLACK			• JACOBSON, I			• MUSHK		• WEBER •
• BOYUM		•	• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON	•		• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, F # 24			• SCHINDLER		
• GACKLE •			• LARSON, G # 26			• SCOFIELD •		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBMAN			• STRINDEN		
• GUNSCHE			• LIPSIA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER, A # 49			• MARTIN			• TMM		
• HAUSAUER, R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1035.** Teachers' Fund for Retirement — A Bill for an Act making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R			• MURPHY		• WALSH
• BLACK			• JACOBSON, I			• MUSHK		• WEBER •
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON	•		• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG		•	• LARSON, F # 24			• SCHINDLER		
• GACKLE •			• LARSON, G # 26			• SCOFIELD •		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBMAN			• STRINDEN		



• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWINTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1058.** — A Bill for an Act to amend and reenact section 57-38-35.1, subsection 1 of section 57-39.2-18, section 57-39.2-25, and subsection 1 of section 57-40.2-15 of the North Dakota Century Code, relating to interest, penalties, and refunds on income taxes and sales and use taxes; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOLMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, F # 24			• SCHINDLER		
• GACKLE			• LARSON, G # 29			• SCOFIELD		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWINTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1217.** — A Bill for an Act to amend and reenact section 54-44-11 of the 1977 Supplement to the North Dakota Century Code, relating to the purchasing department operating fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 5; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG

• BERGE	• HOUMANN	• WERTENS	• WAGNER
• BERGER	• HOWE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOYT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	• MR SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUEG	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEJM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIE	• SWINTEK	
• HANSON	• MAINER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1468 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1468.** — A Bill for an Act to amend and reenact section 54-03-20 and subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to the living allowance received by legislators during the legislative session and the compensation of members of the legislative council and its committees for attending sessions of the legislative council or its committees; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 36; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN		• MATTSO	• UNHJEM		
• BENEDICT			• HICKLE		• MEIERS	• VANDER VORST		•
• BERG			• HOFFNER		• MELBY	• VIG		•
• BERGE		•	• HOUMANN		• WERTENS	• WAGNER		
• BERGER			• HOWE		• MEYER	• WALD		•
• BJORNSON			• JACOBSEN R		• MURPHY	• WALSH		
• BLACK			• JACOBSON I		• MUSHIK	• WEBER		
• BOYUM			• KELLY		• NICHOLAS	• WENTZ		•
• BROKAW			• KENNELLY		• OLSON	• WESSMAN		•
• CHRISTENSEN			• KERMOYT		• OPEDAHL	• WINKJER		
• CONMY			• KINGSBURY		• PELTIER			
• CRABTREE			• KLOUBEC		• PETERSON	• MR SPEAKER		
• DICK			• KNUDSON		• POMEROY			
• DIETZ			• KOSKI		• REED			
• DOTZENROD			• KRETSCHMAR		• RETZER			
• DUBORD			• KUCHERA		• RICHARD			
• EAGLES			• LANG		• RICHIE			
• ERICKSON			• LANGLEY		• RIEHL			
• FLEMING			• LARDY		• RUEG			
• FREBORG			• LARSON F # 24		• SCHINDLER			
• GACKLE			• LARSON G # 29		• SCOFIELD			
• GERL			• LARSON H # 7		• SOLBERG			
• GORDER			• LEE		• STENEHEJM			
• GUNDERSON			• LEIBHAN		• STRINDEN			
• GUNSCHE			• LIPSIE		• SWINTEK			
• HANSON			• MAINER		• THOMPSON			
• HAUGLAND			• MARSDEN		• THORSGARD			
• HAUSAUER A # 49			• MARTIN		• TIMM			
• HAUSAUER R # 25			• MARTINSON		• TINJUM			
• HEDSTROM			• MATHENY		• TWETEN			

So the bill passed and the title was agreed to, and the emergency clause failed.

**House Bill No. 1220.** — A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to raising the monthly unvouchered expense allowance for members of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 73; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	WIG		●
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER		●
CONNY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBERG		●	LARSON F # 24		●	SCHINDLER		●			
GACKLE		●	LARSON G # 29		●	SCOFIELD		●			
GERL		●	LARSON H # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBMAN		●	STRINDEN		●			
GUNSCH		●	LIPSIA		●	SWIONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSGARD		●			
HAUSAUER A # 49		●	MARTIN		●	TIMM		●			
HAUSAUER R # 25		●	MARTINSON		●	TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill lost.

**House Bill No. 1229.** — A Bill for an Act providing for the filing of statements of campaign contributions and expenditures by candidates and political committees and parties, the audit of such statements; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 31; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	WIG		●
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER		●
CONNY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBERG		●	LARSON F # 24		●	SCHINDLER		●			
GACKLE		●	LARSON G # 29		●	SCOFIELD		●			
GERL		●	LARSON H # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			

• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A #49	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWEIEN

So the bill passed and the title was agreed to.

**House Bill No. 1243.** — A Bill for an Act to amend and reenact section 4-27-11, subsection 10 of section 4-34-05, section 18-03-08, section 18-05-13 and section 18-10-09 of the North Dakota Century Code, relating to the duty of the state auditor to audit books and accounts.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOPFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERAMOTT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTER					
• CRABTREE			• KLUGBEC			• PETERSON			• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMANN			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F #24			• SCHINDLER					
• GACKLE			• LARSON, G #29			• SCOFFIELD					
• GERL			• LARSON, H #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A #49			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWEIEN					

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened with Speaker Wagner presiding

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1281.** — A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to employee expenses.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 71; nays, 7; absent and not voting, 22.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOPFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		



● BLACK	● JACOBSON I	● MUSHIK	● WEBER
● BOYUM ●	● KELLY	● NICHOLAS	● WENTZ ●
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER ●
● CONMY	● KINGSBURY	● PELTIER	● MR. SPEAKER
● CRABTREE	● KLOUBEK	● PETERSON	
● DICK ●	● KNUDSON ●	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBOCH	● KUCHERA	● RICHARD	
● EAGLES	● LANG ●	● RICHIE ●	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARBY	● RUED	
● PREBORG	● LARSON # 24	● SCHINDLER	
● GACKLE ●	● LAHSON G # 25	● SCOFIELD	
● GERL ●	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHEM	
● GUNDERSON	● LEBMAN	● STRINDEN	
● GUNSCH	● LISPEA	● SWOKTEN ●	
● HANSON	● MAXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1309.** — A Bill for an Act to create and enact two new subsections to section 14-15-01 of the North Dakota Century Code, relating to definitions in the Revised Uniform Adoption Act; and to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the disclosure of adoptive information and providing for retroactive application.

Which has been read.

Rep. Martinson requested that the question of the final passage of House Bill No. 1309 be divided to have the sections to be voted on separately in the following manner:

Division A. Sub-sections 4, 5, 6, 7, 8, 9, 10, and 11 of Section 2, as shown on page 3 of the bill starting on line 24, through page 6.

Division B. House Bill No. 1309, excluding Sub-sections 4, 5, 6, 7, 8, 9, 10, and 11 of Section 2, with that portion being voted on as shown on pages 1, 2 and through line 23 of Page 3.

Speaker Wagner granted the request to divide the question, and explained that the House will vote according to the division as stated in the request. Thereafter, the House will vote on the final passage of House Bill No. 1309, excluding that portion which did not pass on the division of the question, or including that portion which did pass on the division of the question, with the title properly amended and sub-sections properly re-numbered as necessary.

The question then was on the passage of Sub-sections 4, 5, 6, 7, 8, 9, 10, and 11 of Section 2, as shown on page 3 of the bill starting on line 24 through page 6, being Division A of House Bill No. 1309.

ROLL CALL

The roll was called, and there were ayes, 44; nays, 52; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
● BACKES			● HERMAN	●	●	● WATTSON		●	● UNHJEM		
● BENEDICT			● HICKLE	●	●	● WEIERS		●	● YANDERVORST		
● BERG		●	● HOFNER	●		● WELBY		●	● VIG		
● BERGE			● HOUIMANN	●		● WERTENB		●	● WAGNER		
● BERGER			● HOVE	●	●	● MEYER		●	● WALD		●
● BJORNSON			● JACOBSEN R	●	●	● MURPHY		●	● WALSH		
● BLACK		●	● JACOBSON I	●	●	● MUSHIK		●	● WEBER		●
● BOYUM			● KELLY	●	●	● NICHOLAS		●	● WENTZ		
● BROKAW		●	● KENNELLY	●	●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN			● KERMOTT	●	●	● OPEDAHL		●	● WINKJER		
● CONMY			● KINGSBURY	●	●	● PELTIER		●			
● CRABTREE		●	● KLOUBEK	●	●	● PETERSON		●	● MR. SPEAKER		●
● DICK			● KNUDSON	●	●	● POMEROY		●			
● DIETZ		●	● KOSKI	●		● REED		●			

JOURNAL OF THE HOUSE

• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TAMM
• HAUSAUER, R. # 25	• MARTINSON	• THUNJUM
• HEDSTROM	• MATHENY	• TWETEN

So Division A of House Bill No. 1309 failed to pass.

The question then was on the passage of Division B of House Bill No. 1309, with the portion being voted on as shown on pages 1, 2, and through line 23 of Page 3.

ROLL CALL

The roll was called, and there were ayes, 89; nays, 6; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE		•	• MEIERS		• VANDER VORST
• BERG			• HOFFNER		•	• MELBY		• VIG
• BERGE			• HOUANN		•	• MERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.		•	• MURPHY		• WALSH
• BLACK			• JACOBSON, I.		•	• MUSHK		• WEBER
• BOYUM			• KELLY		•	• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY		•	• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT		•	• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY		•	• PELTIER		
• CRABTREE			• KLOUBEC		•	• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON		•	• POMEROY		
• DIETZ			• KOSKI		•	• REED		
• DOTZENROD			• KRETSCHMAR		•	• RETZER		
• DUBORD			• KUCHERA		•	• RICHARD		
• EAGLES			• LANG		•	• RICHIE		
• ERICKSON			• LANGLEY		•	• RIEHL		
• FLEMING			• LARDY		•	• RUED		
• FREBORG		•	• LARSON, F. # 24		•	• SCHINDLER		
• GACKLE		•	• LARSON, G. # 29		•	• SCOFIELD		
• GERL			• LARSON, H. # 7		•	• SOLBERG		•
• GORDER			• LEE		•	• STENEHJEM		
• GUNDERSON			• LEIBHAN		•	• STRINDEN		
• GUNSCH			• LIPSIEA		•	• SWONTEK		
• HANSON			• MAIXNER		•	• THOMPSON		
• HAUGLAND			• MARSDEN		•	• THORSGARD		
• HAUSAUER, A. # 49			• MARTIN		•	• TAMM		
• HAUSAUER, R. # 25			• MARTINSON		•	• THUNJUM		
• HEDSTROM			• MATHENY		•	• TWETEN		•

So Division B of House Bill No. 1309 passed.

The question then was on the final passage of engrossed House Bill No. 1309, excluding Division A, and including Division B with title properly amended and sub-sections properly re-numbered.

**House Bill No. 1309.** — An Act to create and enact two new subsections to section 14-15-01 of the North Dakota Century Code, relating to definitions in the Revised Uniform Adoption Act; and to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the disclosure of nonidentifying adoptive information.

ROLL CALL

The roll was called, and there were ayes, 88; nays, 6; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE		•	• MEIERS		• VANDER VORST
• BERG			• HOFFNER		•	• MELBY		• VIG
• BERGE			• HOUANN		•	• MERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.		•	• MURPHY		• WALSH
• BLACK			• JACOBSON, I.		•	• MUSHK		• WEBER

● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEH	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F #24	● SCHINDLER	
● GACKLE	● LARSON G #29	● SCOFIELD	
● GERL	● LARSON H #7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWINTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A. #48	● MARTIN	● TIMM	
● HAUSAUER R. #25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So House Bill No. 1309, excluding Division A, passed and the title was agreed to.

**ANNOUNCEMENT**

Speaker Wagner announced that Reps. Kingsbury, Solberg and R. Jacobsen were excused to attend a meeting on revenue sharing.

**MOTIONS**

Rep. Peterson moved that House Bill No. 1322 be re-referred to the Committee on Appropriations, which motion failed to pass.

Rep. Strinden moved that House Bill No. 1322 be laid over one legislative day, which motion prevailed.

**ANNOUNCEMENT**

Speaker Wagner announced that Reps. Marsden, Unhjem and Mertens would be excused from the House to attend a Sub-Committee Meeting of the Appropriations Committee.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1327.** — A Bill for an Act to amend and reenact sections 4-19-05, 4-19-07, and 4-19-08 of the North Dakota Century Code, relating to the duties of the state forester, the authority to charge a user fee for state forest facilities, and the disposition of revenues derived from forestry activities.

Which has been read. **ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 1; absent and not voting, 16.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● WATTSON			● UNHJEM	●	
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST	●	
● BERG			● HOFFNER			● MELBY			● VIG		●
● BERGE			● HOUWMANN			● MERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN WR			● MURPHY	●		● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER			● MR SPEAKER		
● CRABTREE			● KLOUBEC			● PETERSON					
● DICK			● KNUDSON	●		● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEH					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #29			● SCOFIELD	●				
● GERL			● LARSON H #7			● SOLBERG	●				
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN	●				
● GUNSCH			● LIPSIA			● SWINTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN	●		● THORSGARD					
● HAUSAUER A. #48			● MARTIN			● TIMM					

● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1334.** — A Bill for an Act to amend and reenact section 15-62.1-01, subsection 1 of 15-62.1-02, and sections 15-62.1-04, 15-62.1-07, and 15-62.1-09 of the North Dakota Century Code, relating to the guaranteed student loan program; and to repeal sections 15-62.1-11 and 15-62.1-12 of the North Dakota Century Code, relating to the guaranteed loan program.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNJEM	●	
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● WERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN	●		● MURPHY	●		● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER	●	
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KINGMOTT			● OPEDAHL			● WINKLER		
● CONRY			● KINGSBUR			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON	●		● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUED					
● FREIBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #29			● SCOFIELD	●				
● GERL			● LARSON, H. #7			● SOLBERG	●				
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN	●				
● GUNSON			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN	●		● THORSGAARD					
● HAUSAUER, A. #49			● MARTIN			● TMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**House Bill No. 1338.** — A Bill for an Act to amend and reenact section 16-18-05 of the North Dakota Century Code, relating to the time for making application for an absent voters' ballot, and providing that an application form may be obtained from either the county or city auditor for general, special, primary, or county elections; or in the alternative to amend and reenact section 16.1-07-05 of the North Dakota Century Code, as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the time for making application for an absent voters' ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there ayes, 83; nays, 0; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● WATTSON			● UNJEM	●	
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● WERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		

• BJORNSON	• JACOBSON R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLA	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWITT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBERG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEIM	
• GUNDERSON	• LEIBHAN	• STRINDEW	
• GUNSCHE	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1378.** — A Bill for an Act to amend and reenact subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to a retirement program for employees of institutions of higher education as an alternative to chapter 15-39.1.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 0; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HIKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSON R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLA			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWITT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHEIM					
• GUNDERSON			• LEIBHAN			• STRINDEW					
• GUNSCHE			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1379.** — A Bill for an Act to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 55; nays, 33; absent and not voting, 12.



Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 6; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	HERMAN		●	MATTSON				●
●	BENEDICT		●	HICKLE		●	MEIERS		●		●
●	BERG		●	HOFFNER		●	MELBY		●		●
●	BERGE		●	HOUIMANN		●	MERTENS	●			●
●	BERGER		●	HOVE		●	MEYER		●		●
●	BJORNSON		●	JACOBSEN, R		●	MURPHY		●		●
●	BLACK	●	●	JACOBSON, I		●	MUSHIK				●
●	BOYUM		●	KELLY		●	NICHOLAS		●		●
●	BROKAW	●	●	KENNELLY		●	OLSON		●		●
●	CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●		●
●	CONNY		●	KINGSBURG		●	PELTIER				●
●	CRABTREE		●	KLOUBEC		●	PETERSON	●			●
●	DICK		●	KNUDSON	●	●	POMEROY				●
●	DIETZ		●	KOSKI		●	REED				●
●	DOTZENROD		●	KRETSCHMAR		●	RETZER				●
●	DUBORD		●	KUCHERA	●	●	RICHARD				●
●	EAGLES		●	LANG		●	RICHIE				●
●	ERICKSON		●	LANGLEY		●	RIEHL				●
●	FLEMING		●	LARDY		●	RUED				●
●	FREBORG		●	LARSON, F # 24		●	SCHINDLER				●
●	GACKLE		●	LARSON, G # 29		●	SCOFIELD	●			●
●	GERL		●	LARSON, H # 7		●	SOLBERG				●
●	GORDER	●	●	LEE		●	STENEHJEM				●
●	GUNDERSON		●	LEIBHAN		●	STRINDEN	●			●
●	GUNSCH	●	●	LIPSIA		●	SWONTEK				●
●	HANSON		●	MAIXNER		●	THOMPSON				●
●	HAUGLAND		●	MARSDEN	●	●	THORSgard				●
●	HAUSAUER, A # 46		●	MARTIN		●	TIMM				●
●	HAUSAUER, R # 26		●	MARTINSON		●	TINJUM				●
●	HEDSTROM		●	MATHENY		●	TWETEN				●
									●		MR. SPEAKER

So the bill passed and the title was agreed to.

**House Bill No. 1422.** — A Bill for an Act to amend and reenact sections 43-10-05, 43-10-13, 43-10-14, 43-10-15, and 43-10-22 of the North Dakota Century Code, relating to the power of the board of embalmers to establish license fees, the fees for embalmer licenses issued after examination and without examination, license renewal fees, and license and renewal fees for funeral establishments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 7; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BACKES		●	HERMAN		●	MATTSON				●
●	BENEDICT		●	HICKLE		●	MEIERS		●		●
●	BERG		●	HOFFNER		●	MELBY		●		●
●	BERGE		●	HOUIMANN		●	MERTENS	●			●
●	BERGER		●	HOVE		●	MEYER		●		●
●	BJORNSON		●	JACOBSEN, R		●	MURPHY		●		●
●	BLACK		●	JACOBSON, I		●	MUSHIK				●
●	BOYUM		●	KELLY		●	NICHOLAS		●		●
●	BROKAW		●	KENNELLY		●	OLSON		●		●
●	CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●		●
●	CONNY		●	KINGSBURG		●	PELTIER				●
●	CRABTREE		●	KLOUBEC		●	PETERSON	●			●
●	DICK		●	KNUDSON	●	●	POMEROY				●
●	DIETZ		●	KOSKI		●	REED				●
●	DOTZENROD		●	KRETSCHMAR		●	RETZER				●
●	DUBORD		●	KUCHERA	●	●	RICHARD				●
●	EAGLES		●	LANG		●	RICHIE				●
●	ERICKSON		●	LANGLEY		●	RIEHL				●
●	FLEMING		●	LARDY		●	RUED				●
●	FREBORG		●	LARSON, F # 24		●	SCHINDLER				●
●	GACKLE		●	LARSON, G # 29		●	SCOFIELD	●			●
●	GERL		●	LARSON, H # 7		●	SOLBERG				●
●	GORDER	●	●	LEE		●	STENEHJEM				●
●	GUNDERSON		●	LEIBHAN		●	STRINDEN	●			●
●	GUNSCH	●	●	LIPSIA		●	SWONTEK				●
●	HANSON		●	MAIXNER		●	THOMPSON				●
									●		MR. SPEAKER

● HAUGLAND	● MARDEN	● THORSGARD
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1432.** — A Bill for an Act to repeal sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code, relating to the creation, membership, and powers and duties of the legislative compensation commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 10; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES		●	● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG		●	● HOFFNER		●	● MELBY			● VG		●
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK		●	● WEBER		●
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK	●		● KNUDSON			● POMEROY		●			
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD		●			
● EAGLES		●	● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #25			● SCOFIELD					
● GERL			● LARSON H #7			● SOLBERG		●			
● GORDER			● LEE			● STENHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARDEN			● THORSGARD		●			
● HAUSAUER A #49			● MARTIN		●	● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1433.** — A Bill for an Act to amend and reenact subsection 3 of section 14-15-13 of the North Dakota Century Code, relating to the time at which an interlocutory decree of adoption may become a final decree.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VG		●
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					



• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1437.** — A Bill for an Act to establish the North Dakota cultural endowment fund under the jurisdiction of the council on the arts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 7; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM	•	
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• YIG		
• BERGE			• HOUMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLUBBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHER			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY	•		• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG	•		• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD	•				
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN		•	• STRINDEN					
• GUNSCH		•	• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Rued moved that the House reconsider its action whereby House Bill No. 1322 was laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1322.** — A Bill for an Act to provide for supplementary benefits to persons receiving workmen's compensation benefits under previous benefit allowances, and establishment of a supplementary benefit fund within the workmen's compensation fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 17; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM	•	

● BENEDICT	● HICKLE	● MEIERS	● VANDER VORST
● BERG	● HOFFNER	● MELBY	● VG
● BERGE	● HOUMANN	● MERTENS	● WAGNER
● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN R.	● MURPHY	● WALSH
● BLACK	● JACOBSON, I.	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAH	● WINKLER
● CONMY	● KINGSBUR	● PELTIER	
● CRABTREE	● KLOUBEK	● PETERSON	MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F. #24	● SCHINDLER	
● GACKLE	● LARSON G. #29	● SCOFIELD	
● GERL	● LARSON, H. #7	● SOLBERG	
● GORDER	● LEE	● STENHEW	
● GUNDERSON	● LEIGHAN	● STRINDEN	
● GUNSON	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER, A. #40	● MARTIN	● TIMM	
● HAUSAUER, R. #25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bills 1471, 1582, 1584, 1614, 1632 and 1528 and House Concurrent Resolution No. 3005 be laid over one legislative day, which motion prevailed.

ANNOUNCEMENT

Rep. Strinden requested that the record show that Rep. Peterson has been absent part of the session each day, which absences are occasioned by medical appointments for daily therapy.

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Thirteenth Order, and at the conclusion of the Thirteenth Order, the House stand adjourned until 12:30 p.m., Friday, February 2, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1021, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10, delete the numerals "1,692,824" and insert in lieu thereof the numerals "1,706,944"

On page 1, after line 16, insert the following: "(Includes salary of director not to exceed \$45,400 for the biennium)"

On page 1, line 17, delete the numerals "234,161" and insert in lieu thereof the numerals "242,281"

On page 1, line 19, delete the numerals "56,426" and insert in lieu thereof the numerals "62,426"

On page 1, line 21, delete the numerals "1,692,824" and insert in lieu thereof the numerals "1,706,944"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

Increase fees and services by \$8,120 from the general fund for payment of water and sewer assessment. Increase supplies and materials by \$6,000 from the general fund to allow for printing of bulletins. This is confirmed by a letter to the Appropriations Committee from the Office of the Budget.

*James A. Peterson*

Chairman

Rep. James A. Peterson

House Bill No. 1021 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1186, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

be amended as follows:

On page 3, line 21, delete the word "his"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*W. Haugland*

Chairman

HOUSE

Bill No. 1186

Rep. Haugland was placed on the

6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1250, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

be amended as follows:

On page 1, line 14 delete "occurring" and insert in lieu thereof "occurring"

On page 1, line 15 delete "flourine" and insert in lieu thereof "fluorine"

And renumber the lines accordingly.

And when so amended, recommends the same do pass.


  
Rep. Kloubec Chairman

House Bill No. 1250 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1276, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. Kloubec Chairman

House Bill No. 1276 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS to whom was referred HOUSE

Bill No. 1279, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. Haugland Chairman

HOUSE Bill No. 1279 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1282, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 13, wherever the numerals "1978" appear, delete and insert in lieu thereof the numerals "1979"

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson Chairman

House Bill No. 1282 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1300, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2 delete lines 23 through 29

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations.

Haugland Chairman  
Rep. Haugland

HOUSE Bill No. 1300 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1336, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rukle Chairman  
Rep. Kloubec

House Bill No. 1336 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1354, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Lang Chairman  
Rep. Lang

House Bill No. 1354 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1389, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

\_\_\_\_\_ *Haugland* Chairman  
 HOUSE Bill No. 1389 Rep. Haugland was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
 to whom was referred House

Bill No. 1418, has had the same under consideration and recommends, by a vote of  
 Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

\_\_\_\_\_ *Winkjer* Chairman  
 HOUSE Bill No. 1418 Rep. Winkjer was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES  
 to whom was referred House

Bill No. 1445, has had the same under consideration and recommends, by a vote of  
 Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11 after the word "possess" insert the following  
 ", repair, or sell" and also on line 11 strike "newly  
 purchased" and insert in lieu thereof "acquired"

And when so amended, recommends the same do pass.

\_\_\_\_\_ *Kloubec* Chairman  
 HOUSE Bill No. 1445 Rep. Kloubec was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION  
 to whom was referred HOUSE

Bill No. 1449, has had the same under consideration and recommends, by a vote of  
 Ayes, 9; Nays, 2; Absent, 5, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 8 delete the dollar amount "15" and insert in lieu  
 thereof the dollar amount "25"

On page 2, line 9 delete the dollar amount "30" and insert in lieu thereof the dollar amount "40"

On page 2, line 10 delete the dollar amount "30" and insert in lieu thereof the dollar amount "70" and also on line 10 delete the dollar amount "4" and insert in lieu thereof the dollar amount "3"

On page 2, line 11 delete the dollar amount "70" and insert in lieu thereof the dollar amount "100"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

Rep. Erickson Chairman  
Rep. Erickson

House Bill No. 1449 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1454, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Knudson Chairman  
Rep. Knudson  
House Bill No. 1454 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1472, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

But be re-referred to the Committee on Appropriations

Haugland Chairman  
Rep. Haugland

HOUSE Bill No. 1472 was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE

Bill No. 1474, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Lang*

Chairman

Rep. Lang

House Bill No. 1474 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1479, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Lang*

Chairman

Rep. Lang

House Bill No. 1479 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1486, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 2; Absent, 5, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep Erickson*

Chairman

Rep. Erickson

House Bill No. 1486 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1512, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Lang*

Chairman

Rep. Lang

House Bill No. 1512 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1539, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same



do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*Rep Erickson*

Chairman

House Bill No. 1539 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred House

Bill No. 1568, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 18, strike "if sixty percent or more of the electors"  
On page 2, line 19, strike everything before the period

And when so amended, recommends the same do pass.

*Lang*

Chairman

House Bill No. 1568 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1592, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*Rep Erickson*

Chairman

House Bill No. 1592 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1623, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*Rep Erickson*

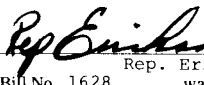
Chairman

House Bill No. 1623 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION  
to whom was referred HOUSE

Bill No. 1628, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 0; Absent, 4, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

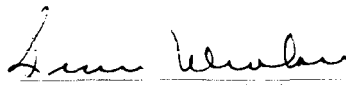
 Chairman  
Rep. Erickson

House Bill No. 1628 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1630, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

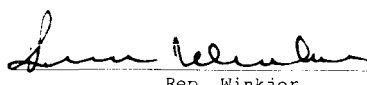
 Chairman  
Rep. Winkjer

House Bill No. 1630 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1646, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 2; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. Winkjer

House Bill No. 1646 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred House

Bill No. 1657, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 7; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 7, after the word "any" insert the word "accredited" and also on line 7 after the word "Dakota" insert the following new language: "granting a four year baccalaureate degree"

On page 1, line 11, delete the words "seventy-five" and insert in lieu thereof the word "fifty"

On page 1, line 12, after the word "school" insert the following new language: ", but not in excess of the tuition for similar courses and credit hours at the University of North Dakota. Any private college or university which shall agree to participate in such a program shall waive twenty-five percent of the tuition for qualifying national guardsmen"

On page 1, line 18, after the period insert the following new language: "As used in this Act the word "tuition" has the same meaning as provided in section 37-07.1-02."

On page 2, line 7, after the period insert the following new language: "The grants provided for in this Act shall be paid from such funds as may be appropriated for tuition payment purposes in accordance with chapter 37-07.1."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but to be re-referred to the Committee on Appropriations

*Rep. Knudson* Chairman  
Rep. Knudson  
House Bill No. 1657 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1680 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Winkjer* Chairman

House Bill No. 1680 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred

SCR 4022 has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Kloubec* Chairman

House Bill No. SCR 4022 was placed on the 14th order of business on the calendar for the succeeding legislative day.

## FIRST READING OF SENATE BILLS

**Senate Bill No. 2245.** — A Bill for an Act to create and enact three new subsections to section 39-01-01 of the North Dakota Century Code, relating to definitions of lienholder, motorized bicycle, and salvage certificate of title; and to amend and reenact subsections 2, 29, and 37 of section 39-01-01 of the North Dakota Century Code, relating to definitions of bicycle, manufacturer, and owner.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2294.** — A Bill for an Act to amend and reenact subsection 1 of section 19-02.1-15 of the North Dakota Century Code, relating to drugs limited to dispensing on prescription.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2352.** — A Bill for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to when the board of county commissioners shall advertise for rental contracts or agreements for use of road machinery or articles for the improvement of highways.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2357.** — A Bill for an Act to create and enact a new subsection to section 39-01-01 and a new section to chapter 39-10.1 of the North Dakota Century Code, relating to a definition of "motorized bicycle" and required age for operation of a motorized bicycle; and to amend and reenact subsections 2 and 32 of section 39-01-01 of the North Dakota Century Code, relating to the definition of "bicycle" and "motor vehicle".

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2366.** — A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, dropping the requirement of a bid bond or certified check in bidding on vehicles if the bidder is already bonded.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2375.** — A Bill for an Act to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to the powers of the state game and fish commissioner, deputy commissioner and any bonded appointees of the commissioner.

Which was read the first time and referred to the Committee on Natural Resources.

The House stood adjourned until 12:30 p.m., Friday, February 2, 1979, pursuant to Rep. Strinden's motion.

ROY GILBREATH, Chief Clerk

TWENTY-THIRD DAY

Bismarck, February 2, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Duane Danielson, House of Prayer Lutheran Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Hoffner, Kuchera, G. Larson, Peterson, Retzer, Scofield, Stenehjem, Strinden and Unhjem.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-second Day and finds the same to be correct.

Stan Swientek Rep. Swientek Chairman

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

HB NO. 1309

and find the same correctly Re Engrossed

Wayne Stenehjem Rep. Stenehjem Chairman

Representative Dietz moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1022

HB NO. 1023

HB NO. 1357

HB NO. 1394


HB NO. 1398

HB NO. 1419

HB NO. 1431

HB NO. 1565

and find the same correctly } ~~Referred~~  
Engrossed

Representative Dietz  Chairman  
~~Rep. Stephen~~ moved that the report be adopted, which  
 motion prevailed, and the report was adopted.

#### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1021 as recommended by the Committee on Appropriations as printed on pages 554 and 555 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1186 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 555 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1250 as recommended by the Committee on Natural Resources as printed on pages 555 and 556 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1282 as recommended by the Committee on Appropriations as printed on page 556 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1300 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 557 of the House Journal be adopted, which motion prevailed.

House Bill No. 1300 was re-referred to the Committee on Appropriations.

Rep. Kloubec moved that the amendments to House Bill No. 1445 as recommended by the Committee on Natural Resources as printed on page 558 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1449 as recommended by the Committee on Transportation as printed on pages 558 and 559 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1568 as recommended by the Committee on Political Subdivisions as printed on page 561 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1657 as recommended by the Committee on Education as printed on pages 562 and 563 of the House Journal be adopted, which motion prevailed.

House Bill No. 1657 was re-referred to the Committee on Appropriations.

#### ANNOUNCEMENT

Rep. Kretschmar announced that Rep. Gordon Larson and Rep. Elmer Retzer are absent to attend the funeral of former Rep. Cliff Lindberg of Jamestown. Rep. Kuchera is absent for medical reasons. Reps. Stenejem and Hoffner are absent representing the House at a Health Care Conference sponsored by the Council of State Governments at St. Louis, Missouri. Rep. Peterson is absent for medical reasons.

#### MOTIONS

Rep. Kretschmar moved that House Bill Nos. 1389, 1632, and 1645, and House Concurrent Resolution No. 3005 and Senate Concurrent Resolution No. 4022 be laid over one legislative day, which motion prevailed.

Rep. Martinson moved that House Bill No. 1478 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Martinson requested permission to withdraw House Bill No. 1478. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

**House Bill No. 1336.** — A Bill for an Act to amend and reenact subsection 1 of section 38-18-02, subsection 10 of section 38-18-05, and subsection 2 of section 38-18-07 of the North Dakota Century Code, relating to a legislative finding of necessity to protect interests of people of North Dakota, definition of surface owner, and payments for disruption and surface damage by mineral developer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 82; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUHMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MERYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHN	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENHOOD	•		KRETSCHMAR	•		RETZER	•				
DYBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. #24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. #29	•		SCOFIELD	•				
GERI	•		LARSON, H. #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBMAN	•		STRINDEN	•				
GUINSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER, A. #48	•		MARTIN	•		TIMM	•				
HAUSAUER, R. #25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1418.** — A Bill for an Act to amend and reenact subsection 2 of section 14-08-07 of the North Dakota Century Code, relating to the transfer of proceedings for enforcement of a child support decree.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 87; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUHMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MERYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	

CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKJER	•
CONNY	•	KINGSBURY	•	PELTIER	•	MR. SPEAKER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROOD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F. # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G. # 29	•	SCOFIELD	•		
GERL	•	LARSON, H. # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIEA	•	SWONTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGAARD	•		
HAUSAUER, A. # 40	•	MARTIN	•	TIMM	•		
HAUSAUER, R. # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHEHY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1454.** — A Bill for an Act to provide for the distribution of statewide library borrower's cards; to provide for the distribution of funds to participating libraries; and to provide an appropriation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 83; absent and not voting, 9.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		WATSON	•		UNJEM	•	
BENEDICT	•		HICKLE	•		WEIERS	•		VANDERVORST	•	
BERG	•		HOFFNER	•		MELBY	•		YIG	•	
BERGE	•		HOUMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORKSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•				
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROOD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGAARD	•				
HAUSAUER, A. # 40	•		MARTIN	•		TIMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHEHY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1486.** — A Bill for an Act to create and enact a new section to chapter 39-06.1 of the North Dakota Century Code, relating to a failure to conserve gasoline offense for a speeding violation not more than fifteen miles per hour in excess of the fifty-five mile per hour speed limit, a five dollar fine for each offense but no points against the licensee's driving record, and providing that violations of the section are not to be reported to the licensing authority; to amend and reenact section 39-06.1-02, subsection 2 of section 39-06.1-03, subsection 2 of section 39-06.1-06, and paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to noncriminal traffic violations, administrative hearings for traffic



violations, amount of statutory fees, and point entries against a driving record for speeding.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 73; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOLMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHER	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 28	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJUM	•				
GUNDERSON	•		LEIBHAN	•		STRANDE	•				
GUNSCH	•		LIPSIA	•		SWONTEK	•				
HANSON	•		MAXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A. # 48	•		MARTIN	•		TIMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•				
HEOSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1539.** — A Bill for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to entries against driving records for following another vehicle too close.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 83; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOLMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHER	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 28	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJUM	•				
GUNDERSON	•		LEIBHAN	•		STRANDE	•				
GUNSCH	•		LIPSIA	•		SWONTEK	•				

HANSON	WAXNER	THOMPSON
HAUGLAND	WARSDEN	THORSGARD
HAUSAUER, #48	MARTIN	TIMM
HAUSAUER, #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill lost.

**House Bill No. 1623.** — A Bill for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to authority of the highway commissioner and local authorities to regulate the use of highways in their respective jurisdiction and to deposit funds collected in their respective road funds for highway purposes.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 47; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		•			•		UNHJEM
•			HICKLE	•		•			•		VANDER VORST
•			HOFMEIER	•		•			•		VIG
•		•	HOLMANN	•		•			•		WAGNER
•			HOVE	•		•			•		WALD
•			JACOBSEN, R.	•		•			•		WALSH
•			JACOBSON, I.	•		•			•		WEBER
•			KELLY	•		•			•		WENTZ
•		•	KENNELLY	•		•			•		WESSMAN
•			KERMOTT	•		•			•		WINKLER
•			KINGSBURY	•		•			•		
•		•	KLOUBEC	•		•			•		MR. SPEAKER
•			KNUDSON	•		•			•		
•		•	KOSKI	•		•			•		
•			KRETSCHMAR	•		•			•		
•			KUCHER	•		•			•		
•			LANG	•		•			•		
•		•	LANGLEY	•		•			•		
•			LARDY	•		•			•		
•		•	LARSON, F. #24	•		•			•		
•			LARSON, #29	•		•			•		
•			LARSON, H. #7	•		•			•		
•		•	LEE	•		•			•		
•			LEIBMAN	•		•			•		
•		•	LIPSEA	•		•			•		
•			MAXNER	•		•			•		
•			WARSDEN	•		•			•		
•		•	MARTIN	•		•			•		
•			MARTINSON	•		•			•		
•			MATHENY	•		•			•		

So the bill lost.

### MOTIONS

Rep. Lardy moved that the House reconsider its action whereby it passed re-engrossed House Bill No. 1309, excluding Division A and including Division B, which motion prevailed.

Rep. Lardy moved that the House reconsider its action whereby it passed Division B of engrossed House Bill No. 1309, being the portion shown on pages 1, 2, and through line 23 of Page 3, which motion prevailed.

Rep. Lardy moved that the House reconsider its action whereby it failed to pass Division A of engrossed House Bill No. 1309, being the portion shown on page 3 of the bill starting on line 24 through page 6, which motion prevailed.

Rep. Lardy moved that engrossed House Bill No. 1309 be re-referred to the Committee on Social Services and Veterans Affairs, which motion prevailed.

### MESSAGES TO THE SENATE House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1012  
 House Bill No. 1240  
 House Bill No. 1346  
 House Bill No. 1364  
 House Bill No. 1365  
 House Bill No. 1366  
 House Bill No. 1376  
 House Bill No. 1398  
 House Bill No. 1416  
 House Bill No. 1426  
 House Bill No. 1441  
 House Bill No. 1457  
 House Bill No. 1525  
 House Bill No. 1526

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2049

ROY GILBREATH, Chief Clerk  
 MESSAGES FROM THE SENATE  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1045

House Bill No. 1079

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2159

Senate Bill No. 2183

Senate Bill No. 2191

Senate Bill No. 2206

Senate Bill No. 2211

Senate Bill No. 2221

Senate Bill No. 2301

Senate Bill No. 2304

Senate Bill No. 2324

Senate Bill No. 2344

Senate Bill No. 2390

Senate Bill No. 2395

Senate Concurrent Resolution No. 4015

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2102

Senate Bill No. 2103

Senate Concurrent Resolution No. 4047

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary  
 SECOND READING OF HOUSE BILLS

**House Bill No. 1646.** — A Bill for an Act to amend and reenact subdivision a of subsection 1 of section 14-14-03, and sections 14-14-14

and 14-14-23 of the North Dakota Century Code, relating to uniform child custody jurisdiction, modification of a custody decree in another state, and to international application of the Act; and providing for jurisdiction if the state is the domicile of the child and at least one of his parents, for modification of a custody decree when the present welfare of a child requires a modification, and recognizing custody decrees of other nations provided they do not prejudice the rights of the United States and North Dakota governments or their citizens.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 7; nays, 85; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNKIEW		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUHANN		●	WERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN, R		●	MURPHY		●	WALSH		●
● BLACK		●	JACOBSEN, I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
● CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKLER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHIE		●			
ERIKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREIBORG		●	LARSON, F. # 21		●	SCHINDLER		●			
GACKLE		●	LARSON, G. # 20		●	SCOFIELD		●			
● GERL		●	LARSON, H. # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBMAN		●	STRINDEN		●			
GUNSON		●	LIPSIA		●	SHRODTER		●			
HANSON		●	● MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSgard		●			
HAUSAUER, A. # 40		●	MARTIN		●	TIMM		●			
HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill lost.

#### MOTION

Rep. Kretschmar moved that House Bill No. 1479 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1479.** — A Bill for an Act to create and enact section 16-16-34.1 of the North Dakota Century Code, relating to the terms and conditions for refunding special assessment warrants of water management districts; and to amend and reenact subdivision c of subsection 7 of section 21-03-06, and sections 21-03-26, 40-27-13, and 40-57-04 of the North Dakota Century Code, relating to refunding general obligation bonds of municipalities, publication of notice of municipal bond issues, refunding special assessment warrants, and approval of resolutions authorizing issuance of municipal industrial development bonds.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONS	●	● UNHJEM
● BENEICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER ●			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOOT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER ●		
● DUBORD			● KUCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY ●			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 25			● SCOFIELD ●		
● GERL			● LARSON, H. # 7			● SOLBERG ●		
● GORDER			● LEE			● STENEHJEM ●		
● GUNDERSON			● LEIBHAN			● STRINDEN ●		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● MAUXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A. # 4			● MARTIN			● TIMM		
● HAUSAUER R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1022.** Livestock Sanitary Board — A Bill for an Act making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONS		● UNHJEM
● BENEICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER ●			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY	●	● WALSH
● BLACK			● JACOBSON, I.			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOOT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER ●		
● DUBORD			● KUCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY ●			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 25			● SCOFIELD ●		
● GERL			● LARSON, H. # 7			● SOLBERG ●		
● GORDER			● LEE			● STENEHJEM ●		
● GUNDERSON			● LEIBHAN			● STRINDEN ●		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● MAUXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A. # 4			● MARTIN			● TIMM		
● HAUSAUER R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1023.** Milk Stabilization Board — A Bill for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.



So the bill passed and the title was agreed to.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Elliot Glassheim, and Rep. Glassheim was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

**House Bill No. 1279.** — A Bill for an Act to amend and reenact section 25-01-01.1 of the North Dakota Century Code, relating to the coordinating committee on mental retardation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 4; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HKKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER	●		● MELBY			● VIG		●
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		●
● CONNY			● KINGSBUR			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER	●				
● DUBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, # 28			● SCOFIELD	●				
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHUM	●				
● GUNDERSON			● LEIBHAN			● STRINDE	●				
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSRGARD					
● HAUSAUER, A. # 40	●		● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1354.** — A Bill for an Act to amend and reenact section 44-08-11 of the North Dakota Century Code, relating to the defense of law enforcement officers by the State and political subdivisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 3; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HKKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER	●		● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBUR			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					

• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. #24	• SCHINDLER
• GACKLE	• LARSON, G. #25	• SCOFIELD
• GERL	• LARSON, H. #7	• SOLBERG
• GORDER	• LEE	• STENEHJE
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. #48	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1357.** — A Bill for an Act to create and enact a new subsection to section 43-11-31 of the North Dakota Century Code, relating to refusal to grant a certificate of registration for hairdressers and cosmetologists; and to amend and reenact sections 43-11-11 and 43-11-12, subsection 2 of section 43-11-16, sections 43-11-17 and 43-11-19, subsection 1 of section 43-11-20.1, subsections 3 and 4 of section 43-11-21, sections 43-11-24 and 43-11-25, subsections 1 and 2 of section 43-11-26, subsections 1, 2, and 3 of section 43-11-27, subsections 1, 2, and 3 of section 43-11-28, and section 43-11-30 of the North Dakota Century Code, relating to sanitary rules, aid of the board of hairdressers and cosmetologists, registered schools, fees for certificates of registration for schools, student registration, tuition refund, operator's certificate examination, operator's certificate without examination, manager-operator, instructor's license, renewal of certificates, and revocation of certificate.

Which has been read.

Rep. Lardy moved that the House dispense with the reading of the title to House Bill No. 1357, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 3; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE	
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HEKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER	•		• MELBY		• VIG
• BERGE			• HOUHANN		•	• MERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY	•	• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKLER
• CONNY			• KINGSBURG			• PETER		
• CRABTREE			• KLOUBEC			• PETERSON	•	• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER	•	
• DuBORD			• KUCHERA	•		• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, F. #24			• SCHINDLER		
• GACKLE			• LARSON, G. #25			• SCOFIELD	•	
• GERL			• LARSON, H. #7			• SOLBERG	•	
• GORDER			• LEE			• STENEHJE	•	
• GUNDERSON			• LEIBHAN			• STRINDEN	•	
• GUNSCHE			• LIPSIEA			• SWONTEK		
• HANSON			• MAXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER, A. #48			• MARTIN			• TIMM		
• HAUSAUER, R. #25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY	•		• TWETEN		

So the bill passed and the title was agreed to.





● GERL	● LARSON, H. #7	SOLBERG●
● GORDER	● LEE	● STENEHJUM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIKNER●	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1431.** — A Bill for an Act to amend and reenact section 26-24-13 of the North Dakota Century Code, relating to additional premium assessments for the state fire and tornado fund and the reporting of premiums and losses pertaining to the state fire and tornado fund.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER●			● MELBY			● YG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELLER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER●					
● DuBORD			● KUCHER●			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, ● #26			● SCOFIELD●					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE			● STENEHJUM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIKNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**MOTION**

Rep. Backes moved that House Bill No. 1471 be laid over one legislative day, which motion prevailed.

Speaker Wagner called Rep. Conny to the rostrum to preside.

**MESSAGE FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Concurrent Resolution No. 3012

LEO LEIDHOLM, Secretary

**AMENDMENTS TO**

**HOUSE CONCURRENT RESOLUTION No. 3012**

On page 2, line 14, after the word "commodities" delete the period and insert "; and"

On page 2, line 18, after "1979" delete the period and insert "; and"  
And renumber the pages, lines, and sections accordingly.



● FLEMING	LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEW
● GUNDERSON	● LEIBHAN	● STRANDEN
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1582.** — A Bill for an Act to amend and reenact sections 47-18-01, 47-18-03, 47-18-14, 47-18-17, 47-18-18, and 47-18-19 of the North Dakota Century Code, relating to the homestead; and to repeal section 47-18-02 of the North Dakota Century Code, relating to the homestead.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER ●			● MELBY			● YG		
● BERGE			● HOJUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER ●		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RICHARD ●					
● DUBORD ●			● KUCHERA ●			● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD ●					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEW ●					
● GUNDERSON			● LEIBHAN			● STRANDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A # 49			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1584.** — A Bill for an Act to amend and reenact section 28-22-16 of the North Dakota Century Code, relating to limitations of exemptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER ●			● MELBY			● YG		
● BERGE			● HOJUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		

● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F. # 24	● SCHINDLER	
● GACKLE	● LARSON G. # 29	● SCOFIELD	
● GERL	● LARSON H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSIEA	● SWONTEK	
● HANSON	● MAXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1592.** — A Bill for an Act to amend and reenact subsection 2 of section 39-10-03 of the North Dakota Century Code, relating to equipment on class A authorized emergency vehicles; and to repeal subsection 4 of section 39-10-03.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 3; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON	●		● JACOBSEN R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON I			● NUBK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN	●		● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER	●				
● DuBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F. # 24			● SCHINDLER					
● GACKLE			● LARSON G. # 29			● SCOFIELD	●				
● GERL			● LARSON H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1614.** — A Bill for an Act to amend and reenact sections 15-39.2-01 and 15-39.2-05 of the North Dakota Century Code, relating to the method for calculating retirement annuity of teachers retired under the teachers' insurance and annuity association of America-college retirement equities fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 9; absent and not voting, 12.



● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1630.** — A Bill for an Act to amend and reenact subsection 1 of section 12.1-33-01 and subsections 1 and 2 of section 12.1-33-03 of the North Dakota Century Code, relating to the right of a person who has been convicted of a felony to vote and hold public office, except during the term of actual incarceration.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 7; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACHES	●		● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER	●		● MELBY	●		● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY	●		● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON		●	● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOBECC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER	●				
● DuBORD	●		● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED		●			
● FREBORG			LARSON, F. #47 24			● SCHINDLER					
● GACKLE			LARSON, G. #47 29			● SCOFIELD	●				
● GERL			LARSON, H. #7			● SOLBERG					
● GORDER			● LEE			● STENEHEJEM	●				
● GUNDERSON			● LEIBMAN	●		● STRINDEN	●				
● GUNTSCH			● LIPSEA			● SWONKE					
● HANSON			● MAINER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1680.** — A Bill for an Act to create and enact a new subsection to section 47-19-02 of the North Dakota Century Code, relating to instruments entitled to record without acknowledgment.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACHES	●		● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER	●		● MELBY	●		● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY	●		● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOBECC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER	●				
● DuBORD			● KUCHERA	●		● RICHARD					

● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RIED
● FREBORG	● LARSON, F. #24	● SCHINDLER
● GACKLE	● LARSON, G. #29	● SCOFIELD
● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJE
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSON	● LIPSIE	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHEWY	● TWETEN

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that House Bill No. 1528 be laid over one legislative day, which motion prevailed.

FIRST READING OF

SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4048.** — A concurrent resolution expressing sorrow on the death of Arlon G. Hazen, former Dean of the College of Agriculture at North Dakota State University.

Was read the first time.

Rep. Kretschmar moved that the rules be suspended, that Senate Concurrent Resolution No. 4048 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

SECOND READING OF

SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4048.** — A concurrent resolution expressing sorrow on the death of Arlon G. Hazen, former Dean of the College of Agriculture at North Dakota State University.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Monday, February 5, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1025, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 12, delete the numerals "821,709" and insert in lieu thereof the numerals "748,328"

On page 1, line 17, delete the numerals "441,786" and insert in lieu thereof the numerals "403,513"



On page 1, line 18, delete the numerals "223,431" and insert in lieu thereof the numerals "184,323"

On page 1, line 19, delete the numerals "74,492" and insert in lieu thereof the numerals "67,492"

On page 1, line 20, delete the numerals "7,000" and insert in lieu thereof the numerals "18,000"

On page 1, line 22, delete the numerals "821,709" and insert in lieu thereof the numerals "748,328"

On page 1, line 24, delete the numerals "746,709" and insert in lieu thereof the numerals "673,328"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

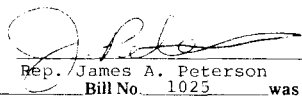
This amendment decreases Business and Industrial Development Department salaries and wages by \$38,273 to allow 6.5 percent per year salary increases and adequate fringe benefits for current employees, an addition of \$4,968 to bring the public information specialist III position to the minimum level of the salary range for this position, and a decrease of \$39,962 in salaries included in the executive recommendation for one FTE administrative officer in the new international trade program.

This amendment also deletes \$30,108 for fees and services, \$4,000 for supplies and materials, and \$1,000 for equipment included in the executive recommendation for the new program, international trade.

The amendment also transfers \$9,000 from fees and services and \$3,000 from supplies and materials to increase the equipment line item by \$12,000 for the purchase of a vehicle.

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:



Chairman

Rep. James A. Peterson

House

Bill No. 1025

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1037, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 18, delete the numerals "2,173,961" and insert in lieu thereof the numerals "1,998,349"

On page 1, line 19, delete the numerals "491,906" and insert in lieu thereof the numerals "489,934"

On page 1, line 24, underscore the numerals "20,000"

On page 2, delete line 1

On page 2, line 3, delete the numerals "5,620,323" and insert in lieu thereof the numerals "3,042,739"

On page 2, delete lines 4 through 32

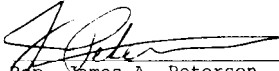
And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages appropriation for the Workmen's Compensation Bureau is reduced by \$175,612. Of that amount, \$101,969 is a reduction necessary to bring average salary increases for the 1979-81 biennium down to 6.5 percent annually; \$94,350 is a reduction to delete funds for the positions of two safety inspectors, and one assistant underwriter; and \$20,707 is an increase necessary to provide for adequate fringe benefits. Fees and services are decreased by \$1,972 to delete operating expenses related to the three deleted positions. Funding for the \$2.4 million building is deleted. Also, the \$857,917 funding for Workmen's Compensation-Agriculture Supplement is deleted.

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

  
Rep. James A. Peterson

Chairman

House Bill No. 1037 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1138, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 17 delete the numerals "16-07,"
- On page 1, line 24 delete the word "and" and after the numerals "16-04-36" insert the following: ", 16-07-01, 16-07-02, 16-07-03, 16-07-04, 16-07-05, 16-07-06, 16-07-07, 16-07-08, 16-07-09, 16-17-10, and 16-17-12
- On page 2, line 8 delete the following: "; and declaring an emergency"
- On page 4, line 5 after the word "association" insert the words "or their designated representatives"
- On page 5, after line 16 insert the following subsection final language: "Upon completion of the duties required by this subsection, the county auditor shall certify to the secretary of state, in the manner prescribed by the secretary of state, that the duties have been completed."
- On page 8, line 9 after the period insert the following new sentence: "In addition thereto, the attorney general shall prepare a measure analysis objectively describing the effect of the amendment or initiated or referred measure which shall be published in connection with the text of the proposed constitutional amendment or initiated or referred measure."
- On page 9, line 5 after the word "problem," insert the words "or if the secretary of state refuses to act,"
- On page 12, line 10 after the word "precinct" insert the words "provided that no precinct shall encompass more than one legislative district"

On page 19, line 32 delete the words "the secretary of state"

On page 19, line 33 delete the word "and"

On page 20, line 13 after the word "CHALLENGERS" insert the words  
" - POLL CHECKERS"

On page 20, line 17 after the period insert the following new sentence:  
"Individual poll challengers may be replaced at any time during the hours of voting, but no more than one poll challenger from each political party shall be entitled to be in attendance at each polling place at any one time."

On page 20, line 25 after the word "number," insert the words "if any,"

On page 20, line 26 after the word "employer," insert the words "if any,"

On page 23, after line 2 insert the following new subsection:  
"8. Have printed thereon the following language: "All ballots, other than those used to vote absentee, must be stamped and initialed by certain officials in order to be counted." "

On page 23, line 12 after the word "sufficient" insert the words  
"length and"

On page 23, delete all of lines 13 through 28 and insert in lieu thereof the following:

"a continuous listing of the designation of all the offices to be voted for.

2. On the top left-hand side of such ballot shall begin a continuous listing of the designation of each office to be voted for, and under the designation of each office all of the names of the candidates duly nominated for that office shall be printed.
3. The names of candidates nominated for each office shall appear under the designation of that office, and under each candidate's name shall appear, in smaller type, the appropriate party designation for each candidate. Where a candidate has been nominated by petition, the designation under that candidate's name, in smaller type, shall be "independent nomination".
4. The names of candidates under the designation of each office shall be alternated in the printing of the official ballot in the same manner as is provided for the primary election ballot."

On page 23, after line 30 insert the following new subsection:  
"6. The ballots shall have printed thereon the following language: "All ballots, other than those used to vote absentee, must be stamped and initialed by certain officials in order to be counted." "

On page 23, line 34 after the word "form" insert the word "best"

On page 24, line 15 after the word "BALLOT" delete the dash and insert in lieu thereof the word "FOR"

On page 24, delete all of lines 17 through 35 and insert in lieu thereof the following:  
"16.1-06-05 shall include the following: In presidential years the designation of the office of president and vice president shall be the first listing of the continuous listing of the designation of each office to be voted for. The names of presidential electors, presented in one certificate of nomination, shall be arranged in a group enclosed in brackets under the designation of the office of president and vice president. To the right and opposite the center of each group of electors' names shall be

printed in bold type the surname of the presidential candidate represented and to the right and in line with such surname, near the margin, shall be placed a single square. A mark within such square shall be designated as a vote for all the electors. The appropriate party designation shall appear, in smaller type, under the surname of the presidential candidate represented."

On page 34, after line 35 insert the following new subsection:

"5. A typed list, arranged in alphabetical order, containing the names and addresses of all electors who voted in such precinct in either of the last two elections conducted at such precinct, except that the county auditor, city auditor or clerk of the school board, as the case may be, is authorized to strike from such listing all entries relating to individuals who are known to be no longer electors of such precinct."

On page 35, line 4 after the word "shall" insert the word "also"

On page 35, line 6 after the word "precinct" insert the following:  
", and each elector whose name is not entered in the pollbook shall be required to execute an affidavit in accordance with section 16.1-05-06"

On page 40, line 15 after the period insert the following new sentence:  
"It shall be the duty of the officers issuing absent voters' ballots, as soon as possible after the printing of the ballots for any primary, special or general state election or any city or school election, to send such absent voters' ballots to all military personnel on active duty who are qualified to vote in the county, city, or school district, as the case may be, provided that the name and addresses of such military personnel have been furnished to the official responsible for such mailing."

On page 40, line 17 delete the word "or"

On page 40, delete all of lines 18 through 26

On page 40, line 27 delete the words "In the case of"

On page 40, line 31 after the word "by" insert the words "the canvassing board of the county,"

On page 41, line 1 after the word "received" insert the words "by mail" and also in line 1 delete the words "before the meeting of" and insert in lieu thereof the words "within twenty-four hours after the closing of the polls on election day"

On page 41, delete all of line 2

On page 41, line 3 delete "board, as the case may be,"

On page 42, line 7 after the word "be" insert the words ", with other absent voters' ballots received too late to be forwarded to the precinct"

On page 43, line 9 delete the word "officials" and insert in lieu thereof the words "judges, acting jointly,"

On page 44, line 15 after the word "office" delete ", or in furtherance of or to" and insert in lieu thereof a period

On page 44, delete all of lines 16, 17, and 18

On page 44, line 19 delete "subdivision."

On page 44, line 32 after the word "office" delete the comma and the remainder of the line and insert in lieu thereof a period

On page 44, delete all of lines 33 and 34

On page 44, line 35 delete everything before the word "Expenditure"

- On page 45, line 22 delete ", or in"
- On page 45, delete all of lines 23 and 24
- On page 45, line 25 delete "state or political subdivision,"
- On page 45, line 34 delete "political" and insert in lieu thereof "political"
- On page 46, line 28 delete the word "precise"
- On page 49, line 30 delete the words "ATTORNEY GENERAL" and insert in lieu thereof the words "SECRETARY OF STATE"
- On page 49, line 31 delete the words "attorney general" and insert in lieu thereof the words "secretary of state"
- On page 51, line 2 delete everything after "PENALTY.)" and insert in lieu thereof the following:  
"Any person who intentionally violates a provision of this chapter shall be guilty of a class B misdemeanor and his appointment, nomination, or election, as the case may be, shall be declared void. Any vacancy that may result from the intentional violation of this chapter shall be filled in the manner provided by law. This section shall not remove from office a person who is already in office and who has entered upon the discharge of his duties where such office is subject to the impeachment provisions of the North Dakota Constitution."
- On page 51, delete all of lines 3 through 6
- On page 51, line 11 after the word "he" insert the word "willfully"
- On page 54, line 25 delete the words "Upon the trial" and insert in lieu thereof the following:  
"If any person is found guilty of any corrupt practice he shall be punished by being deprived of his government job, or his nomination or election shall be declared void, as the case may be. This section shall not remove from office a person who is already in office and who has entered upon the discharge of his duties where such office is subject to the impeachment provisions of the North Dakota Constitution."
- On page 54, delete all of lines 26 through 34
- On page 55, delete all of lines 1 through 7
- On page 57, line 32 delete "that I am a qualified voter therein;"
- On page 60, line 30 delete the words "a qualified"
- On page 60, line 31 delete the words "voter and"
- On page 80 delete all of lines 22 through 34
- On page 81 delete all of lines 1 through 9
- On page 84, line 34 after the numerals "16.1-05-" delete the numeral "13" and insert in lieu thereof the numeral "18"
- On page 87, line 6 after the period insert the following:  
"One voting machine shall be provided in machine precincts for each two hundred electors or fraction thereof in the precinct."
- On page 87, line 9 after the word "time" insert the words "except when providing lawful assistance"
- On page 122, line 13 delete the word "a" and insert in lieu thereof the words "final certification of a recount by the appropriate canvassing board, or within fourteen days after the final certification by the appropriate canvassing

board if no recount is demanded, except as provided in section 16.1-16-10."

On page 122, delete all of lines 14 and 15

On page 122, line 16 delete "otherwise specifically provided." and also in line 16 delete "ground" and insert "grounds"

On page 122, line 19 delete everything after the word "title," and insert in lieu thereof the following: "or if the contestee does not or cannot meet the qualifications to hold the office as required by law, the action may be commenced at any time."

On page 122, delete all of line 20

On page 122, line 21 delete "illegal payment."

On page 122, delete all of lines 26 through 29 and insert in lieu thereof the following: "1. If the contestee, does not or cannot meet the qualifications to hold the office as required by law."

On page 122, line 30 delete the subsection number "3" and insert in lieu thereof the number "2" and also in line 30 after the word "fraudulent" insert "voting,"

On page 127, line 5 delete the numerals and comma "16-07,"

On page 127, line 10 delete the words "and"

On page 127, line 11 after the numerals "16-04-36" insert the following: ", 16-07-01, 16-07-02, 16-07-03, 16-07-04, 16-07-05, 16-07-06, 16-07-07, 16-07-08, 16-07-10, and 16-07-12"

On page 127, line 13 delete the word "and" and also in line 127 after the numerals "16-04-21" insert ", and 16-07-09"

On page 127 delete all of lines 15 through 17

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Winkjer*

Chairman

House Bill No. 1138 Rep. Winkjer was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1291 has had the same under consideration and recommends, by a vote of

Ayes, 15 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Hinkle*

Chairman

House Bill No. 1291 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1303 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of

Ayes, 15 \_\_\_\_\_; Nays, 1 \_\_\_\_\_; Absent, 0 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 2, line 4, after the numeral "1" insert the words "is not less than sixty million dollars and", and after the word "exceeds" insert the words "that amount and"
- On page 2, line 5, delete the word "five" and insert in lieu thereof the word "ten"
- On page 2, line 14, after the word "fund" insert the words "is not less than sixty million dollars and"
- On page 2, line 15, after the word "exceeds" insert the words "that amount and" and delete the word "five" and insert in lieu thereof the word "ten"
- On page 2, line 16, delete the word "ten" and insert in lieu thereof the word "twenty"
- On page 2, line 17, delete the word "ten" and insert in lieu thereof the word "five"
- On page 2, line 22, after the word "fund" insert the words "is not less than sixty million dollars and"
- On page 2, line 23, after the word "exceeds" insert the words "that amount and" and delete the word "ten" and insert in lieu thereof the word "twenty"
- On page 2, line 24, delete the word "twenty" and insert in lieu thereof the word "ten"

And renumber the lines accordingly

And when so amended, recommends the same do not pass.

 Chairman

\_\_\_\_\_ House Bill No. 1303 Rep. Gackle was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary \_\_\_\_\_

to whom was referred House \_\_\_\_\_

Bill No. 1316 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of

Ayes, 13 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 2, line 2 delete the word "five" and insert in lieu thereof the words "two and one-half"
- On page 3, after line 6 insert the following new subsection:  
"6. A retired judge who is engaged in the private practice of law is ineligible to serve as a surrogate judge."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*John Winkjer*

Chairman

House Bill No. 1316 Rep. Winkjer was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1323, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 7; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation

be amended as follows:

On page 1, line 3, before the period insert the following: "; and to amend and reenact section 57-36-06 and subsection 1 of section 57-36-27 of the North Dakota Century Code, relating to the amount of the excise and use taxes on cigarettes."

On page 1, after line 6, insert the following sections:

"SECTION 1. AMENDMENT.) Section 57-36-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-36-06. CIGARETTES - AMOUNT OF TAX.) There are levied and assessed, and there shall be collected and paid to the state tax commissioner, upon all cigarettes sold in this state, the following excise taxes, payment thereof to be made prior to the time of the sale and delivery thereof:

1. Class A. On cigarettes weighing not more than three pounds per thousand, five six and one-half mills on each such cigarette.
2. Class B. On cigarettes weighing more than three pounds per thousand, five-and-one-half seven mills on each such cigarette.

SECTION 2. AMENDMENT.) Subsection 1 of section 57-36-27 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. A tax is hereby imposed upon the use or storage by consumers of cigarettes in this state, and upon such consumers, at the following rates:
  - a. On cigarettes weighing not more than three pounds per thousand, five six and one-half mills on each such cigarette.
  - b. On cigarettes weighing more than three pounds per thousand, five-and-one-half seven mills on each such cigarette."

On page 1, line 11, delete the word "monies" and insert in lieu thereof the word "moneys"

On page 1, underscore lines 11 through 22

On page 1, line 18, after the word "allocation" insert the word "is"

And renumber the lines, sections, and pages accordingly



And when so amended, recommends the same do pass.

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1323 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1409, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 3; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Lang* Chairman

House Bill No. 1409 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1463, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 6, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rep. Erickson* Chairman

House Bill No. 1463 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1489, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Lang* Chairman

House Bill No. 1489 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1495, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1495 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION to whom was referred HOUSE

Bill No. 1497 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, after line 2 insert the following subsection:  
"3. If a person cited for a traffic violation, other than an offense listed in section 39-06.1-05, who has requested a hearing on the issue of the commission of the violation charged, appears at the time scheduled for the hearing and the state or city, as the case may be, does not appear or is not ready to prove the commission of a charged violation at the hearing, the official shall dismiss the charge."

On page 2, line 3 delete the numeral "3" and insert in lieu thereof the numeral "4"

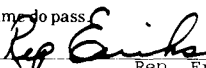
On page 2, line 17 delete the numeral "4" and insert in lieu thereof the numeral "5"

On page 4, line 11 delete the numeral "5" and insert in lieu thereof the numeral "6"

On page 4, line 20 delete the numeral "6" and insert in lieu thereof the numeral "7"

And renumber the lines and pages accordingly


And when so amended, recommends the same do pass.

  
Rep. Erickson Chairman  
House Bill No. 1497 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1518 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

  
Rep. Lang Chairman  
House Bill No. 1518 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1524, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 2; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Lang Chairman

House Bill No. 1524 Rep. Lang was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on TRANSPORTATION

to whom was referred HOUSE

Bill No. 1543, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 1, line 19 after the word "signs" and before the period insert the following: "designed and located pursuant to section 39-13-07"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep Erickson Chairman

House Bill No. 1543 Rep. Erickson was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1560, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Lang Chairman

House Bill No. 1560 Rep. Lang was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred House

Bill No. 1572, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman

House Bill No. 1572 Rep. Lang was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1578, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman

House Bill No. 1578 Rep. Lang was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1583, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 2, line 3 delete the words "An unmarried sister or any" and insert in lieu thereof the word "Any"

On page 2, after line 6 insert the following new subsection: "3. Every person who provides support for unmarried minor children of a previous marriage of the person, even though the children do not reside on the premises with the person."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Chairman

House Bill No. 1583 Rep. Winkjer was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1591, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman

Rep. Lang

House Bill No. 1591 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1682, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Chairman

Rep. Kloubec

House Bill No. 1682 was placed on the 11th order of business on the calendar for the succeeding legislative day.

FIRST READING OF

HOUSE CONCURRENT RESOLUTION

Reps. Lardy, Solberg and R. Hausauer introduced:

**House Concurrent Resolution No. 3043.** — A concurrent resolution directing the Legislative Council to study state agency and department use of computers.

Was read the first time and referred to the committee on State and Federal Government.

FIRST READING OF SENATE BILLS

AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 2004.** Homestead Tax Credit — A Bill for an Act making an appropriation for the homestead tax credit, and providing for the distribution of such funds.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2147.** — A Bill for an Act to create and enact section 54-16-13 of the North Dakota Century Code, relating to Emergency Commission action on requests to increase appropriation authority for intergovernmental service fund agencies.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2165.** — A Bill for an Act to amend and reenact subsections 8, 9, and 11 of section 54-44-04; and to repeal section 54-14-03 and subsection 10 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of accounts and purchases and the office of the budget.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2184.** — A Bill for an Act to create and enact a new section to chapter 13-05 of the North Dakota Century Code, relating to biennial report of collection agencies; and to amend and reenact sections 6-01-10, 7-05-03, 13-03-10, and 13-03.1-10 of the North Dakota Century Code, relating to the biennial reports of the state banking board, state credit union board, and department of banking and financial institutions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2214.** — A Bill for an Act placing jurisdiction over storage or disposal of nuclear and other wastes in the industrial commission, providing for permits for such storage or disposal, providing exemptions, providing for administrative regulations; and providing penalties.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2230.** — A Bill for an Act to amend and reenact section 49-03.1-02 of the North Dakota Century Code, relating to the definition of public utility.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2240.** — A Bill for an Act to amend and reenact section 49-02-01 of the North Dakota Century Code, relating to public service commission jurisdiction over utilities.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2246.** — A Bill for an Act to amend and reenact sections 39-05-03 and 39-05-17 of the North Dakota Century Code, relating to the department's refusal to license a vehicle until application for a title certificate is made and transfer of title to a vehicle.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2248.** — A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 and subsection 1 of section 39-04-23 of the North Dakota Century Code, relating to farm truck registration and change of registration to a higher gross weight.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2272.** — A Bill for an Act to create and enact three new sections to chapter 39-21 of the North Dakota Century Code, relating to additional lighting equipment on vehicles, vehicular hazard warning signals, and the duration of the department's approval of equipment; to create and enact two new sections to chapter 39-27 of the North Dakota Century Code, relating to lights and brakes on motor-driven cycles; to amend and reenact sections 39-21-01, 39-21-03, subsection 2 of section 39-21-04, sections 39-21-05, 39-21-06, subsection 1 of section 39-21-10, subsection 1 of section 39-21-11, sections 39-21-13, 39-21-14, 39-21-15, 39-21-16, subsections 1 and 4 of section 39-21-17, sections 39-21-19, 39-21-20, subsection 2 of section 39-21-21, subsection 1 of section 39-21-25, sections 39-21-29, 39-21-30, 39-21-31, 39-21-35, 39-21-36, 39-21-39, 39-21-41, 39-21-41.1, 39-21-42, 39-21-43, 39-21-44, 39-21-45, 39-21-46, and 39-21-50 of the North Dakota Century Code, relating to when lamps are required, head lamps on motor vehicles, location of tail lamps, reflectors on new motor vehicles, stop lamps and turn signals on new motor vehicles, location of reflectors, visibility of reflectors, lamp on projecting loads, lamps on parked vehicles, lamps and reflectors on farm equipment, lamps on vehicles not covered by other sections, spot lamps, auxiliary driving lamps, signal lamps and devices, multiple beam road lighting equipment, use of multiple beam road lighting equipment, the required number of head lamps; selling or using lamps and related equipment, department approval of equipment, revocation

of approval of equipment, hydraulic brake fluid specifications, horns and warning devices, windshields on vehicles, safety glazing material, safety belt requirements, when vehicles must carry flares, display of warning devices, vehicles transporting explosives, air conditioning equipment, scope and effect of regulations, and the slow-moving vehicle emblem; and to repeal sections 39-21-23 and 39-21-34 of the North Dakota Century Code, relating to headlights and brakes on motor-driven cycles.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2285.** — A Bill for an Act to amend and reenact section 15-39.1-09, section 15-39.1-10, and section 15-39.1-11 of the North Dakota Century Code, relating to assessments for teachers, age for eligibility for benefits, calculation of benefits, and to vested rights in retirement benefits in the teachers' fund for retirement.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2299.** — A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, providing a property tax exemption for certain associations and corporations furnishing potable water.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2349.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds to construct a revenue-producing facility at Dickinson state college; to make an appropriation; to set a limitation and to provide an exception to it; and to declare an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2422.** — A Bill for an Act to amend and reenact section 10-30-02 of the North Dakota Century Code, relating to purposes of a state development corporation.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2451.** — A Bill for an Act to amend and reenact subsection 16 of section 20.1-03-12 of the North Dakota Century Code, relating to the license fee required of a nonresident fur buyer.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4012.** — A concurrent resolution directing the Legislative Council to study and review possible implementation of Section 404 of the Federal Water Pollution Control Act by the State of North Dakota through its State Water Commission as provided in the Clean Water Act of 1977.

Which was read the first time and referred to the Committee on Natural Resources.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p. m., Monday, February 5, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-FOURTH DAY

Bismarck, February 5, 1979

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

The prayer was offered by Sister Agnes, St. Alexius Hospital, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gorder, F. Larson, Lee and Reed.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-third Day and finds the same to be correct.

 Chairman  
Rep. Swiertek

Rep. Houmann moved that the report be adopted, which motion prevailed.

FOURTH ORDER OF BUSINESS

Rep. Winkjer: "Mr. Speaker:

"Rep. Scofield and I rise on a point of personal privilege and request that our remarks be printed in the Journal.

"Mr. Speaker, you serve this House with a great deal of authority and dignity, and the Republicans of District No. 1 want to contribute physical evidence of the authority and dignity with which you rule this House. They have asked us to make a special presentation because they realize to keep control of this House during the remainder of the Session will require unusual measures."

Rep. Scofield: "Mr. Speaker:

"We of District No. 1 take a great deal of pleasure in presenting this to you. This gavel matches your booming voice and the authority you wield. It weighs eight pounds and is made of walnut, made by an employer of people and a resident of District One, the firm of Williston Woodworks. We hope you do not have to use this often on us, but that it will be placed in your home as a memento of this session.

Speaker Wagner:

"Thank you Representatives Winkjer and Scofield. I accept this with the best thoughts in mind. If you people will respond to the smaller gavel, I can assure you I will not hit anyone on the head with the big one. Thanks again."

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:



Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1021 \_\_\_\_\_
- HB NO. 1186 \_\_\_\_\_
- HB NO. 1250 \_\_\_\_\_
- HB NO. 1282 \_\_\_\_\_
- HB NO. 1300 \_\_\_\_\_
- HB NO. 1445 \_\_\_\_\_
- HB NO. 1449 \_\_\_\_\_
- HB NO. 1568 \_\_\_\_\_
- HB NO. 1657 \_\_\_\_\_

and find the same correctly } Engrossed

*Wayne Stenejem* Chairman  
Rep. Stenejem moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1309 \_\_\_\_\_

and find the same correctly Re } ~~Engrossed~~ Engrossed

*Wayne Stenejem* Chairman  
Rep. Stenejem moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1045 \_\_\_\_\_
- HB NO. 1079 \_\_\_\_\_

and find the same correctly } Enrolled  
~~Engrossed~~

*Wayne Stenejem* Chairman  
Rep. Stenejem moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

- House Bill No. 1045
- House Bill No. 1079
- House Bill No. 1111.

The Speaker signed the same in the presence of the House of Representatives.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

- Senate Bill No. 2102
- Senate Bill No. 2103

Senate Concurrent Resolution No. 4047.

The Speaker signed the same in the presence of the House of Representatives.

#### MOTIONS

Rep. Brokaw moved that House Bill No. 1649 be returned to the House from the Committee on Transportation for the purpose of withdrawal, which motion prevailed.

Rep. Brokaw requested permission to withdraw House Bill No. 1649. There being no objection, it was so ordered by the Speaker.

Rep. Mertens moved that the House reconsider its action whereby it accepted the committee report on House Bill No. 1495, which motion prevailed.

Rep. Mertens moved that House Bill No. 1495 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Strinden moved that House Bill Nos. 1568 and 1632 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that House Bill No. 1138 on the Sixth Order of Business be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that House Bill No. 1323 on the Sixth Order of Business be laid over one legislative day, which motion prevailed.

Rep. Houmann moved that House Bill No. 1551 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Houmann requested permission to withdraw House Bill No. 1551. There being no objection, it was so ordered by the Speaker.

Rep. Lipsiea moved that House Bill No. 1515 be returned to the House from the Committee on Agriculture for the purpose of withdrawal, which motion prevailed.

Rep. Lipsiea requested permission to withdraw House Bill no. 1515. There being no objection, it was so ordered by the Speaker.

#### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1025 as recommended by the Committee on Appropriations as printed on pages 584 and 585 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1037 as recommended by the Committee on Appropriations as printed on pages 585 and 586 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1303 as recommended by the Committee on Finance and Taxation as printed on pages 590 and 591 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1316 as recommended by the Committee on Judiciary as printed on pages 591 and 592 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1497 as recommended by the Committee on Transportation as printed on page 594 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1543 as recommended by the Committee on Transportation as printed on page 595 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1583 as recommended by the Committee on Judiciary as printed on page 596 of the House Journal be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1682.** — A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the issuance of game and fish licenses by county auditors; and to repeal

sections 20.1-03-18, 20.1-03-19, and 20.1-03-20 of the North Dakota Century Code, relating to filing of license applications, reports of license sales, and bonds required of county auditors for the issuance of game and fish licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 82; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		
BENEDICT	●		HICKLE	●		MEIERS		●	VANDER VORST		
BERG		●	HOFFNER		●	MELBY		●	VIG		
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		
BERGER		●	HOVE		●	MEYER		●	WALD		
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RIEHL		●			
ERICKSON		●	LANGLEY		●	RIED		●			
FLEMING		●	LARDY		●	SCHINDLER		●			
FREBORG		●	LARSON F # 24		●	SCOFIELD		●			
GACKLE		●	LARSON G # 29		●	SOLBERG		●			
GERL		●	LARSON H # 7		●	STENEHJEM		●			
GORDER	●		LEE		●	STRINDEN		●			
GUNDERSON		●	LEIBHAN		●	SWONTEK		●			
GUNSCH		●	LIPSIEA		●	THOMPSON		●			
HANSON		●	MAIXNER		●	THORSgard		●			
HAUGLAND		●	MARSDEN		●	TIMM		●			
HAUSAUER A # 49		●	MARTIN		●	TINJUM		●			
HAUSAUER R # 25		●	MARTINSON		●	THETEN		●			
HEDSTROM		●	MATHENY		●						

So the bill lost.

House Bill No. 1021. State Laboratories Department — A Bill for an Act making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 12; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		
BERG		●	HOFFNER		●	MELBY		●	VIG		
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RIEHL		●			
ERICKSON		●	LANGLEY		●	RIED		●			
FLEMING		●	LARDY		●	SCHINDLER		●			
FREBORG		●	LARSON F # 24		●	SCOFIELD		●			
GACKLE		●	LARSON G # 29		●	SOLBERG		●			
GERL		●	LARSON H # 7		●	STENEHJEM		●			
GORDER	●		LEE		●	STRINDEN		●			
GUNDERSON		●	LEIBHAN		●	SWONTEK		●			
GUNSCH		●	LIPSIEA		●	THOMPSON		●			

● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1186.** — A Bill for an Act to amend and reenact sections 50-11.1-01, 50-11.1-02, 50-11.1-04, 50-11.1-05, 50-11.1-06, subsections 1 and 3 of section 50-11.1-07, subsection 2 of section 50-11.1-08, subsection 2 of section 50-11.1-09, and section 50-11.1-11 of the North Dakota Century Code, relating to the regulation of supplemental parental care for children.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 8; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOEN			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE	●		● METER			● WALD		●
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYLUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOY			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED	●				
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FROBORG	●		● LARSON, F. #24			● SCHINDLER					
● GACKLE	●		● LARSON, G. #29			● SCOFIELD					
● GERL			● LARSON, H. #17			● SOLBERG					
● GORDER			● LEE	●		● STEINJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN	●		● THORSGARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY	●		● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1250.** — A Bill for an Act to amend and reenact section 38-12-01, section 38-12-02 and section 38-12-03 of the North Dakota Century Code relating to subsurface mineral regulation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOEN			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● METER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYLUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOY			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED	●				

• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUEC
• FREBORG	• LARSON # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSON	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1282.** — A Bill for an Act making a deficiency appropriation for defraying expenses of the Payments to Fire Departments program of the State of North Dakota and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VKG		
• BERGE			• HOFMANN			• WERTENS			• WAGNER		
• BERGER			• HOYE			• WEYER			• WALD		
• BARNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG	•		• RICHIE					
• ERICKSON			• LARDY			• RIEHL					
• FLEMING			• LARSON # 24			• RUEC					
• FREBORG			• LARSON G # 29			• SCHINDLER					
• GACKLE			• LARSON, H # 7			• SCOFIELD					
• GERL			• LEE	•		• SOLBERG					
• GORDER			• LEIBHAN			• STENEHJEM					
• GUNDERSON			• LIPSIEA			• STRINDEN					
• GUNSON			• MAIXNER			• SWONTEK					
• HANSON			• MARSDEN			• THOMPSON					
• HAUGLAND			• MARTIN			• THORSGARD					
• HAUSAUER, A # 49			• MARTINSON			• TIMM					
• HAUSAUER, R # 25			• MATHENY			• TINJUM					
• HEDSTROM						• TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1291.** — A Bill for an Act to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to the exemption from property taxes of coal conversion facilities under construction.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 66; nays, 31; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VKG		

• BERGE	• HOJMAN	MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON, I.	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERNOTT	• OPEDAHL	• WINNER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FROBORG	• LARSON, P. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERI	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEBMAN	• STRINDEN	
• GUNSON	• LIPSIA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A. # 48	• MARTIN	• TMM	
• HAUSAUER R. # 25	• MARTINSON	• TNJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1014
- House Bill No. 1018
- House Bill No. 1035
- House Bill No. 1039
- House Bill No. 1040
- House Bill No. 1058
- House Bill No. 1217
- House Bill No. 1229
- House Bill No. 1243
- House Bill No. 1281
- House Bill No. 1322
- House Bill No. 1327
- House Bill No. 1334
- House Bill No. 1338
- House Bill No. 1378
- House Bill No. 1379
- House Bill No. 1408
- House Bill No. 1412
- House Bill No. 1422
- House Bill No. 1432
- House Bill No. 1433
- House Bill No. 1437
- House Bill No. 1494.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

- Senate Bill No. 2102
- Senate Bill No. 2103
- Senate Concurrent Resolution No. 4047.
- Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following:

- House Bill No. 1045



Senate Bill No. 2473

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:  
House Bill No. 1083.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:  
House Bill No. 1042.

LEO LEIDHOLM, Secretary

AMENDMENT TO HOUSE BILL NO. 1042

- On page 1, line 2, of the engrossed bill, after the word "to" delete the word "the"
- On page 1, line 3, of the engrossed bill, delete the words "timing of"
- On page 1, line 3, of the engrossed bill, after the first word "the" insert the words "classification and"
- On page 1, line 4, of the engrossed bill, after the word "division" delete the following: ", and providing for exceptions"
- On page 1, line 10 of the engrossed bill, after the word "TO" insert the words "CLASSIFICATION AND"
- On page 1, line 10, of the engrossed bill, after the word "to" insert the words "classification and"
- On page 1, line 14 of the engrossed bill, delete everything after the period
- On page 1 of the engrossed bill delete lines 15 through 17

And renumber the lines and pages accordingly

SECOND READING OF HOUSE BILLS

**House Bill No. 1445.** — A Bill for an Act to create and enact two new sections to chapter 20.1-13 of the North Dakota Century Code, relating to possession and sale of outboard motors without serial numbers; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes; 92; nays, 1; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	HERMAN		●	MATTSON		●	UNHJEM	
●	BENEDICT		●	NICKLE		●	MEIERS		●	VANDER VORST	
●	BERG		●	HOPNER		●	WELBY		●	VIG	
●	BERGE		●	HOLMANN		●	WERTENS		●	WAGNER	
●	BERGER		●	HOVE		●	MEYER		●	WALD	
●	BJORNSON		●	JACOBSEN, P.		●	MURPHY		●	WALSH	
●	BLACK		●	JACOBSEN, I.		●	MUSHIK		●	WEBER	
●	BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ	
●	BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN	
●	CHRISTENSEN		●	KERMOTT		●	OPEOHL		●	WINKLER	
●	CONNY		●	KINGSBURY		●	PELTNER				



● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEJ	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1449.** — A Bill for an Act to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, relating to a graduated system of fines and points assessed against drivers' licenses for violation of the speed limit, and to the definition of moving violation, and removing certain violations related to motorcycles from that definition.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 18; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOLMANN			● MERTENS			● WAGNER		
● BERGER		●	● HOVE			● MEYER		●	● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROOKAW		●	● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY		●	● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY		●			
● DIETZ			● KOSKI			● REED		●			
● DOTZENROD		●	● KRETSCHMAR			● RETZER		●			
● DUBORD		●	● KUCHERA		●	● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY		●	● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM		●			
● GUNDERSON			● LEIBHAN			● STRINDEJ					
● GUNSCH			● LIPSIEA		●	● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49		●	● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY		●	● TWETEN					

So the bill passed and the title was agreed to.

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2049

The Speaker signed the same in the presence of the House of Representatives.

**RECOGNITION**

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Ray Metzger, and Rep. Metzger was thereupon introduced to the House.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
House Bill No. 1045  
House Bill No. 1079  
House Bill No. 1111.  
Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1463.** — A Bill for an Act to provide landowners adjoining abandoned railroad right-of-way options to acquire the right of way, and to regulate the acquisition of abandoned railroad right of way for wildlife programs or projects.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS		YEAS	N.V.	NAYS		YEAS	N.V.	NAYS	
•			HERMAN	•			MATTSON	•			UNHJEM
•			HICKLE	•			MEIERS	•			VANDER VORST
•			HOFFNER	•			MELBY	•			VG
•			HOUJMAN	•			MERTENS	•			WAGNER
•			HOVE	•			MEYER	•			WALD
•			JACOBSEN, R	•			MURPHY	•			WALSH
•			JACOBSON, I	•			MUSHIK	•			WEBER
•			KELLY	•			NICHOLAS	•			WENTZ
•			KENNELLY	•			OLSON	•			WESSMAN
•			KERMOTT	•			OPEDAH	•			WINKJER
•			KINGSBURY	•			PELTIER	•			MR. SPEAKER
•			KLOUBEC	•			PETERSON	•			
•			KNUDSON	•			POWEROY	•			
•			KOSKI	•			REED	•			
•			KRETSCHMAR	•			RETZER	•			
•			KUCHERA	•			RICHARD	•			
•			LANG	•			RICHIE	•			
•			LANGLEY	•			RIEHL	•			
•			LARDY	•			RUED	•			
•			LARSON # 24	•			SCHINDLER	•			
•			LARSON, G # 25	•			SCOFIELD	•			
•			LARSON, H # 7	•			SOLBERG	•			
•			LEE	•			STENEHJEM	•			
•			LEIBHAN	•			STRINDEN	•			
•			LIPSIEA	•			SWIDENK	•			
•			MAIDNER	•			THOMPSON	•			
•			MARSEN	•			THORSGARD	•			
•			MARTIN	•			TIMM	•			
•			MARTINSON	•			TINJUM	•			
•			MATHENY	•			TWETEN	•			

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1645 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1645.** — A Bill for an Act to amend and reenact sections 57-54-14 and 57-54-19 of the North Dakota Century Code, relating to transferring a portion of motor fuel taxes collected to the state snowmobile fund; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 64; nays, 31; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS		YEAS	N.V.	NAYS		YEAS	N.V.	NAYS	
•			HERMAN	•			MATTSON	•			UNHJEM
•			HICKLE	•			MEIERS	•			VANDER VORST

• BERG	• HOFFNER	MELBY	• VIG
• BERGE	• HOLMANN	• MERTENS	• WAGNER
• BERGER	HOVE	MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	MUSHIK	• WEBER
• BOYUM	KELLY	NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	OLSON	• WESSMAN
• CHRISTENSEN	• KERMOYT	• OPEDAHL	• WINKJER
• CONMY	KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	LARDY	• RUED	
• FREBORG	LARSON # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	SOLBERG	
• GORDER	LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1471.** — A Bill for an Act to provide for political party organization; and to repeal chapter 16-17 of the North Dakota Century Code, relating to party committee organization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 14; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEIERS			• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY		•	• VIG		
• BERGE		•	• HOLMANN			• MERTENS		•	• WAGNER		
• BERGER		•	HOVE			• MEYER			• WALD		•
• BJORNSON		•	• JACOBSEN R			• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON I			• MUSHIK			• WEBER		•
• BOYUM		•	• KELLY			• NICHOLAS			• WENTZ		
• BROKAW		•	• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN		•	• KERMOYT			• OPEDAHL			• WINKJER		
• CONMY		•	KINGSBURY		•	• PELTIER			• MR. SPEAKER		
• CRABTREE		•	• KLOUBEC			• PETERSON					
• DICK		•	• KNUDSON			• POMEROY					
• DIETZ		•	KOSKI			• REED		•			
• DOTZENROD		•	• KRETSCHMAR			• RETZER					
• DUBORD		•	• KUCHERA			• RICHARD		•			
• EAGLES		•	• LANG			• RICHIE					
• ERICKSON		•	• LANGLEY		•	• RIEHL					
• FLEMING		•	LARDY			• RUED					
• FREBORG		•	• LARSON # 24			• SCHINDLER					
• GACKLE		•	• LARSON G # 29			• SCOFIELD					
• GERL		•	• LARSON H # 7			• SOLBERG		•			
• GORDER		•	LEE			• STENEHJEM					
• GUNDERSON		•	• LEIBHAN			• STRINDEN					
• GUNSCH		•	• LIPSIEA			• SWONTEK					
• HANSON		•	• MAIXNER			• THOMPSON					
• HAUGLAND		•	• MARSDEN			• THORSGARD					
• HAUSAUER A # 49		•	• MARTIN			• TIMM					
• HAUSAUER R # 25		•	• MARTINSON			• TINJUM					
• HEDSTROM		•	MATHENY			• TWETEN		•			

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2049.

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1489.** — A Bill for an Act to provide for television

booster stations to be created by petition and election in the counties, providing a two-mill tax levy for the establishment of a booster station, and providing for exemption for townships not served by the station.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 50; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN			MATTSON					UNHJEW
●			HICKLE			MEIERS					VANDER VORST
●			HOFFNER			MELBY					VIG
●			HOLMANN			MERTENS	●				WAGNER
●			HOVE			MEYER					WALD
●			JACOBSEN, R			MURPHY					WALSH
●			JACOBSON, I			MUSHIK					WEBER
●			KELLY			NICHOLAS					WENTZ
●			KENNELLY			OLSON					WESSMAN
●			KERMOTT			OPEDAH					WINKLER
●			KINGSBURY			PELTIER					MR. SPEAKER
●			KLOUBEC			PETERSON	●				
●			KNUDSON			POMEROY					
●			KOSKI			REED	●				
●			KRETSCHMAR			RETZER					
●			KUCHERA			RICHARD					
●			LANG			RICHIE					
●			LANGLEY			RIEHL					
●			LARDY			RUED					
●			LARSON, F # 24			SCHINDLER					
●			LARSON, G # 29			SCOFIELD					
●			LARSON, H # 7			SOLBERG					
●			LEE			STENEHJEM					
●			LEIBHAN			STRINDEN					
●			LIPSIEA			SWONTEK					
●			MAIXNER			THOMPSON					
●			MARSDEN			THORSGARD	●				
●			MARTIN			TMM					
●			MARTINSON			TINJUM					
●			MATHENY			TWETEN					

So the bill lost.

**House Bill No. 1518.** — A Bill for an Act to amend and reenact section 18-10-04 of the North Dakota Century Code, relating to organization of board of directors for rural fire protection districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN			MATTSON					UNHJEW
●			HICKLE			MEIERS					VANDER VORST
●			HOFFNER			MELBY					VIG
●			HOLMANN			MERTENS	●				WAGNER
●			HOVE			MEYER					WALD
●			JACOBSEN, R			MURPHY					WALSH
●			JACOBSON, I			MUSHIK					WEBER
●			KELLY			NICHOLAS					WENTZ
●			KENNELLY			OLSON					WESSMAN
●			KERMOTT			OPEDAH					WINKLER
●			KINGSBURY			PELTIER					MR. SPEAKER
●			KLOUBEC			PETERSON	●				
●			KNUDSON			POMEROY					
●			KOSKI			REED	●				
●			KRETSCHMAR			RETZER					
●			KUCHERA			RICHARD					
●			LANG			RICHIE					
●			LANGLEY			RIEHL					
●			LARDY			RUED					
●			LARSON, F # 24			SCHINDLER					
●			LARSON, G # 29			SCOFIELD					
●			LARSON, H # 7			SOLBERG					
●			LEE			STENEHJEM					
●			LEIBHAN			STRINDEN					
●			LIPSIEA			SWONTEK					

● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1524.** — A Bill for an Act to create and enact a new subsection to section 21-03-06 of the North Dakota Century Code, relating to permissible purposes for issuing rural fire protection district bonds; and to amend and reenact subsection 7 of section 18-10-06, sections 18-10-08 and 18-10-14, and subsection 1 of section 21-03-01 of the North Dakota Century Code, relating to the authority of rural fire protection districts to issue bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 1; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN	●	MATTSON			●	UNHJEM	
●			●	HICKLE	●	MEIERS			●	VANDER VORST	
●			●	HOFFNER	●	MELBY			●	VIG	
●			●	HOUJANN	●	WERTENS	●		●	WAGNER	
●			●	HOVE	●	MEYER			●	WALD	
●			●	JACOBSEN, R	●	MURPHY			●	WALSH	
●			●	JACOBSON, I	●	MUSHK			●	WEBER	
●			●	KELLY	●	NICHOLAS			●	WENTZ	
●			●	KENNELLY	●	OLSON			●	WESSMAN	
●			●	KERMOTT	●	OPEDAHL			●	WINKJER	
●			●	KINGSBURY	●	PELTIER					
●			●	KLOUBEC	●	PETERSON	●		●	MR. SPEAKER	
●			●	KNUDSON	●	POWEROY					
●			●	KOSKI	●	REED	●				
●			●	KRETSCHMAR	●	RETZER					
●			●	KUCHEPA	●	RICHARD					
●			●	LANG	●	RICHIE					
●			●	LANGLEY	●	RIEHL					
●			●	LARDY	●	RUED					
●			●	LARSON, F #24	●	SCHINDLER					
●			●	LARSON, G #29	●	SCOFIELD					
●			●	LARSON, H #7	●	SOLBERG					
●			●	LES	●	STENEHJEM					
●			●	LEIBHAN	●	STRINDEN					
●			●	LIPSIEA	●	SWONTEK					
●			●	MAIXNER	●	THOMPSON					
●			●	MARSDEN	●	THORSgard					
●			●	MARTIN	●	TIMM					
●			●	MARTINSON	●	TINJUM					
●			●	MATHENY	●	TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1560.** — A Bill for an Act to amend and reenact subsection 1 of section 40-49-12 of the North Dakota Century Code, relating to ownership by a park district of property located outside this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN	●	MATTSON			●	UNHJEM	
●			●	HICKLE	●	MEIERS			●	VANDER VORST	
●			●	HOFFNER	●	MELBY			●	VIG	
●			●	HOUJANN	●	WERTENS	●		●	WAGNER	
●			●	HOVE	●	MEYER			●	WALD	
●			●	JACOBSEN, R	●	MURPHY			●	WALSH	
●			●	JACOBSON, I	●	MUSHK			●	WEBER	
●			●	KELLY	●	NICHOLAS			●	WENTZ	
●			●	KENNELLY	●	OLSON			●	WESSMAN	
●			●	KERMOTT	●	OPEDAHL			●	WINKJER	
●			●	KINGSBURY	●	PELTIER					





• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A #49	• MARTIN	• TIMM
• HAUSAUER, R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the House Concurrent Resolution was declared adopted.

MOTION

Rep. Gackle moved that Senate Concurrent Resolution No. 4022 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1528.** — A Bill for an Act to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to annual and special public school district elections and the qualifications required of electors at such elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 45; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG		•	• HOFFNER			• MELBY			• VIG		
• BERGE		•	• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 74			• SCHINDLER					
• GACKLE			• LARSON, G # 79			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A #49			• MARTIN			• TIMM					
• HAUSAUER, R #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill lost for want of a constitutional majority.

**House Bill No. 1409.** — A Bill for an Act to amend and reenact section 40-55-06 of the North Dakota Century Code, relating to rural representation on recreation boards.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 21; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG		•	• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		



● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOY	● OPEDAHL	● WINKLER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POWEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 26	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEW	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER A. # 48	● MARTIN	● TIMM	
● HAUSAUER R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1578.** — A Bill for an Act to amend and reenact sections 21-02-02, 21-02-03, 21-02-06, 21-02-07, 21-02-08, and 21-02-10 of the North Dakota Century Code, to allow political subdivisions to borrow against funds due them under federal contracts.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 2; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEW		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOJIMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● WEYER			● WALD		
● BJORNSON			● JACOBSEN R.			● MURPHY		●	● WALSH		
● BLACK			● JACOBSEN I.			● NUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOY			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED		●			
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD		●			
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON # 24			● SCHINDLER					
● GACKLE			● LARSON G. # 26			● SCOFIELD					
● GERL			● LARSON H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEW					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER A. # 48			● MARTIN			● TIMM					
● HAUSAUER R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**SECOND READING OF A**

**SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution No. 4022.** — A concurrent resolution urging the President of the United States and the Congress to grant the state of North Dakota a two-year delay in complying with the regulations being promulgated by the Department of the Interior pursuant to the Surface Mining Reclamation and Control Act of 1977.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

MOTIONS

Rep. Nicholas moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3012, which motion prevailed.

Rep. Nicholas moved that the rules be suspended, and that House Concurrent Resolution No. 3012 be deemed properly re-engrossed and placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF A

HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3012** — A concurrent resolution requesting full implementation of the Agricultural Adjustment Act of 1949, as amended in 1977, which includes ninety percent of parity loan rates on the major agricultural commodities.

Was read the second time.

The question being on the final adoption of the resolution, as amended.

So the House Concurrent Resolution was declared adopted on a voice vote.

ANNOUNCEMENT

Rep. Kretschmar asked that the record show that Rep. Unhjem was absent on February 2, 1979, attending the funeral of former Rep. Cliff Lindberg. Rep. Lee is absent from the House today because she is hospitalized at the Bismarck hospital.

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Tuesday, February 6, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1059, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the word "Act" insert the words "to provide for the appointment of a human service center board of directors;" and on the same line delete "section" and insert in lieu thereof "sections" and after the numerals "54-40-10" insert "and 54-40-11"

On page 1, line 3, after the word "centers" insert the words "and to a fiscal incentive for the collocation of county social services with human service centers"

On page 2, line 26, delete the word "centers" and insert in lieu thereof the words "center boards"

On page 2, line 29, delete the word "centers" and insert in lieu thereof the words "center boards"

On page 3, line 12, following the word "units" insert the word "shall"

On page 3, line 14, delete the word "shall" and insert in lieu thereof the word "may", and following the word "agreement" insert the words "entered into by their respective boards or agencies"

On page 3, line 15, following the word "center" insert the word "board", and following the word "of" insert the word "specified"

On page 4, line 2, strike the word "centers" and insert in lieu thereof the words "center boards"

On page 4, after line 30, insert the following new section:

"SECTION 4.) Section 54-10-11 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-40-11. COUNTY SOCIAL SERVICE BOARD COLLOCATION WITH HUMAN SERVICE CENTERS - FISCAL INCENTIVES.) Any county social service board collocating its offices within a human service center shall, within the limits of legislative appropriation, be reimbursed up to fifty percent of the amount expended for space costs in excess of the amount provided by the federal government."

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

HOUSE Bill No. 1059 Rep. Haugland Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1076 has had the same under consideration and recommends, by a vote of Ayes. 13; Nays. 0; Absent. 3, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [X] be amended as follows:

On page 2, line 2, after the period, insert the following:

"The commissioner of insurance shall file copies of the documents required by this section with each rating organization doing business with insurance companies who write products liability insurance policies in this state."

On page 2, line 13, delete the word "insured" and insert in lieu thereof the word "insureds"

On page 2, line 14, delete the word "persons"

On page 2, line 16, delete the word "persons" and insert in lieu thereof the word "insureds"

On page 2, line 19, delete the word "persons" and insert in lieu thereof the word "insureds"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

HOUSE Bill No. 1076 Rep. Rued Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

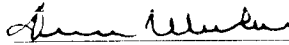
to whom was referred House

Bill No. 1089, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. Winkjer

House Bill No. 1089 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1090, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. Nicholas

House Bill No. 1090 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1123, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. Nicholas

House Bill No. 1123 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1128, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 23 - delete everything after the word "any" and insert in lieu thereof the words "watercourse,"

as defined by section 61-01-06 of the North Dakota Century Code, or any artificial drain,"

On page 2, delete all of lines 24 through 27

On page 2, line 28, delete the words "their tenants"

On page 2, line 29 - delete the word "drainage" and also delete everything after the word "such" and insert in lieu thereof the words "watercourse or drain."

On page 2, delete all of line 30 and renumber the lines accordingly

And when so amended, recommends the same do pass.

House Bill No. 1128 Rep. Nicholas Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION to whom was referred HOUSE Bill No. 1132 has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 5; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 3, line 12, delete the words "or which has issued"

On page 3, line 13, after the word "chapter" insert the words "after July 1, 1979,"

On page 3, line 34, delete the word "chapter" and insert in lieu thereof the word "title" and also delete "-38"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

House Bill No. 1132 Rep. Gackie Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred HOUSE Bill No. 1147 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 1, that the same

do pass. XX do not pass. be placed on calendar without recommendation.

be amended as follows:

House Bill No. 1147 Rep. Winkjer Chairman was placed on the 11th order of business on the calendar for the succeeding legislative day.

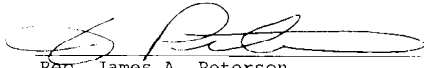
Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1197, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson Chairman

House Bill No. 1197 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1225, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 1 - after the word "twenty-five" insert the word "fifty"

On page 3, line 2 - delete the strike through over the word "~~dollars~~" and also delete all the underlined material

On page 3, line 3 - delete all the underlined material and renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations.



Chairman

Rep. Nicholas

House Bill No. 1225 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1244, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 17 - strike the word "bees" and insert in lieu thereof the word "honeybees" and after the word "for" insert the words "pollination or"

On page 4, line 4 - delete the words "at least every other year" and insert in lieu thereof the words "by the first of July"

and renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas* Chairman  
House Bill No. 1244 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1254, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

but be re-referred to the Committee on Appropriations

*Rep. Nicholas* Chairman  
House Bill No. 1254 was re-referred to the Committee on Appropriations.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1258, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 12 - delete "\$1.00" and insert in lieu thereof "one dollar"

On page 2, line 14 - delete the word "Chapter" and insert in lieu thereof the word "section" and also on line 14 after the second numeral "4" delete ", NDCC"

and renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas* Chairman  
House Bill No. 1258 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1325, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*[Signature]* Chairman

House Bill No. 1325 Rep. Winkjer was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS to whom was referred House

Bill No. 1328 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 9, delete the words "Each city" and insert in lieu thereof the words "The cities" and also on line 9 after the word "to" insert the words "one-half of"

On page 1, line 10, delete the words "all motor vehicle" and insert in lieu thereof the words "the auto" and also on line 10 delete ",property" and insert in lieu thereof "premiums and auto liability premiums on autos licensed in the State of North Dakota and subject to the existing auto premium tax"

On page 1, delete all of line 11

On page 1, line 12, delete the words "on property located within such city"

On page 1, line 13, delete the words "and disbursed"

On page 1, line 14, delete the word "this" and insert in lieu thereof the words "the North Dakota Century" and also on line 14 delete the word "The" and insert in lieu thereof the words "Disbursement shall be made annually by the Commissioner of Insurance to the cities in proportion to the population of each city based upon the most recent census data available."

On page 1, delete all of line 15

On page 1, delete all of line 16

On page 1, line 17, delete "filed by the company."

On page 1, line 19, delete the word "this" and insert in lieu thereof the words "the North Dakota Century"

On page 1, line 22, delete the word "shall" and insert in lieu thereof the word "may"

On page 1, line 23, delete the word "only"

On page 1, line 24, delete the word "purchasing" and insert in lieu thereof the word "providing" and after the word "services" delete "from the sheriff's office" and insert in lieu thereof a period

On page 2, delete all of line 1

On page 2, delete all of line 2

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations.

*[Signature]* Chairman

House Bill No. 1328 Rep. Lang was placed on the 6th order of business on the calendar for the succeeding legislative day.



Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1347, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 2; Absent, 3, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

Rep. Nicholas Chairman  
House Bill No. 1347 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1372, has had the same under consideration and recommends, by a vote of  
Ayes, 7; Nays, 7; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

Rep. Nicholas Chairman  
House Bill No. 1372 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1399, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 5; Absent, 0, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 13 delete the strike through over the words  
"~~twenty-one-thousand~~" and also delete all the underlined  
material

On page 1, line 15 delete the strike through over the words  
"~~twenty-one-thousand-five-hundred~~" and also delete all  
the underlined material

On page 1, line 17 delete the strike through over the words  
"~~twenty-two-thousand-eight-hundred~~" and delete the  
word "thirty"

On page 1, line 18 delete the word "thousand"

On page 1, line 20 delete the strike through over the words  
"~~twenty-seven-thousand-six-hundred~~" and also delete  
all the underlined material

On page 2, line 4 after the period insert the following new language:  
"On July 1, 1979, the salary of each judge of a county  
court of increased jurisdiction, or interim associate  
district judge in the event House Bill 1066 of the  
forty-sixth legislative assembly becomes law, shall be  
increased six and one-half percent over the total base  
salary and discretionary increase actually being paid

such judge as of June 30, 1979. On July 1, 1980, the salary of each judge of a county court of increased jurisdiction, or interim associate district judge in the event House Bill 1066 of the forty-sixth legislative assembly becomes law, shall be increased six and one-half percent over the total base salary and discretionary increase actually being paid such judge as of June 30, 1980.

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Sam Winkjer*

Chairman

Rep. Winkjer

House Bill No. 1399 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1421, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 12, delete the strike through over the words

~~"who would normally"~~

On page 1, line 13, delete the strike through over the words

~~"be employed in gainful activity during the period of"~~

On page 1, line 14, delete the strike through over the words

~~"his disability"~~

On page 1, line 21, after the word "employer" insert the words

"while not actively at work"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rued*

Chairman

Rep. Rued

HOUSE Bill No. 1421 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1425, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Nicholas*

Chairman

Rep. Nicholas

House Bill No. 1425 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS  
to whom was referred House

Bill No. 1439, has had the same under consideration and recommends, by a vote of  
Ayes, 7; Nays, 5; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.


be amended as follows:

On page 1, line 11, after the word recalled and before the period  
insert "or by petition of fifty electors, whichever is greater"

On page 1, line 15, delete the words "If the petition is"

On page 1, delete all of lines 16, 17 and 18

And when so amended, recommends the same do pass.

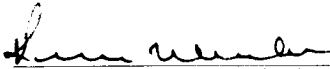
  
\_\_\_\_\_ Chairman  
Rep. Lang  
House Bill No. 1439 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1448, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

  
\_\_\_\_\_ Chairman  
Rep. Winkjer  
House Bill No. 1448 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES  
to whom was referred House

Bill No. 1451, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 1 delete "to create and enact a new subsection to"

On page 1, delete lines 2 and 3

On page 1, line 6 after the word "aircraft" insert ", snowmobiles"  
and also on line 6 insert a semi-colon after the word  
"vehicles"

On page 1, line 12 after the word "AIRCRAFT" insert ",SNOWMOBILES"

On page 1, line 17 delete the word "flush,"

On page 1, line 18 delete the word "For"

On page 1, delete all the underlined language in lines 19  
through 21

On page 2, delete lines 1, 2, and 3

On page 2, line 7 delete "Any person violating the provisions of"

On page 2, delete lines 8 and 9

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

Rep. Klobbec  Chairman

House Bill No. 1451 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1452, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Nicholas  Chairman


House Bill No. 1452 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1459, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Winkjer  Chairman

House Bill No. 1459 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION to whom was referred HOUSE

Bill No. 1476, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 5, after the word "not" insert the word "to"  
On page 2, line 6, strike the word "such" and insert in lieu thereof the word "all"

And renumber the lines and pages accordingly

JOURNAL OF THE HOUSE

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

House Bill No. 1476 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1481, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

*Rep. Rued*

Chairman

HOUSE Bill No. 1481 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred House

Bill No. 1493, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 4; Absent, 0, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 1, delete all the underlined language in lines 14 through 17

On page 2, line 20 delete "anticipated cost of" and insert in lieu thereof "direct costs incurred for the necessary and proper planning and administration of the allocation and appropriation of the waters of the state for a specific permit or a specific class of permits."

On page 2, line 21 delete all the underlined language

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

*Rep. Kloubec*

Chairman

House Rep. Kloubec Bill No. 1493 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1505, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

*[Signature]* Chairman

House Rep. Winkjer Bill No. 1505 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1510, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*[Signature]* Chairman

House Rep. Winkjer Bill No. 1510 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1521, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*[Signature]* Chairman

House Rep. Gackle Bill No. 1521 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred HOUSE

Bill No. 1522, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*[Signature]* Chairman

House Rep. Gackle Bill No. 1522 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred House

Bill No. 1536, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 7; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 5, delete lines 21 through 27

On page 6, after line 25 insert the following new section

"SECTION 12. WARNING TO USERS.)

Before any owner or operator may claim any provision of this act as a defense to any claim or action brought against him, he must establish that he has conspicuously placed on the premises a warning as follows: WARNING TO USERS North Dakota law severely limits your right to compensation for injuries caused by the negligence of the owner or operator."

And renumber the lines, pages, sections and subsections accordingly.

And when so amended, recommends the same do pass.

Rep. Kloubec  Chairman

House Bill No. 1536 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1554 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

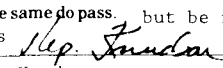
be amended as follows:

On page 2, delete lines 9 through 20 and insert in lieu thereof the following:

"c. Each student attending classes subsequent to July 1, 1977, shall be permitted to sign notes in the average amount of the tuition waived in the student's specialty by the institutions under contract with the state board of higher education."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass. but be re-referred to the Committee on Appropriations

House Rep. Knudson  Chairman Bill No. 1554 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR to whom was referred HOUSE

Bill No. 1557 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 20, strike the following: ", or uses"

On page 1, strike all of lines 21 and 22

On page 2, line 1, strike all of line 1

On page 2, line 2, strike the word "compounds"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

HOUSE Bill No. 1557 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1606 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 15, delete the numeral "1979" and insert in lieu thereof the numeral "1980"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations

Chairman

House Rep. Knudson, 1606 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1615 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Chairman

House Rep. Winkjer Bill No. 1615 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1619 has had the same under consideration and recommends, by a vote of


Ayes, 16; Nays, 0; Absent, 0, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

but be re-referred to the Committee on Appropriations





Rep. Knudson

Chairman

House Bill No. 1619

was re-referred to the Committee on Appropriations

**FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS**

Rep. Mertens introduced:

**House Concurrent Resolution No. 3044.** — A concurrent resolution directing the Legislative Council to study the adequacy of community-based residential facilities and care for physically handicapped young adults in North Dakota and to clarify the respective responsibilities of state and local agencies involved in the provision of residential care, treatment, supervision, and related services, and, when necessary, protection to physically handicapped young adults.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

**FIRST READING OF SENATE BILLS**

**Senate Bill No. 2159.** — A Bill for an Act to amend and reenact section 50-25.1-08 of the North Dakota Century Code, relating to the appointment of guardians ad litem.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2183.** — A Bill for an Act to amend and reenact section 6-03-27 of the North Dakota Century Code, relating to list of shareholders and requirement of notification of change in control.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2191.** — A Bill for an Act to amend and reenact section 43-07-10 of the North Dakota Century Code, relating to the renewal of licenses for contractors.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2206.** — A Bill for an Act to provide for the licensure and regulation of those persons engaged in the business of finding lenders for persons or businesses desirous of obtaining funds and to provide a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2211.** — A Bill for an Act to amend and reenact section 43-09-14 of the North Dakota Century Code, relating to the surety bond of a master and class B electrician.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2221.** — A Bill for an Act to repeal chapter 47-23 of the North Dakota Century Code, relating to the use of the North Dakota trademark and to the approval, by the state laboratories Department, for the use of the trademark.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2301.** — A Bill for an Act relating to cutting, rerouting, or diverting telephone lines to prevent telephone communications by a person holding hostages with persons other than law enforcement officers; and to provide for telephone company security

employee assistance to law enforcement officers and a defense to legal actions for providing such assistance.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2304.** — A Bill for an Act to amend and reenact section 30.1-14-01.1 of the North Dakota Century Code, relating to forms to be provided by a county court and county courts with increased jurisdiction to an applicant for informal probate or informal appointment proceedings under the Uniform Probate Code.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2324.** — A Bill for an Act to amend and reenact section 30.1-21-03 of the North Dakota Century Code, relating to the time for closing estates by sworn statement of the personal representative.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2344.** — A Bill for an Act to amend and reenact sections 50-24-33 and 50-24.1-07 of the North Dakota Century Code, relating to recovery from estates of recipients of assistance to the aged, blind, or disabled.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2390.** — A Bill for an Act to amend and reenact sections 15-10-18.2, 15-10-18.3, and 37-01-40 of the North Dakota Century Code; and to repeal chapter 37-20 of the North Dakota Century Code, relating to benefits for veterans and dependents.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2395.** — A Bill for an Act to amend and reenact section 15-28-05 of the North Dakota Century Code, relating to the compensation for election officials at public school district elections.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution 4015.** — A concurrent resolution making application to the Congress of the United States to call a convention for the purpose of considering, drafting, and proposing an amendment to the Constitution of the United States to provide protection of the right to life of all human beings.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Tuesday, February 6, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-FIFTH DAY

Bismarck, February 6, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding.  
The prayer was offered by Rev. Dave Knecht, McCabe Methodist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gerl, I. Jacobson, Lee and Reed.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-fourth Day and finds the same to be correct.

*Stan J. Swintek* Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1025 \_\_\_\_\_
- HB NO. 1037 \_\_\_\_\_
- HB NO. 1303 \_\_\_\_\_
- HB NO. 1316 \_\_\_\_\_
- HB NO. 1497 \_\_\_\_\_
- HB NO. 1543 \_\_\_\_\_
- HB NO. 1583 \_\_\_\_\_

and find the same correctly } ~~Enrolled~~  
Engrossed

*Wagner Stenger* Chairman

Representative Meyer moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR No. 3047 be introduced



Rep. Strinden

Chairman

Rep. Kretschmar

moved that the report be adopted, which motion

prevailed and the report was adopted.

## MOTIONS

Rep. Kingsbury moved that House Bill No. 1194 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Kingsbury requested permission to withdraw House Bill No. 1194. There being no objection, it was so ordered by the Speaker.

Rep. Richard moved that House Bill No. 1683 be returned to the House from the Committee on Transportation for the purpose of withdrawal, which motion prevailed.

Rep. Richard requested permission to withdraw House Bill No. 1683. There being no objection, it was so ordered by the Speaker.

Rep. Marsden moved that House Bill No. 1618 be returned to the House from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

Rep. Marsden requested permission to withdraw House Bill No. 1618. There being no objection, it was so ordered by the Speaker.

Rep. Meiers moved that the House reconsider its action whereby House Bill No. 1489 failed to pass, which motion failed on a verification vote.

## SIXTH ORDER OF BUSINESS

Rep. Haugland moved that the amendments to House Bill No. 1059 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 619 and 620 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1076 as recommended by the Committee on Industry, Business and Labor as printed on page 620 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1128 as recommended by the Committee on Agriculture as printed on pages 621 and 622 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1132 as recommended by the Committee on Finance and Taxation as printed on page 622 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1138 as recommended by the Committee on Judiciary as printed on pages 586, 587, 588, 589 and 590 of the House Journal be adopted.

## MOTION

Rep. Strinden requested that the question of the adoption of the amendments to House Bill No. 1138 be divided as follows:

Division A.:

On page 23, delete all of lines 13 through 28 and insert in lieu thereof the following:

“a continuous listing of the designation of all the offices to be voted for.

2. On the top left-hand side of such ballot shall begin a continuous listing of the designation of each office to be voted for, and under the designation of each office all of the names of the candidates duly nominated for that office shall be printed.

3. The names of candidates nominated for each office shall appear under the designation of that office, and under each candidate's name shall appear, in smaller type, the appropriate party designation for each

candidate. Where a candidate has been nominated by petition, the designation under that candidate's name, in smaller type, shall be "independent nomination".

4. The names of candidates under the designation of each office shall be alternated in the printing of the official ballot in the same manner as is provided for the primary election ballot."

On page 24, delete all of lines 17 through 35 and insert in lieu thereof the following:

"16.1-06-05 shall include the following: In presidential years the designation of the office of president and vice president shall be the first listing of the continuous listing of the designation of each office to be voted for. The names of presidential electors, presented in one certificate of nomination, shall be arranged in a group enclosed in brackets under the designation of the office of president and vice president. To the right and opposite the center of each group of electors' names shall be printed in bold type the surname of the presidential candidate represented and to the right and in line with such surname, near the margin, shall be placed a single square. A mark within such square shall be designated as a vote for all the electors. The appropriate party designation shall appear, in smaller type, under the surname of the presidential candidate represented."

Division B.:

Amendments to House Bill No. 1138 excluding Division A above, which amendments are as shown in the committee report as printed on pages 586, 587, 588, 589, and 590 of the House Journal.

Rep. Backes moved a substitute motion that the House reconsider the action whereby it accepted the committee report on House Bill No. 1138.

Rep. Backes requested a recorded roll call vote, which request was granted.

The question was on the motion of Rep. Backes.

ROLL CALL

The roll was called and there were ayes, 28; nays, 69; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN			●			WATTSON		UNHJEM
●			HICKLE		●	●			WEIERS		VANDER VORST
●			HOFER			●			WELBY		VIG
		●	HOLMANN					●	WERTENS		WAGNER
●			HOVE			●		●	MEYER		WALD
●			JACOBSEN, R.		●			●	MURPHY		WALSH
●			JACOBSON		●	●			MUSHIK		WEBER
●			KELLY					●	NICHOLAS		WENTZ
●			KENNELLY					●	OLSON		WESSMAN
●			KERMOTT		●	●		●	OPEDAHL		WINKJER
●			KINGSBURY		●				PELTIER		
●			KLOUBEC		●			●	PETERSON		MR. SPEAKER
●			KNUDSON		●	●		●	POWEROY		
●			KOSKI		●			●	REED		
●			KRETSCHMAR		●			●	RETZER		
●			KUCHERA		●			●	RICHARD		
●			LANG		●			●	RICHIE		
●			LANGLEY		●			●	RIELH		
●			LARDY		●				RUED		
●			LARSON, F #24		●			●	SCHINDLER		
●			LARSON, G #20		●			●	SCOFIELD		
●			LARSON, H #7		●			●	SOLBERG		
●			LEE		●			●	STENEHJEM		
●			LEIBHAN		●			●	STRINDEN		
●			LIPSIEA		●			●	SWONTEK		
●			MAUXNER		●			●	THOMPSON		
●			MARSDEN		●			●	THORSGARD		
●			MARTIN		●			●	TIMM		
●			MARTINSON		●			●	TINJUM		
●			MATHENY		●			●	TWETEN		

The motion failed.

Speaker Wagner granted the request to divide the question, and ex-

plained that the House will vote according to the division as stated. Thereafter, the House will vote on the final passage of the amendments to House Bill No. 1138, excluding or including those portions which did or did not pass on the division of the question.

Rep. Fleming requested a recorded roll call vote on the adoption of Division A of the amendments to House Bill No. 1138, which request was granted.

The question then was on the adoption of Division A of the amendments to House Bill No. 1138. **ROLL CALL**

The roll was called and there were ayes, 37; nays, 60; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES													
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●													
●			HERMAN			MATTSON			●		UNHJEM		
●			BENEDICT		HICKLE	●		MEIERS			VANDERVORST		
●			BERG		●	HOFFNER		MELBY			YIG		
●			BERGE			HOUJANN	●		MERTENS			WAGNER	
●			BERGER			HOVE	●		MAYER			WALD	
			BJORNSON		●	JACOBSEN R			MURPHY			●	WALSH
			BLACK		●	JACOBSON	●		MUSHK			●	WEBER
			BOYUM		●	KELLY			NICHOLAS			●	WENTZ
			BROKAW			KENNELLY			OLSON			●	WESSMAN
			CHRISTENSEN		●	KINGMOTT	●		OPEDAH			●	WINKJER
			CONNY		●	KINGSBURY			PELTIER				
			CRABTREE		●	KLOUBEC			PETERSON				MR SPEAKEP
			DICK		●	KNUDSON			POMEROY				
			DIETZ		●	KOSKI			REED			●	
●			DOTZENROD			KRETSCHMAR			RETZER			●	
●			DUBORD			KUCHERA			RICHARD				
			EAGLES		●	LANG			RICHIE				
			ERICKSON		●	LANGLEY			RIEHL				
●			FLEMING		●	LARDY			RUED			●	
			FREBORG		●	LARSON F # 24			SCHINDLER			●	
			GACKLE		●	LARSON G # 29			SCOFIELD			●	
●			GERL		●	LARSON H # 7			SOLBERG			●	
			GORDER		●	LEE			STENHJEM			●	
●			GUNDERSON			LEIBHAN			STRINDEN			●	
			GUNSCH		●	LIPSJEA			SWONTEK			●	
●			HANSON		●	MAIXNER			THOMPSON			●	
			HAUGLAND		●	MARSDEN			THORSGARD			●	
			HAUSAUER A # 49		●	MARTIN			TIMM			●	
			HAUSAUER R # 25		●	MARTINSON			TINJUM			●	
			HEDSTROM		●	MATHENY			TWETEN			●	

So Division A was declared lost.

The question then was on the adoption of Division B of the amendments to House Bill No. 1138, which was adopted on a voice vote.

The question then was on the adoption of the amendments to House Bill No. 1138, excluding Division A, and including Division B of the amendments as shown in the committee report as printed on pages 587, 588, 589 and 590 of the House Journal, which were adopted on a voice vote.

**SIXTH ORDER OF BUSINESS**

Rep. Nicholas moved that the amendments to House Bill No. 1225 as recommended by the Committee on Agriculture as printed on page 623 of the House Journal be adopted, which motion prevailed.

House Bill No. 1225 was re-referred to the Committee on Appropriations.

Rep. Nicholas moved that the amendments to House Bill No. 1244 as recommended by the Committee on Agriculture as printed on page 623 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1258 as recommended by the Committee on Agriculture as printed on page 624 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1323 as recommended by the Committee on Finance and Taxation as printed on page 592 of the House Journal be adopted.

Rep. Strinden moved a substitute motion to lay the amendments to House Bill No. 1323 on the table.



Rep. Knudson moved that the amendments to House Bill No. 1554 as recommended by the Committee on Education as printed on page 632 of the House Journal be adopted, which motion prevailed.

House Bill No. 1554 was re-referred to the Committee on Appropriations.

Rep. Rued moved that the amendments to House Bill No. 1557 as recommended by the Committee on Industry, Business and Labor as printed on pages 632 and 633 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1606 as recommended by the Committee on Education as printed on page 633 of the House Journal be adopted, which motion prevailed.

House Bill No. 1606 was re-referred to the Committee on Appropriations.

### MESSAGES FROM THE SENATE

#### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2043  
 Senate Bill No. 2212  
 Senate Bill No. 2241  
 Senate Bill No. 2250  
 Senate Bill No. 2350  
 Senate Bill No. 2386  
 Senate Bill No. 2417  
 Senate Bill No. 2421  
 Senate Concurrent Resolution No. 4023.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1072.

LEO LEIDHOLM, Secretary

#### AMENDMENTS TO HOUSE BILL NO. 1072

Page 2, line 9, after the word "if" insert the following "the speaker of the house from the previous session is not re-elected and if"

And renumber the lines accordingly.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1069.** — A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks of election.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 8; nays, 82; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		WATSON	•		UNHEM	•	
		•	HICKLE	•		WEIERS	•		VANDER VORST	•	
		•	HOFFNER	•		MELBY	•		VIG	•	
		•	HOUMANN	•		MERTENS	•		WAGNER	•	
		•	HOVE	•		MEYER	•		WALD	•	
		•	JACOBSEN R	•		MURPHY	•		WALSH	•	
•			JACOBSON I	•		MUSHIK	•		WEBER	•	



BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KENMOTT	•	OPEDAHL	•	WINKLER	•
COMMY	•	KINGSBURY	•	PELTIER	•	MR. SPEAKER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON F #24	•	SCHINDLER	•		
GACKLE	•	LARSON G #29	•	SCOFIELD	•		
GERL	•	LARSON H #7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBMAN	•	STRINDEW	•		
GUNSCH	•	LIPSIA	•	SWINTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER A #49	•	MARTIN	•	TIMM	•		
HAUSAUER R #25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1090.** — A Bill for an Act to create and enact section 11-33-09.1 of the North Dakota Century Code, relating to referral to the electors of amendments to county zoning plans; and to amend and reenact sections 11-33-09, 11-33-10, and 11-33-13 of the North Dakota Century Code, relating to the adoption and amendment of zoning plans, separate hearings on the adoption of such amendments, and the effect on existing uses of land.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 45; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOLMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON I	•		MUSHK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KENMOTT	•		OPEDAHL	•		WINKLER	•	
COMMY	•		KINGSBURY	•		PELTIER	•		MR. SPEAKER	•	
CRABTREE	•		KLOUBEC	•		PETERSON	•				
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON F #24	•		SCHINDLER	•				
GACKLE	•		LARSON G #29	•		SCOFIELD	•				
GERL	•		LARSON H #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBMAN	•		STRINDEW	•				
GUNSCH	•		LIPSIA	•		SWINTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER A #49	•		MARTIN	•		TIMM	•				
HAUSAUER R #25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost for want of a constitutional majority.

**House Bill No. 1123.** — A Bill for an Act to amend and reenact section 11-33-04 of the North Dakota Century Code, relating to county planning commissions and requiring election of members by residents of the area affected by the plan.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 50; absent and not voting, 7.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT		●	HICKLE		●	MEIERS		VANDER VORST
BERG		●	HOFFNER		●	MELBY		VIG
BERGE		●	HOUHANN		●	MERTENS		WAGNER
BERGER		●	HOVE		●	MEYER		WALD
BJORNSON		●	JACOBSEN, R.		●	MURPHY		WALSH
BLACK		●	JACOBSON, I.		●	MUSHIK		WEBER
BOYUM		●	KELLY		●	NICHOLAS		WENTZ
BROKAW		●	KENNELLY		●	OLSON		WESSMAN
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		WINKJER
CONNY		●	KINGSBURY		●	PELTIER		
CRABTREE		●	KLOUBEC		●	PETERSON		MR. SPEAKER
DICK		●	KNUDSON		●	POMEROY		
DIETZ		●	KOSKI		●	REED		
DOTZENROD		●	KRETSCHMAR		●	RETZER		
DUBORD		●	KUCHERA		●	RICHARD		
EAGLES		●	LANG		●	RICHIE		
ERICKSON		●	LANGLEY		●	RIEHL		
FLEMING		●	LARDY		●	RUED		
FREBORG		●	LARSON, F. # 24		●	SCHINDLER		
GACKLE		●	LARSON, G. # 29		●	SCOFIELD		
GERL		●	LARSON, H. # 7		●	SOLBERG		
GORDER		●	LEE		●	STENEHJEM		
GUNDERSON		●	LEIBHAN		●	STRINDEN		
GUNSCH		●	LIPSIA		●	SWONTEK		
HANSON		●	MAIXNER		●	THOMPSON		
HAUGLAND		●	MARSDEN		●	THORSGARD		
HAUSAUER A. # 49		●	MARTIN		●	TIMM		
HAUSAUER R. # 25		●	MARTINSON		●	TINJUM		
HEDSTROM		●	MATHENY		●	TWETEN		

So the bill lost.

**House Bill No. 1147.** — A Bill for an Act to amend and reenact sections 16-10-12 and 16-10-16 of the North Dakota Century Code, relating to election poll clerks, additional poll clerks and their compensation, and to compensation of election inspectors, judges, and clerks of election.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 75; absent and not voting, 8.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT		●	HICKLE		●	MEIERS		VANDER VORST
BERG		●	HOFFNER		●	MELBY		VIG
BERGE		●	HOUHANN		●	MERTENS		WAGNER
BERGER		●	HOVE		●	MEYER		WALD
BJORNSON		●	JACOBSEN, R.		●	MURPHY		WALSH
BLACK		●	JACOBSON, I.		●	MUSHIK		WEBER
BOYUM		●	KELLY		●	NICHOLAS		WENTZ
BROKAW		●	KENNELLY		●	OLSON		WESSMAN
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		WINKJER
CONNY		●	KINGSBURY		●	PELTIER		
CRABTREE		●	KLOUBEC		●	PETERSON		MR. SPEAKER
DICK		●	KNUDSON		●	POMEROY		
DIETZ		●	KOSKI		●	REED		
DOTZENROD		●	KRETSCHMAR		●	RETZER		
DUBORD		●	KUCHERA		●	RICHARD		
EAGLES		●	LANG		●	RICHIE		
ERICKSON		●	LANGLEY		●	RIEHL		
FLEMING		●	LARDY		●	RUED		
FREBORG		●	LARSON, F. # 24		●	SCHINDLER		
GACKLE		●	LARSON, G. # 29		●	SCOFIELD		
GERL		●	LARSON, H. # 7		●	SOLBERG		
GORDER		●	LEE		●	STENEHJEM		
GUNDERSON		●	LEIBHAN		●	STRINDEN		
GUNSCH		●	LIPSIA		●	SWONTEK		
HANSON		●	MAIXNER		●	THOMPSON		
HAUGLAND		●	MARSDEN		●	THORSGARD		
HAUSAUER A. # 49		●	MARTIN		●	TIMM		
HAUSAUER R. # 25		●	MARTINSON		●	TINJUM		
HEDSTROM		●	MATHENY		●	TWETEN		



• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIA	• SWONTER
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill lost.

**House Bill No. 1425.** — A Bill for an Act of amend and reenact section 4-27-06 of the North Dakota Century Code, relating to assessments of gross receipts of milk or milk products for dairy products promotion.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes. 28; nays, 64; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSOON		•	• UNHJEM		•
• BENEDICT		•	• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER		•	• MELBY		•	• VG		•
• BERGE		•	• HOUAMANN		•	• MERTENS		•	• WAGNER		•
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS		•	• WENTZ		•
• BROKAW		•	• KERNELLY		•	• OLSON		•	• WESSMAN		•
• CHRISTENSEN		•	• KERHOTT		•	• OPEDAHL		•	• WINKLER		•
• CONWAY		•	• KINGSBURY		•	• PELTIER		•			
• CRABTREE		•	• KLOUBEC		•	• PETERSON		•	• MR. SPEAKER		•
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DUBORD		•	• KUCHERAD		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG		•	• LARSON, F. # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G. # 29		•	• SCOFIELD		•			
• GERL		•	• LARSON, H. # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEM		•			
• GUNDERSON		•	• LEIBHAN		•	• STRINDEN		•			
• GUNSCHE		•	• LIPSIA		•	• SWONTER		•			
• HANSON		•	• MAIXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGARD		•			
• HAUSAUER, A. # 49		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, R. # 25		•	• MARTINSON		•	• TINJUUM		•			
• HEDSTROM		•	• MATHENY		•	• TWETEN		•			

So the bill lost.

**House Bill No. 1521.** — A Bill for an Act to amend and reenact section 57-37.1-08 of the North Dakota Century Code, placing the receipts of the estate tax in the state general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 74; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSOON		•	• UNHJEM		•
• BENEDICT		•	• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER		•	• MELBY		•	• VG		•
• BERGE		•	• HOUAMANN		•	• MERTENS		•	• WAGNER		•
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WEBER		•

BOYUM	•	KELLY	•	NICHOLAS	•	• WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	• WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	• WINKJER	•
CONMY	•	KINGSBURY	•	• PELTIER	•	MR. SPEAKER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	• KNUDSON	•	• POMEROY	•		
DIETZ	•	• KOSKI	•	• REED	•		
DOTZENROD	•	• KRETSCHMAR	•	• RETZER	•		
DUBORD	•	• KUCHERA	•	• RICHARD	•		
EAGLES	•	• LANG	•	• RICHIE	•		
ERICKSON	•	• LANGLEY	•	• RIEHL	•		
FLEMING	•	• LARDY	•	• RUED	•		
FREBORG	•	• LARSON, F. # 24	•	• SCHINDLER	•		
GACKLE	•	• LARSON, G. # 29	•	• SCOFIELD	•		
GERL	•	• LARSON, H. # 7	•	• SOLBERG	•		
GORDER	•	• LEE	•	• STENEHJEM	•		
• GUNDERSON	•	• LEIBHAN	•	• STRINDEN	•		
GUNSCH	•	• LIPSIA	•	• SWONTEK	•		
• HANSON	•	• MAIXNER	•	• THOMPSON	•		
HAUGLAND	•	• MARSDEN	•	• THORSgard	•		
HAUSAUER, A. # 49	•	• MARTIN	•	• TIMM	•		
HAUSAUER, R. # 25	•	• MARTINSON	•	• TINJUM	•		
HEDSTROM	•	• MATHENY	•	• TWETEN	•		

So the bill lost.

**House Bill No. 1522.** — A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code as amended by section 1 of Initiated Measure No. 2 approved by the electors at the general election of November 7, 1978, relating to individual income tax rates; and providing an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 35; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE	•		• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE	•		• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNHON			• JACOBSEN, P.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER			MR. SPEAKER		
• CRABTREE			• KLOUBEC			• PETERSON					
• DICK	•		• KNUDSON			• POMEROY					
• DIETZ	•		• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill lost for want of a two-thirds majority.

**House Bill No. 1025.** Business and Industrial Development Department — A Bill for an Act making an appropriation for defraying the expenses of the business and industrial development department of the State of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 14; absent and not voting, 10.



Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VG ●		
BERGE ●			HOUWMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON ●			MUSKIE ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DuBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON, F. #24 ●			SCHINDLER ●					
GACKLE ●			LARSON, G. #29 ●			SCOFFIELD ●					
GERL ●			LARSON, H. #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENHJEM ●					
GUNDERSON ●			LEIBMAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWONTEK ●					
HANSON ●			MAUXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER, A. #8 ●			MARTIN ●			TIMM ●					
HAUSAUER, R. #25 ●			MARTINSON ●			TINJUN ●					
HEDSTROM ●			MATHEW ●			TWETEN ●					

So the bill passed and the title was agreed to and the emergency clause was declared carried.

**House Bill No. 1347.** — A Bill for an Act to create and enact section 63-01.1-14.1 of the North Dakota Century Code, relating to expenditure of investment money interest credited to the state game and fish fund for the purpose of destruction, prevention, and control of noxious weeds on lands owned or leased by the state game and fish department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 64; nays, 26; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VG ●		
BERGE ●			HOUWMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON ●			MUSKIE ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DuBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON, F. #24 ●			SCHINDLER ●					
GACKLE ●			LARSON, G. #29 ●			SCOFFIELD ●					
GERL ●			LARSON, H. #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENHJEM ●					
GUNDERSON ●			LEIBMAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWONTEK ●					

• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. #48	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHEWY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1448.** — A Bill for an Act to create and enact a new subsection to section 32-15-22 of the North Dakota Century Code, allowing a jury, court, or referee to award special or consequential damages in condemnation cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 3; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEERS	•		• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY			• YG		•
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK	•		• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOBECC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR	•		• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE	•				
• ERICKSON			• LANGLEY			• RHEI					
• FLEMING			• LARDY			• RIJD					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #20			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE	•		• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTER					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. #48			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHEWY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1452.** — A Bill for an Act to amend and reenact subsection 3 of section 1 and section 6 of chapter 59 of the 1977 Session Laws of North Dakota, relating to the purpose and use of assessments by the beef commission and effective date of the Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 4; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS	•		• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY			• YG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK	•		• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW	•		• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOBECC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER					



• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1459.** — A Bill for an Act to create and enact section 43-19.1-33 of the North Dakota Century Code, relating to the indemnification of members of the Board of Registration for Professional Engineers and Land Surveyors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 52; nays, 41; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTHEWSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEIERS	•		• VANDER VORST		
• BERG	•		• HOFFNER		•	• MELBY		•	• VIG		
• BERGE			• HOUMANN		•	• MERTENS		•	• WAGNER		
• BERGER			• HOVE		•	• MEYER		•	• WALD		
• BJORNSON	•		• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON			• MUSHK		•	• WEBER		
• BOYUM			• KELLY			• NICHOLAS		•	• WENTZ		
• BROKAW	•		• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN		•	• KERWITT			• OPEDAHL		•	• WINKLER		
• CONNY			• KINGSBURY		•	• PELTIER		•			
• CRABTREE		•	• KLOUBEC		•	• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI		•	• REED	•				
• DOTZENROD			• KRETSCHMAR		•	• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES		•	• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWIONTEK	•				
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 49		•	• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN		•			

So the bill passed and the title was agreed to.

**House Bill No. 1481.** — A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code, relating to the minimum specifications for reinsurance with the state fire and tornado fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTHEWSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS	•		• VANDER VORST		
• BERG			• HOFFNER			• MELBY		•	• VIG		
• BERGE			• HOUMANN			• MERTENS		•	• WAGNER		
• BERGER			• HOVE			• MEYER		•	• WALD		

• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 20	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWIONTEK	
• HANSON	• MAUXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A. # 40	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TRNJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1497.** — A Bill for an Act to amend and reenact section 39-06.1-03 of the North Dakota Century Code, relating to an administrative hearing for disposition of traffic offenses.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 27; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS		•	• VANDER VORST		
• BERG			• HOPFNER			• MELBY		•	• VIG		
• BERGE			• HOUWMANN		•	• WERTENS		•	• WAGNER		
• BERGER		•	• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD		•	• KUCHERA		•	• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER		•			
• GACKLE			• LARSON, G. # 20			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER		•	• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN		•			
• GUNSCH			• LIPSIA			• SWIONTEK					
• HANSON			• MAUXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 40			• MARTIN			• TIMM		•			
• HAUSAUER, R. # 25			• MARTINSON			• TRNJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

#### MESSAGES TO THE SENATE House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1022
- House Bill No. 1023
- House Bill No. 1276
- House Bill No. 1279
- House Bill No. 1354

House Bill No. 1357  
 House Bill No. 1394  
 House Bill No. 1419  
 House Bill No. 1431  
 House Bill No. 1474  
 House Bill No. 1479  
 House Bill No. 1512  
 House Bill No. 1582  
 House Bill No. 1584  
 House Bill No. 1592  
 House Bill No. 1614  
 House Bill No. 1628  
 House Bill No. 1630  
 House Bill No. 1680.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4048

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution No. 3012.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1079  
 House Bill No. 1045  
 House Bill No. 1111

Were delivered to the Governor for his approval at the hour of 3:45 o'clock p.m., February 6, 1979.

REP. STENEHJEM, Chairman

MOTIONS

Rep. Martinson moved that House Bill No. 1396 be returned to the House from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

Rep. Martinson requested permission to withdraw House Bill No. 1396. There being no objection, it was so ordered by the Speaker.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1042, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Ninth Order, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:30 p.m., Wednesday, February 7, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1006, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same



Dakota be routed to the local school districts through the foundation aid program.

SECTION 2. ADJUSTMENT OF FOUNDATION AID PAYMENT.) Whenever the taxable valuation of property is diminished because of the reclassification of real property as personal property which results from either legislative or judicial action, the state foundation aid payment to the affected school district shall be based on the diminished valuation in the year in which it is paid to said school district."

On page 5, after the line 23, insert the following new sections:  
"SECTION 7. AMENDMENT.) Subsection 2 of section 15-40.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. It is hereby determined that the educational support per pupil during the first year of the ~~1977-79~~ 1979-81 biennium shall be ~~seven-hundred-seventy-five~~ eight hundred ninety dollars and for the second year of the biennium the educational support per pupil shall be ~~eight-hundred-fifty nine hundred sixty~~ dollars and shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in sections 15-40.1-07 and 15-40.1-08. School districts operating high schools not meeting the minimum curriculum as provided in section 15-41-24 or the teacher qualifications in section 15-41-25 shall be supported in the amount of two hundred twenty dollars, which shall be the basis for calculating grants-in-aid on a per-pupil basis as provided in section 15-40.1-07.

SECTION 8. AMENDMENT.) Subsection 3 of section 15-40.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. In determining the amount of payment due school districts for per-pupil aid under this section, ~~the following shall be subtracted from the amount of such aid:~~
  - a--~~The~~ the product of twenty mills times the latest available net assessed and equalized valuation of property of the school district shall be subtracted from the amount of such aid.
  - b--~~That amount in dollars of the state group rate for Title I of Public Law 81-874 represented by the twenty-one mill county equalization levy in the determination of the state group rate multiplied times the number of students for whom the district received Public Law 81-874 payments, except that this subsection shall not include 3B students residing in tax exempt, federally-owned mobile homes."~~

On page 6, line 31 after the first word "the" and before the word "enrollment" insert the words "average annual" after the word "district" strike the word "in" and insert in lieu thereof the word "for" and after the final word "the" insert the word "three"

On page 6, line 32 strike the word "year" and insert in lieu thereof the word "years"

On page 10, after line 10 insert the following new subsection:

- "7. For elementary schools providing kindergartens after June 30, 1980, which are established according to provisions of section 15-45-01, there shall be paid that amount of money resulting from multiplying the factor .25 times the educational support per pupil as provided in section 15-40.1-06 for each of the first twenty-five pupils in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.

- On page 10, line 13 after the word "the" insert the words "average annual"
- On page 10, line 14 after the word "district" strike the word "in" and insert in lieu thereof the word "for" and after the word "the" insert the word "three" and also on line 14 strike the word "year" and insert in lieu thereof the word "years"
- On page 14, line 25 strike the word "seventeen" and insert in lieu thereof the word "twenty"
- On page 14, line 27 strike the word "thirty-four" and insert in lieu thereof the word "forty"
- On page 19, line 12, strike the word "may" and insert in lieu thereof the word "shall"
- On page 19, line 16, strike the word "may" and insert in lieu thereof the word "shall"
- On page 19, line 17, strike the words "the county equalization"
- On page 19, line 18, strike the word "fund" and delete the word "and"
- On page 21, after line 31, add the following new sections:  
 "SECTION 21. EFFECTIVE DATE.) The provisions of section 8 of this Act shall be effective from and after July 1, 1980.  
 SECTION 22. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund not otherwise appropriated, the sum of \$212,098,967.00, or so much thereof as may be necessary, to the state superintendent of public instruction for the purpose of providing transportation payments and elementary, secondary, and kindergarten foundation aid payments as provided by this Act for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, pages, and sections accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations

*Rep. Knudson* Chairman

House Rep. Knudson Bill No. 1056 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1066 has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

- On page 3, line 23 delete the words "The space provided shall" and insert in lieu thereof the words "Space and equipment for certain associate district judges may"
- On page 3, line 24 after the word "and" insert the words "if leased"
- On page 3, delete all of lines 26 through 35
- On page 4, line 24 delete the words ", which employees shall" insert in lieu thereof the following: "to the extent that such salaries and expenses are within the limits of the legislative appropriation."
- On page 4, delete all of lines 25 and 26
- On page 6, line 24 delete the words "chief justice" and insert in lieu thereof the words "supreme court"
- On page 6, line 26 delete everything after the period

- On page 6, delete all of line 27
- On page 7, line 11 after "VACATION.)" insert the following sentence:  
"The supreme court, in any case decided by it, shall give its decision in writing, which shall be filed with the clerk of said court with the other papers in the case."
- On page 7, line 12 delete the words "or special"
- On page 7, line 29 after the word "clerk" insert the following:  
", pursuant to the North Dakota rules of appellate procedure," and also delete ", in"
- On page 7, line 30 delete "advance,"
- On page 7, line 32 after the period, insert the following sentence:  
"No fee shall be collected in criminal cases or on applications for writs of habeas corpus in criminal cases or on application for post-conviction relief or in cases arising under the Uniform Juvenile Court Act."
- On page 9, delete all of line 8
- On page 13, line 12 delete the words "The judgeships authorized" and insert in lieu thereof the words "The twenty-nine associate district judgeships created"
- On page 13, line 13 delete the words "deemed vacant" and insert in lieu thereof the word "filled"
- On page 13, line 18 delete the word "all" and insert in lieu thereof the word "twelve"
- On page 13, line 19 delete the words "As nearly as possible, one-third" and insert in lieu thereof the words "One-half"
- On page 13, line 20 delete the word "two-"
- On page 13, line 21 delete the words "year terms, one-third shall be elected to"
- On page 13, line 22, delete the words "one-third" and insert in lieu thereof the words "one-half"
- On page 13, line 30 after the period insert the following:  
"The remaining seventeen associate district judgeships shall have initial terms of two years, shall be initially chambered in those counties in which the voters have established county courts with increased jurisdiction pursuant to chapter 27-08 prior to January 1, 1979, and shall be filled on January 1, 1981, by the interim associate district judges who were elected as judges of county courts with increased jurisdiction in November 1978 in those counties or who were subsequently appointed to fill the unexpired terms of judges so elected in those counties."
- On page 14, line 1 delete everything after the numeral "2." and insert in lieu thereof the following: "All criminal cases, except class A felonies."
- On page 14, delete all of line 2
- On page 14, delete all of lines 6 and 7
- On page 14, line 8 delete the numeral "6" and insert in lieu thereof the numeral "5"
- On page 14, line 9 delete the numeral "7" and insert in lieu thereof the numeral "6"
- On page 14, line 12 delete the numeral "8" and insert in lieu thereof the numeral "7"

- On page 14, line 13 delete the numeral "9" and insert in lieu thereof the numeral "8" and also after the word "other" insert the word "civil"
- On page 15, delete all of lines 29 through 35
- On page 16 delete all of lines 1 through 32
- On page 16, line 33 delete the numeral "27-04.1-18" and insert in lieu thereof the numeral "27-04.1-16"
- On page 17, line 3 delete the numeral "27-04.1-19" and insert in lieu thereof the numeral "27-04.1-17"
- On page 17, line 7 delete the numeral "27-04.1-20" and insert in lieu thereof the numeral "27-04.1-18"
- On page 17, delete all of lines 13 through 34
- On page 18, delete all of lines 1 through 35
- On page 19, delete all of lines 1 through 34
- On page 20, delete all of lines 1 through 35
- On page 21, delete all of lines 1 through 35
- On page 22, delete all of lines 1 through 35
- On page 23, delete all of lines 1 through 33
- On page 26, line 10 delete everything after "COURT.)" and insert in lieu thereof the word "The"
- On page 26, line 11 delete the first word "the"
- On page 28, delete all of lines 1 through 8
- On page 28, line 9 delete the numerals "27-06.1-04" and insert in lieu thereof the numerals "27-06.1-03"
- On page 28, line 18 delete the numerals "27-06.1-05" and insert in lieu thereof the numerals "27-06.1-04"
- On page 28, line 20 delete the words "Until superseded by supreme court rule, the" and insert in lieu thereof the word "The"
- On page 29, line 3 delete the words "Until superseded by supreme court rule, the" and insert in lieu thereof the word "The"
- On page 29, line 29 delete the words "Until superseded by supreme court rule, at" and insert in lieu thereof the word "At"
- On page 30, line 3 delete the numerals "27-06.1-06" and insert in lieu thereof the numerals "27-06.1-05"
- On page 30, line 12 delete the numerals "27-06.1-07" and insert in lieu thereof the numerals "27-06.1-06"
- On page 30, line 30 delete the numerals "27-06.1-08" and insert in lieu thereof the numerals "27-06.1-07"
- On page 30, line 33 delete "state. The salary shall be" and insert in lieu thereof the following: "counties constituting the judicial district in which such reporter is employed. Such salary shall be set by each district court judge involved and shall be prorated among the respective counties of each judicial district on the basis of the ratio of the population of each county to the total population of the judicial district according to the last federal decennial census. The presiding judge of each judicial district, on the first day of January of each year, or as soon thereafter as may be, shall apportion the amount of such salary to be paid by each



county in his district on the basis aforesaid, and the county auditors of the respective counties in such judicial district shall issue to the order of such court reporter a warrant to the amount shown to be due by such apportionment. As reimbursement for expenses incurred in the performance of official duties outside of the county where the district court chambers are situated, the court reporter shall receive expense allowances in accordance with the provisions of section 44-08-04. Such sums shall be paid monthly by the county wherein such court reporter is attending to such official duties, when approved by the board of county commissioners. Claims for transportation expenses shall not exceed amounts provided by section 54-06-09 and shall be in itemized form showing the mileage traveled, the days when and how traveled, and the purposes thereof, and verified by affidavit. No claim for living expenses or transportation expenses shall be approved for payment to a court reporter by the board of county commissioners unless such claim shall have been first approved by the district judge."

- On page 30, delete all of lines 34 and 35
- On page 31, delete all of lines 1 through 11
- On page 31, line 12 delete the numerals "27-06.1-09" and insert in lieu thereof the numerals "27-06.1-08"
- On page 31, line 22 delete the numerals "27-06.1-10" and insert in lieu thereof the numerals "27-06.1-09"
- On page 31, line 34 delete the numerals "27-06.1-11" and insert in lieu thereof the numerals "27-06.1-10"
- On page 32, line 10 delete the numerals "27-06.1-12" and insert in lieu thereof the numerals "27-06.1-11"
- On page 32, line 23 delete the numerals "27-06.1-13" and insert in lieu thereof the numerals "27-06.1-12"
- On page 32, line 31 delete the numerals "27-06.1-14" and insert in lieu thereof the numerals "27-06.1-13"
- On page 34, line 11 delete the words "within the limits of the legislative appropriations" and insert in lieu thereof the words: "by the county to which the probate officer is appointed"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Arne Winkjer*

Chairman

Rep. Winkjer

House

Bill No. 1066

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1098, has had the same under consideration and recommends, by a vote of

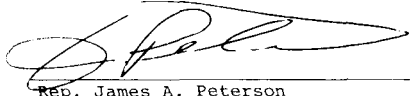
Ayes, 12; Nays, 0; Absent, 7, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

  
Rep. James A. Peterson

Chairman

House Bill No. 1098 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1117, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 2, line 7, remove the strike-throughs over the words "~~provided-further,-all-moneys-and-other-property~~"
  - On page 2, line 8, remove the strike-throughs over the words "~~in-the-capitol-building-fund,-except-as~~"
  - On page 2, lines 9 through 12, remove the strike-throughs
  - On page 2, line 13, remove the strike-throughs over the words "~~accumulate-and-conserve-the-money-and-property~~"
  - On page 2, line 14, delete the strike-throughs over the words "~~in-the-capitol-building-fund-for-such-purpose~~"
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to have the permanent fund to be dedicated and reserved for legislative use while allowing the income from the fund to be used by the Capitol Grounds Planning Commission for projects and plans.

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson

Chairman

House Bill No. 1117 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1202, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 2, line 11 delete "persence" and insert in lieu thereof the word "presence"
- And renumber the lines accordingly

And when so amended, recommends the same do pass!

*Jim Winkjer*

Chairman

Rep. Winkjer  
House Bill No. 1202 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1230, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4, after the word "security" delete "education, work training, and counseling"

On page 1, line 5, delete "programs; inmate responsibilities; child care;

On page 2, delete lines 12 through 32

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

Sections 3 and 4: Female prisoners are to come under the same criteria as the male prisoners.

Section 5: Does not meet the intent of the sponsors of this bill.

*James A. Peterson*

Chairman

Rep. James A. Peterson

House Bill No. 1230 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1272, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Martinson*

Chairman

House Bill No. 1272 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1307, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

JOURNAL OF THE HOUSE

Rep. Martinson  Chairman

House Bill No. 1307 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1413, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:


Rep. Martinson  Chairman

House Bill No. 1413 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1436, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Rued  Chairman

House Bill No. 1436 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1348, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [X] be amended as follows:

On page 1, line 16, after the word "year" insert a period.

On page 1, line 17, before the word "secured" insert the following: "These loans shall be"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Rued  Chairman

House Bill No. 1348 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1487, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 5; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

Chairman

House Bill No. 1487 Rep. Rued was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1511, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

Chairman

House Bill No. 1511 Rep. Rued was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1541, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

Chairman

House Rep. Martinson Bill No. 1541 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1588, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 3, delete the words "provide an appropriation" and insert in lieu thereof the following: "amend and reenact section 57-36-32 of the North Dakota Century Code, providing an increase in the cigarette tax to fund the state library commission's activities under this Act"

On page 4, delete lines 3 through 14 and insert in lieu thereof the following:

"SECTION 7. AMENDMENT.) Section 57-36-32 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-36-32. SEPARATE AND ADDITIONAL TAX ON THE SALE OF CIGARETTES - COLLECTION - ALLOCATION OF REVENUE - TAX AVOIDANCE PROHIBITED.) There is hereby levied and assessed and there shall be collected by the proper officer and paid to the state treasurer ~~for crediting to the general fund~~, upon all cigarettes sold in this state, an additional tax, separate and apart from all other taxes, of ~~one-half one~~ mill on each such cigarette, to be collected as existing taxes on cigarettes sold are, or hereafter may be, collected, by use of appropriate stamps and under similar accounting procedures. No person, firm, or corporation shall transport or bring or cause to be shipped into the state of North Dakota any cigarettes as provided herein, other than for delivery to wholesalers in this state, without first paying such tax thereon to the state treasurer. Of the amount collected by the state treasurer under this section, one-half shall be credited to the state general fund and the other half shall be credited to a fund and be administered by the state library commission for the purposes of carrying out the provisions of this Act, and the moneys in that fund are hereby appropriated to the library commission for the purposes of this Act."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Finance and Taxation

*R. J. Knudson* Chairman  
Rep. Knudson

House Bill No. 1588 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1607, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*R. Rued* Chairman

House Bill No. 1607 Rep. Rued was placed on the 11th

order of business on the calendar for the succeeding legislative day.

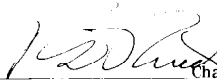
Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1651, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

  
Chairman

House Bill No. 1651 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1664 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 16, after the word "exceed" delete the words "sixteen dollars a" and insert in lieu thereof the words "actual expenses per"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.


  
Chairman

House Bill No. 1664 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1665 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

  
Chairman

House Bill No. 1665 Rep. Winkjer was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1675 has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

*Ann Winkjer*

Chairman

Rep. Winkjer

House Bill No. 1675 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution

No. 3029, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Martinson* Chairman

Rep. Martinson

House Concurrent Resolution No. 3029 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution

No. 3032, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Martinson* Chairman

Rep. Martinson

House Concurrent Resolution No. 3032 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution

No. 3035, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Martinson* Chairman

Rep. Martinson

House Concurrent Resolution No. 3035 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution


No. 3036, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 1; Absent, 3, that the same



do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

Rep. Martinson  Chairman

House Concurrent Resolution No. 3036 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Unhjem, Stenehjem and Hoffner and Senator Peterson introduced:

**House Concurrent Resolution No. 3045.** — A concurrent resolution directing the Legislative Council to study catastrophic illness programs, minimum benefits in health insurance, and the uninsurable pooled risks concept.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Strinden introduced:

**House Concurrent Resolution No. 3046.** — A concurrent resolution directing a Legislative Council study of the alternatives available for the accumulation of sick leave by state employees.

Was read the first time and referred to the committee on State and Federal Government.

Rep. Strinden and Senator Nething introduced:

**House Concurrent Resolution No. 3047.** — A concurrent resolution to establish a procedure for calling the Legislative Assembly back into regular session after adjournment.

Was read the first time and referred to the committee on State and Federal Government.

### FIRST READING OF SENATE BILLS

**Senate Bill No. 2011.** — A Bill for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2197.** — A Bill for an Act to amend and reenact section 6-03-69 of the North Dakota Century Code, relating to report of examining committee.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2199.** — A Bill for an Act to amend and reenact subsection 1 of section 6-01-03 of the North Dakota Century Code, relating to the make-up of the banking board and regular meetings thereof.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2251.** — A Bill for an Act to provide for mandatory health insurance coverage for newborn children under an insured's family policy.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2345.** — A Bill for an Act to repeal Chapter 43-22 of the North Dakota Century Code, relating to the registration, bonding, and activities of persons engaged in the business of buying leases,

mineral rights, royalties, or other interests in oil or gas properties and certain other described minerals.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2372.** — A Bill for an Act to authorize school districts to levy for replacement costs for school buses.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2423.** — A Bill for an Act to create and enact a new section to chapter 49-05 of the North Dakota Century Code, relating to the effectiveness of suspended public utility rates under bond.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2473.** — A Bill for an Act to amend and reenact subsection 4 of section 43-19.1-02, sections 43-19.1-03 and 43-19.1-04, subsection 5 of section 43-19.1-29 and section 43-19.1-30 of the North Dakota Century Code relating to the registration and regulation of the practice of engineering and land surveying.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:30 p.m., Wednesday, February 7, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-SIXTH DAY

Bismarck, February 7, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.  
The prayer was offered by Rev. Joe Agee, Jr., Washington Heights Community Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. I. Jacobson, Lee, Reed, Thompson and Thorsgard.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker, Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-fifth Day and finds the same to be correct.

 Chairman  
Rep. Swantek

Rep. Meiers moved that the report be adopted, which motion prevailed.

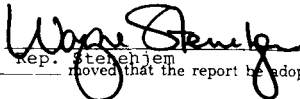
REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1042 \_\_\_\_\_
- HCR NO. 3012 \_\_\_\_\_

and find the same correctly Re } Engrossed

 Chairman  
Rep. Steffen

Representative Lipsica moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1059 \_\_\_\_\_
- HB NO. 1076 \_\_\_\_\_
- HB NO. 1128 \_\_\_\_\_
- HB NO. 1132 \_\_\_\_\_
- HB NO. 1138 \_\_\_\_\_

- HB NO. 1225 \_\_\_\_\_
- HB NO. 1244 \_\_\_\_\_
- HB NO. 1258 \_\_\_\_\_
- HB NO. 1328 \_\_\_\_\_
- HB NO. 1399 \_\_\_\_\_
- HB NO. 1421 \_\_\_\_\_
- HB NO. 1439 \_\_\_\_\_
- HB NO. 1451 \_\_\_\_\_
- HB NO. 1468 \_\_\_\_\_
- HB NO. 1476 \_\_\_\_\_
- HB NO. 1493 \_\_\_\_\_
- HB NO. 1536 \_\_\_\_\_
- HB NO. 1554 \_\_\_\_\_
- HB NO. 1557 \_\_\_\_\_
- HB NO. 1606 \_\_\_\_\_

and find the same correctly } Engrossed

Representative Lipsiea \_\_\_\_\_  
 motion prevailed, and the report was adopted.

*Wayne Stenehjem* Chairman  
 Rep. Stenehjem moved that the report be adopted, which

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1083 \_\_\_\_\_
- HCR NO. 3012 \_\_\_\_\_

and find the same correctly } Enrolled

Representative Meyer \_\_\_\_\_  
 motion prevailed, and the report was adopted.

*Wayne Stenehjem* Chairman  
 Rep. Stenehjem moved that the report be adopted, which

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1006 as recommended by the Committee on Appropriations as printed on pages 653 and 654 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1056 as recommended by the Committee on Education as printed on pages 654, 655 and 656 of the House Journal be adopted, which motion prevailed.

House Bill No. 1056 was re-referred to the Committee on Appropriations.

Rep. Winkjer moved that the amendments to House Bill No. 1066 as recommended by the Committee on Judiciary as printed on pages 656, 657, 658 and 659 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1117 as recommended by the Committee on Appropriations as printed on page 660 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1202 as

recommended by the Committee on Judiciary as printed on pages 660 and 661 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1230 as recommended by the Committee on Appropriations as printed on page 661 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1348 as recommended by the Committee on Industry, Business and Labor as printed on page 662 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1588 as recommended by the Committee on Education as printed on pages 663 and 664 of the House Journal be adopted, which motion prevailed.

House Bill No. 1588 was re-referred to the Committee on Finance and Taxation.

Rep. Rued moved that the amendments to House Bill No. 1664 as recommended by the Committee on Industry, Business and Labor as printed on page 665 of the House Journal be adopted, which motion prevailed.

#### MOTIONS

Rep. Martinson moved that the House reconsider its action whereby it concurred in the Senate amendments to House Bill No. 1042, which motion prevailed.

Rep. Martinson moved that the House not concur on Senate amendments to House Bill No. 1042, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE

Speaker Wagner announced the following appointments to Conference Committee on House Bill No. 1042:

Reps. Gunderson, Scofield and Hanson.

Rep. Conmy moved that House Bill No. 1187 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Conmy requested permission to withdraw House Bill No. 1187. There being no objection, it was so ordered by the Speaker.

#### MOTIONS

Rep. Strinden moved that the House reconsider its action whereby House Bill No. 1303 failed to pass for want of a two-thirds majority, which motion prevailed.

Rep. Strinden moved that House Bill No. 1303 be placed on the calendar for second reading and final passage only after an opinion has been received from the Attorney General concerning the necessity for a two-thirds majority, which motion prevailed.

Rep. Kennelly moved that House Bill No. 1687 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Kennelly requested permission to withdraw House Bill No. 1687. There being no objection, it was so ordered by the Speaker.

Rep. Nicholas moved that the House reconsider its action whereby House Bill No. 1090 failed to pass, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1090.** — A Bill for an Act to create and enact section 11-33-09.1 of the North Dakota Century Code, relating to referral to the electors of amendments to county zoning plans; and to amend and reenact sections 11-33-09, 11-33-10, and 11-33-13 of the North Dakota Century Code, relating to the adoption and amendment of zoning plans,

separate hearings on the adoption of such amendments, and the effect on existing uses of land.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 36; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON		•	MUSHIK		•	WEBER		•
BOYLUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAN		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		
DICK		•	LOUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	REITZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RIEHL		•			
ERIKSON		•	LANGLEY		•	RUED		•			
FLEMING		•	LARDY		•	SCHINDLER		•			
FREBORG		•	LARSON, F # 24		•	SCOFIELD		•			
GACKLE		•	LARSON, G # 29		•	SOLBERG		•			
GERL		•	LARSON, H # 7		•	STENEHJEM		•			
GORDER		•	LEE		•	STRINDEN		•			
GUNDERSON		•	LEIBHAN		•	SWONTEK		•			
GUNSCH		•	LIPSIA		•	THOMPSON		•			
HANSON		•	MAIXNER		•	THORSGARD		•			
HAUGLAND		•	MARSDEN		•	TIMM		•			
HAUSAUER A # 49		•	MARTIN		•	TINJUM		•			
HAUSAUER R # 25		•	MARTINSON		•	TWETEN		•			
HEDSTROM		•	MATHENY		•						

So the bill passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1083

House Concurrent Resolution No. 3012

And the Speaker signed the same in the presence of the House of Representatives.

SECOND READING OF HOUSE BILLS

**House Bill No. 1307.** — A Bill for an Act directing the board of university and school lands to delay construction of the building authorized by chapter 139 of the 1977 Session Laws of North Dakota until certain conditions are met, and requiring the board to report the meeting of those conditions to the legislative council; and declaring an emergency.

Which has been read.

Rep. Kretschmar moved that the reading of the fiscal note on House Bill No. 1307 be waived, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 64; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON		•	MUSHIK		•	WEBER		•
BOYLUM		•	KELLY		•	NICHOLAS		•	WENTZ		•



## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4022

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1021

House Bill No. 1186

House Bill No. 1250

House Bill No. 1282

House Bill No. 1291

House Bill No. 1389

House Bill No. 1409

House Bill No. 1445

House Bill No. 1449

House Bill No. 1463

House Bill No. 1468

House Bill No. 1471

House Bill No. 1518

House Bill No. 1524

House Bill No. 1560

House Bill No. 1572

House Bill No. 1578

House Bill No. 1591

House Bill No. 1645

House Concurrent Resolution No. 3005

ROY GILBREATH, Chief Clerk

## MESSAGES FROM THE SENATE

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2012

Senate Bill No. 2016

Senate Bill No. 2031

Senate Bill No. 2034

Senate Bill No. 2267

Senate Bill No. 2380

Senate Bill No. 2385

Senate Bill No. 2391

Senate Bill No. 2396

Senate Bill No. 2407

Senate Bill No. 2414

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Concurrent Resolution No. 4048

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## SECOND READING OF HOUSE BILLS

**House Bill No. 1436.** -- A Bill for an Act relating to the effect of a





HAUSAUER A # 49	MARTIN	TIMM
HAUSAUER R # 25	MARTINSON	TINNUM
HEDSTROM	MATHENY	TWETEN

So the bill lost.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
House Bill No. 1083  
House Concurrent Resolution No. 3012  
Which the President has signed.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
Senate Concurrent Resolution No. 4048  
And the Speaker signed the same in the presence of the House of Representatives.

SECOND READING OF  
A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3036.** — A concurrent resolution urging Congress to change the name of Lake Audubon and to name it after a prominent North Dakotan.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared lost on a voice vote.

SECOND READING OF  
HOUSE BILLS

**House Bill No. 1059.** — A Bill for an Act to provide for the appointment of a human service center board of directors; to create and enact sections 54-40-10 and 54-40-11 of the North Dakota Century Code, relating to certification of human service centers and to a fiscal incentive for the collocation of county social services with human service centers; and to amend and reenact section 54-40-09 of the North Dakota Century Code, relating to human service centers, their boards of directors, powers, duties, and certification.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 88; nays, 5; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	WATTS		•	UNHJEW	
•			•	HICKLE	•	•	WEERS		•	VANDERVORST	
•			•	HOFFNER		•	WELBY	•			
•			•	HOLMANN	•	•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN R		•	MURPHY		•	WALSH	
•			•	JACOBSON I		•	MUSHIK		•	WEBER	•
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	
•			•	KERMOTT		•	OPEDAHL		•	WINKLER	
•			•	KINGSBURY		•	PELTIER				
•			•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
•			•	KNUDSON		•	POWERS				
•			•	KOSKI		•	REED	•			
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD				
•			•	LANG		•	RICHIE				
•			•	LANGLEY	•	•	RIEHL				
•			•	LARDY		•	RUED				
•			•	LARSON, F # 24		•	SCHINDLER				
•			•	LARSON, G # 28		•	SCOFIELD				
•			•	LARSON, H # 7	•	•	SOLBERG				
•			•	LEE		•	STENEHJEW				
•			•	LEIBAN		•	STRINDEN				
•			•	LIPSIA		•	SWONTEK				

● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1076.** — A Bill for an Act relating to insurance companies and providing for the reporting of certain products liability claims and other information to the commissioner of insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEM		
● BENEDICT			● HICKLE		●	● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOLMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON			● MUSHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOYT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY		●	● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUSON			● POMEROY					
● DIETZ			● KOSKI			● REED		●			
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY		●	● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #29			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE		●	● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. #49			● MARTIN		●	● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1098.** — A Bill for an Act to amend and reenact section 39-24-05 of the North Dakota Century Code, relating to disposition of the snowmobile trail tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 2; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEM		●
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOLMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOYT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUSON			● POMEROY					
● DIETZ			● KOSKI			● REED		●			
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY		●	● RIEHL					
● FLEMING			● LARDY			● RUED					

● FROBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 29	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
— GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIHAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. # 49	● MARTIN	● TIMM
— HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1128.** — A Bill for an Act to amend and reenact section 61-16-28.1 of the North Dakota Century Code, relating to removal of obstructions to a drain, and providing a definition of "obstruction to a drain".  
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 7; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST	●	
● BERG			● HOFFNER			● MELBY			● YIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON	●		● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER	●	
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●				
● DICK			● KNUDSON			● POMEROY			● MR. SPEAKER		
● DIETZ			● KOSKI	●		● REED	●				
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY	●		● RIEHL					
— FLEMING	●		● LARDY			● RUED					
● FROBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIHAN	●		● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN	●		● TIMM					
— HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1132.** — A Bill for an Act to amend and reenact subsection 6 of section 21-03-07 and section 21-03-15 of the North Dakota Century Code, relating to the vote required in school district bond issue elections and providing a tax on income of school district residents to pay the interest on and principal of school district bond issues.  
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 56; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
— BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
— BENEDICT			HICKLE		●	MEIERS		●	VANDER VORST		●
● BERG			● HOFFNER			● MELBY		●	● YIG		●
● BERGE			● HOUWMANN			● MERTENS		●	● WAGNER		
● BERGER			● HOVE			● MEYER		●	● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		

BLACK	•	JACOBSON	•	MUSHK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KENMOTT	•	OPEDAHN	•	WINKLER	•
CONNY	•	KINGSBURY	•	PETIER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUDSON	•	POMEROY	•	MR. SPEAKER	•
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F. #24	•	SCHINDLER	•		
GACKLE	•	LARSON, G. #29	•	SCOFIELD	•		
GERL	•	LARSON, H. #7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEBAN	•	STRINDEN	•		
GUNSON	•	LURIEA	•	SWONTEK	•		
HANSON	•	MAIKNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER, A. #49	•	MARTIN	•	TIMM	•		
HAUSAUER, R. #25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1083

Was delivered to the Governor for his approval at the hour of 2:45 o'clock p.m., February 7, 1979.

REP. STENEHJEM, Chairman

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution No. 3012

Was delivered to the Secretary of State at the hour of 2:45 o'clock p.m., February 7, 1979.

REP. STENEHJEM, Chairman

SECOND READING OF HOUSE BILLS

**House Bill No. 1138.** — A Bill for an Act to create and enact chapters 16.1-01, 16.1-04, 16.1-05, 16.1-06, 16.1-07, 16.1-08, 16.1-09, 16.1-10, 16.1-12, 16.1-13, 16.1-14, 16.1-15, and 16.1-16, and sections 16.1-11-03 through 16.1-11-24 and sections 16.1-11-26 through 16.1-11-34 of the North Dakota Century Code, relating to a new election code establishing qualifications for electors, initiative and referendum procedures, election offenses, the administration of elections, the establishment of voting precincts, the qualifications and duties of election officers, election supplies, ballots, electronic voting systems, and voting machines, absent voters' ballots, political contributions by corporations and associations, the disclosure of financial interests, corrupt practices, primary elections, nominations at the general election, the conduct of elections, presidential electors, election returns, recounts, and contests; and to repeal chapters 16-01, 16-03, 16-05, 16-06, 16-08, 16-09, 16-10, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-18, 16-20, 16-21, 16-21.1, 16-22, and sections 16-04-02, 16-04-02.1, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-07, 16-04-08, 16-04-09, 16-04-10, 16-04-12, 16-04-13, 16-04-15.1, 16-04-15.2, 16-04-16, 16-04-17, 16-04-18, 16-04-19, 16-04-21, 16-04-25, 16-04-26, 16-04-27, 16-04-28, 16-04-29, 16-04-30, 16-04-31, 16-04-32, 16-04-33, 16-04-34, 16-04-35, 16-04-36, 16-07-01, 16-07-02, 16-07-03, 16-07-04, 16-07-05, 16-07-06, 16-07-07, 16-07-08, 16-07-09, 16-17-10, and 16-17-12 of the North Dakota Century Code, relating to general election provisions, individual nominations, primary elections, nominations for office, general and special elections, the no-party ballot, the establishment of precincts and voting places, election officers and supplies, the conduct of elections, returns and





• BJORNSON	• JACOBSEN, R	MURPHY	• WALSH
• BLACK	• JACOBSON	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNDSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to, and the emergency clause failed.

**House Bill No. 1272.** — A Bill for an Act to create and enact section 54-52-02.4 of the North Dakota Century Code, relating to newly appointed officials entitled to participate in the public employees retirement system, and to amend and reenact subsection 2 of section 54-52-01 of the North Dakota Century Code, relating to the definition of eligible employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS	•		• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH	•	
• BLACK			• JACOBSON	•		• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTIER	•				
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE	•		• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNDSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON		•			
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER A # 49			• MARTIN	•		• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1399.** — A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Which has been read.







● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● WARSDEN	● THORSGARD
● HAUSAUER A. #49	● MARTIN	● TIMM
● HAUSAUER R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1476.** — A Bill for an Act to amend and reenact subsection 2 of section 11-10.1-05 of the North Dakota Century Code, providing that the county director of tax equalization succeed city assessors only in cities with populations of under five thousand that choose not to have their own assessor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 11; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG		●	● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUWMANN			● MERTENS		●	● WAGNER		
● BERGER		●	● HOVE			● MEYER		●	● WALD		
● BJORNSON			● JACOBSEN, R.		●	● MURPHY		●	● WALSH		
● BLACK			● JACOBSON			● MUSHK		●	● WEBER		●
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		●
● BROKAW		●	● KENNELLY			● OLSON		●	● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL		●	● WINKLER		
● CONMY			● KINGSBURY		●	● PELTER					
● CRABTREE		●	● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON		●	● POMEROY					
● DIETZ			● KOSKI			● REED		●			
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL		●			
● FLEMING			● LARDY			● RUED					
● FREIBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #29			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER		●	● LEE		●	● STENEHJEM					
● GUNDERSON			● LEBIHAN			● STRINDEN					
● GUNSCHE			● LIPSICA			● SHONTEK		●			
● HANSON			● MAIXNER			● THOMPSON		●			
● HAUGLAND			● WARSDEN			● THORSGARD					
● HAUSAUER A. #49			● MARTIN			● TIMM					
● HAUSAUER R. #25			● MARTINSON			● TINJUM					
● HEDSTROM		●	● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1487.** — A Bill for an Act to amend and reenact section 49-06-02 of the North Dakota Century Code, relating to value of property for ratemaking purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 77; nays, 18; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT		●	● HICKLE			● MEIERS		●	● VANDER VORST		
● BERG			● HOFFNER		●	● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS		●	● WAGNER		
● BERGER		●	● HOVE			● MEYER		●	● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		●
● BLACK			● JACOBSON			● MUSHK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON		●	● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL		●	● WINKLER		
● CONMY			● KINGSBURY			● PELTER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON		●	● POMEROY		●			
● DIETZ			● KOSKI		●	● REED		●			
● DOTZENROD			● KRETSCHMAR			● RETZER					

• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEW
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSON	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1493.** — A Bill for an Act to amend and reenact subsection 2 of section 61-02-14 and section 61-04-06.2 of the North Dakota Century Code, relating to water use fees.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 70; nays, 19; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATSON			• UNHJEW		
• BENEDICT		•	• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFNER			• MELBY		•	• VIG		
• BERGE			• HULMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON	•		• MUSHIK			• WEBER		
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERNGOTT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTIER	•				
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD	•				
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL	•				
• FLEMING		•	• LARDY			• RUED					
• FREBORG		•	• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL		•	• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNSON			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**MOTIONS**

Rep. Meiers moved that the House reconsider its action whereby House Bill No. 1489 failed to pass, which motion prevailed on a verification vote.

Rep. Meiers moved that the House reconsider its action whereby it accepted the committee report on House Bill No. 1489, which motion prevailed.

Rep. Meiers moved that House Bill No. 1489 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1505.** — A Bill for an Act to amend and reenact section 6-05-15 of the North Dakota Century Code, relating to investment of trust funds by trust companies.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were yeas, 90; nays, 2; absent and not voting, 8.



section 26-01-11 of the North Dakota Century Code, relating to the premium tax on insurance companies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 7; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			● HERMAN			● MATTONSON			● UNHJEW		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOLMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEW					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSIEA			● SWONTEK					
● HANSON			● MAINER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A. # 49			● MARTIN			● TIMM					
● HAUSAUER R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1536.** — A Bill for an Act establishing the responsibilities and liabilities of skiers and ski area operators.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 30; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			● HERMAN			● MATTONSON			● UNHJEW		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOLMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEW					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSIEA			● SWONTEK					
● HANSON			● MAINER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A. # 49			● MARTIN			● TIMM					
● HAUSAUER R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					



● DIETZ	● KOSKI	● REED
● DOTENROD	● KRETSCHMAR	● RETZER
● DUBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 29	● SCOFIELD
● GERL	● LARSON, H. # 7	● SORBERG
● GORDER	● LEE	● STEHELIEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNTSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MADNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. # 40	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

ANNOUNCEMENT

Rep. Strinden requested that the record show that the Committee on Finance and Taxation had been excused from the chamber to attend a committee meeting.

MOTION

Rep. Martinson moved that the House not concur on Senate amendments to House Bill No. 1072, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of the following to a Conference Committee on House Bill No. 1072:

Reps. Martinson, Gunderson and Pomeroy.

MOTIONS

Rep. Unhjem moved that House Bill No. 1435 be returned to the House from the Committee on Social Services and Veterans Affairs for purpose of withdrawal, which motion prevailed.

Rep. Unhjem requested permission to withdraw House Bill No. 1435. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

**House Bill No. 1557.** — A Bill for an Act to amend and reenact subsections 1 and 3 of section 43-15-10, sections 43-15-14, 43-15-19, 43-15-20, 43-15-21, 43-15-22, 43-15-25, 43-15-26, 43-15-27, 43-15-28, 43-15-29, 43-15-32, 43-15-34, subsection 2 of section 43-15-38, and section 43-15-43 of the North Dakota Century Code, deleting references to assistant registered pharmacists and increasing fees charged by the board of pharmacy; and to repeal section 43-15-17 of the North Dakota Century Code, relating to the qualifications of assistant registered pharmacists.

Which has been read.

Rep. Strinden moved that the House waive the reading of the title to House Bill No. 1557, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 3; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOHN			● UNHJEM		
● BENEDET			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● WIG		
● BERGE			● HOUWMANN		●	● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNEL			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY			● PELTER					



● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POWEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F. # 24	● SCHINDLER	
● GACKLE	● LARSON G. # 29	● SCOFIELD	
● GERL	● LARSON H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSIEA	● SWONTEK	
● HANSON	● MAXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A. # 49	● MARTIN	● TIMM	
● HAUSAUER R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHEW	● TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1568 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1583.** — A Bill for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to heads of families; and to amend and reenact sections 28-22-01 and 28-22-05 of the North Dakota Century Code, relating to exemptions for heads of families and single persons.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 1; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	WATTSON		●	UNHJEM	
●			●	HICKLE		●	WEIERS		●	VANDER VORST	
●			●	HOPFNER		●	WELBY		●	VIG	
●			●	HUHMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R.		●	MURPHY		●	WALSH	
●			●	JACOBSON I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLA		●	WENTZ	
●			●	KENNEL		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	
●			●	KNUDSON		●	POWEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON F. # 24		●	SCHINDLER				
●			●	LARSON G. # 29		●	SCOFIELD		●		
●			●	LARSON H. # 7		●	SOLBERG				
●			●	LEE		●	STENEHJEM				
●			●	LEIBHAN		●	STRINDEN				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSGARD				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHEW		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1607.** — A Bill for an Act to create and enact section 26-02-36.1 of the North Dakota Century Code, relating to failure to issue or renew automobile insurance policies with respect to named drivers excluded from coverage under the policy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 51; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		●	MATTSON	●	●	UNHJEM	
●		●	HICKLE	●		●	MEIERS	●	●	VANDER VORST	●
●	●		●	HOFFNER	●	●	MELBY	●	●	VIG	●
●		●	●	HOUANN	●	●	MERTENS	●	●	WAGNER	
●	●		●	HOVE	●	●	MEYER	●	●	WALD	●
●			JACOBSEN, R	●		●	MURPHY	●	●	WALSH	●
●			JACOBSON, I	●		●	MUSHIK	●	●	WEBER	●
●			KELLY	●		●	NICHOLAS	●	●	WENTZ	●
●			KENNEL	●		●	OLSON	●	●	WESSMAN	●
●			KERMOTT	●		●	OPEDAH	●	●	WINKLER	●
●			KINGSBURY	●		●	PELTIER	●	●		
●			KLOUBEC	●		●	PETERSON	●	●	MR. SPEAKER	
●			KNUDSON	●		●	POMEROY	●	●		
●			KOSKI	●		●	REED	●	●		
●			KRETSCHMAR	●		●	REITZER	●	●		
●			KUCHERA	●		●	RICHARD	●	●		
●			LANG	●		●	RICHIE	●	●		
●			LANGLEY	●		●	RIED	●	●		
●			LARDY	●		●	SCHINDLER	●	●		
●			LARSON, F # 24	●		●	SCOFIELD	●	●		
●			LARSON, G # 29	●		●	SOLBERG	●	●		
●			LARSON, H # 7	●		●	STENHEJEM	●	●		
●			LEE	●		●	STRINDEN	●	●		
●			LEIBHAN	●		●	SWONTEK	●	●		
●			LIPSIEA	●		●	THOMPSON	●	●		
●			MAIXNER	●		●	THORSGARD	●	●		
●			MARSDEN	●		●	TIMM	●	●		
●			MARTIN	●		●	TINJUM	●	●		
●			MARTINSON	●		●	TWETEN	●	●		
●			MATHENY	●		●					

So the bill lost.

**House Bill No. 1615.** — A Bill for an Act to amend and reenact Section 57-37.1-12 of the North Dakota Century Code, relating to access to the contents of safe deposit boxes after death of owner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 69; nays, 10; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		●	MATTSON	●	●	UNHJEM	
●			HICKLE	●		●	MEIERS	●	●	VANDER VORST	●
●	●		●	HOFFNER	●	●	MELBY	●	●	VIG	●
●		●	●	HOUANN	●	●	MERTENS	●	●	WAGNER	
●	●		●	HOVE	●	●	MEYER	●	●	WALD	●
●			JACOBSEN, R	●		●	MURPHY	●	●	WALSH	●
●			JACOBSON, I	●		●	MUSHIK	●	●	WEBER	●
●			KELLY	●		●	NICHOLAS	●	●	WENTZ	●
●			KENNEL	●		●	OLSON	●	●	WESSMAN	●
●			KERMOTT	●		●	OPEDAH	●	●	WINKLER	●
●			KINGSBURY	●		●	PELTIER	●	●		
●			KLOUBEC	●		●	PETERSON	●	●	MR. SPEAKER	
●			KNUDSON	●		●	POMEROY	●	●		
●			KOSKI	●		●	REED	●	●		
●			KRETSCHMAR	●		●	REITZER	●	●		
●			KUCHERA	●		●	RICHARD	●	●		
●			LANG	●		●	RICHIE	●	●		
●			LANGLEY	●		●	RIED	●	●		
●			LARDY	●		●	SCHINDLER	●	●		
●			LARSON, F # 24	●		●	SCOFIELD	●	●		
●			LARSON, G # 29	●		●	SOLBERG	●	●		
●			LARSON, H # 7	●		●	STENHEJEM	●	●		
●			LEE	●		●	STRINDEN	●	●		
●			LEIBHAN	●		●	SWONTEK	●	●		
●			LIPSIEA	●		●	THOMPSON	●	●		
●			MAIXNER	●		●	THORSGARD	●	●		
●			MARSDEN	●		●	TIMM	●	●		
●			MARTIN	●		●	TINJUM	●	●		
●			MARTINSON	●		●	TWETEN	●	●		
●			MATHENY	●		●					

So the bill passed and the title was agreed to.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Thirteenth Order, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Thursday, February 8, 1979.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1019, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10, delete the numerals "366,969" and insert in lieu thereof the numerals "361,187"

On page 1, delete line 15 and insert in lieu thereof the following:

"Salaries and wages \$298,735  
(Including salary of commissioner not to exceed \$59,400)"

On page 1, line 16, delete the numerals "47,550" and insert in lieu thereof the numerals "42,888"

On page 1, line 21, delete the numerals "366,969" and insert in lieu thereof the numerals "361,187"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment decreases salaries and wages by \$1,120. It provides salary moneys to pay 6.5 percent salary increases per year except as stated below and adequate fringe benefits. It also provides an additional \$1,666 to bring two employees to the current minimum of their salary range and to provide 6.5 percent increases on this minimum during the second year of the biennium. This amendment also provides \$3,146 in salaries to bring the securities examiner position to the current midpoint of the salary range. This amendment also reduces fees and services by \$4,662 to reduce travel to a 30 percent increase in travel for the 1979-81 biennium over the 1977-79 appropriation for travel.

And when so amended, recommends the same do pass.

Chairman

Rep. James A. Peterson

House

Bill No. 1019

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1122, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

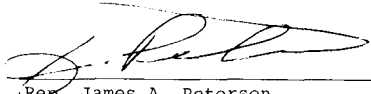
be amended as follows:

- On page 1, line 1, delete the words "a percentage of the"
- On page 1, line 3, after the word "for" delete the remainder of the line and insert in lieu thereof the following: "agricultural research relating to production, utilization, transportation, and marketing."
- On page 1, delete line 4
- On page 1, line 8, delete the word "PERCENTAGE" and insert in lieu thereof the word "PORTION", and after the word "FOR" insert in the word "AGRICULTURAL"
- On page 1, line 9, after the parenthesis delete the remainder of the line and insert in lieu thereof the following: "An amount equal to three percent of transfers of accumulated and undivided profits of the North Dakota mill and elevator association to the state general fund shall be deposited in a special mill and elevator association account for use by the industrial commission for the purpose of supporting agricultural research relating to production, utilization, transportation, and marketing."
- On page 1, delete lines 10 through 13
- On page 1, line 14, delete the words "uses for North Dakota seed varieties."
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Clarify the wording and intent of the bill.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson  
Bill No. 1122

House \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on \_\_\_\_\_ Judiciary \_\_\_\_\_

to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1190 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of

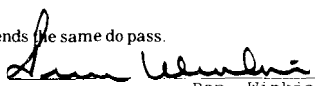
Ayes, 14 ; Nays, 0 ; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 18 after the word "favor" and before the period insert " , providing the prevailing party has in responsive pleading alleged the frivolous nature of the claim"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Winkjer

House \_\_\_\_\_ Bill No. 1190 \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1304, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, delete all of the underlined language on lines 1 thru 4

On page 4, strike through all of lines 32 thru 35

And renumber the lines, pages and subsections accordingly

And when so amended, recommends the same do pass.

House Rep. Martinson Chairman  
Bill No. 1304 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1388, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL"  
and delete the remainder of the bill and insert in  
lieu thereof the following:

"for an Act to reenact section 51-13-03 of the  
North Dakota Century Code, relating to the credit  
service charge allowed on retail installment sales.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 51-13-03  
of the North Dakota Century Code is hereby amended  
and reenacted to read as follows:

51-13-03. CREDIT SERVICE CHARGE LIMITATION.)

1: A retail seller may contract for in a retail  
installment contract and charge, receive, and  
collect the credit service charge computed on  
the principal balance of the contract or  
obligation from the date thereof ~~to and~~  
~~including the date when the final installment~~  
~~is payable until paid~~, at not exceeding the  
~~following rates:~~

A--As-to-motor-vehicles

~~Class 1. Any motor vehicle designated by  
the manufacturer by a year model  
not earlier than the year in  
which the sale is made, not more  
than seven dollars per one  
hundred dollars.~~

JOURNAL OF THE HOUSE

Class-2,----Any-motor-vehicle-not-in-Class-1 designated-by-the-manufacturer-by a-year-model-of-not-more-than four-years-prior-to-the-year-in which-the-sale-is-made;-not-more than-ten-dollars-per-one-hundred dollars;

Class-3,----Any-motor-vehicle-not-in-Class-1 or-2;-not-more-than-thirteen dollars-per-one-hundred-dollars;

B,--As-to-goods-other-than-motor-vehicles;-ten dollars-per-one-hundred-dollars-per-annum;

2,---Such-credit-service-charge-shall-be-computed-on the-principal-balance-as-determined-under subsection-5-of-section-5i-13-02-on-contracts payable-in-successive-monthly-installments substantially-equal-in-amount-extending-for-a period-of-one-year;-On-contracts-providing-for installments-extending-for-a-period-less-than or-greater-than-one-year;-the-credit-service charge-shall-be-computed-proportionately;

3,---When-a-retail-installment-contract-provides-for unequal-or-irregular-installments;-the-credit service-charge-shall-be-at-the-effective-rate provided-in-subsection-1;-having-due-regard-for the-schedule-of-installments;

4,---The-credit-service-charge-shall-be-inclusive-of all-charges-incident-to-investigating-and making-the-contract;-and-for-the-extension-of the-credit-provided-for-in-the-contract-and-no fee;-expense-or-other-charge-whatever-shall be-taken;-received;-reserved-or-contracted-for except-as-provided-in-this-section-and-in subsection-7-of-section-5i-13-02-and-in-section 5i-13-06-and-for-these-items-expressly-provided for-in-the-retail-installment-contract-as-set forth-in-subsection-5-of-section-5i-13-02 eighteen percent simple interest per annum upon the unpaid balance of the contract."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Rued

House Bill No. 1388

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1438, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[ ] be amended as follows:

Rep. Martinson

Chairman

House

Bill No. 1438

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1442 has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, delete the word "for"

On page 2, line 25, delete the numerals "1979" and insert in lieu thereof the numerals "1980"

On page 2, line 26, delete the numerals "1979" and insert in lieu thereof the numerals "1980"

And renumber the lines accordingly

And when so amended, recommends the same do pass. But be referred to the Committee on Appropriations

Chairman

Rep. Gackie

House Bill No. 1442 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1462 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Winkjer

House Bill No. 1462 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1464 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

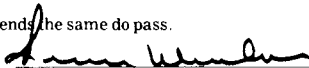
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 5 delete "priority" and insert in lieu thereof "priority"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

House Bill No. 1464 Rep. Winkjer was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1470, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:



Chairman

House Bill No. 1470 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1473, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

- On page 1, line 3, after the word "of" insert the word "domestic"
On page 1, line 11, after the word "a" insert the word "domestic"
On page 1, line 11, after the word "cooperative" insert the following: ", excluding all credit unions,"
On page 1, line 15, after the word "the" insert the word "domestic"
And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

House Bill No. 1473 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1477, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 2, that the same



do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Chairman

House Bill No. 1477 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1482, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Chairman

House Bill No. 1482 Rep. Winkjer was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1491, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 12 strike everything after the word "Every"

On page 1, line 13 strike the words "or other"

On page 1, line 16 delete the word "retailer" and insert in lieu thereof the words "or unlicensed seller and his agent or employees"

On page 1, line 18 delete the strike through over the word "statute" and delete the underlined material

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

Chairman

House Bill No. 1491 Rep. Winkjer was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1495, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 7, that the same



Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1503, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Bill No. 1503 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1506, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Bill No. 1506 Rep. Gackle was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1573, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

House Bill No. 1573 Rep. Winkjer was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1575, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

JOURNAL OF THE HOUSE

*Rep. Knudson* Chairman

House Rep. Knudson Bill No. 1575 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1580, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 1; Absent, 6, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.
- be amended as follows:

And when so amended, recommends the same do pass.

*Rep. Winkjer* Chairman

House Rep. Winkjer Bill No. 1580 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1589, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 2, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.
- be amended as follows:

*Rep. Rued* Chairman

House Rep. Rued Bill No. 1589 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1596, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 1; Absent, 3, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 15 delete the word "The" and insert in lieu thereof the words "At the option of the licensee, the" and also in line 15 strike the word "shall" and insert in lieu thereof the word "may"

On page 5, line 13 delete the word "book" and insert in lieu thereof the word "record"

And renumber the lines and pages accordingly

And when so amended, recommend the same do pass.

*Sam Winkjer*  
Rep. Winkjer

Chairman

House

Bill No. 1596

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1600 has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 0; Absent, 6, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Sam Winkjer*

Chairman

Rep. Winkjer

House

Bill No. 1600

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1633 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*Rued*

Chairman

Rep. Rued

House

Bill No. 1633

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1635 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 5, line 11, after the word "Chlordiazepoxide" and before the period insert the following: "but not including Librax (chlordiazepoxide hydrochloride and clindinium bromide) or Menrium (chlordiazepoxide and water soluble esterified estrogens)"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Martinson*

Chairman

Rep. Martinson

House Bill No. 1635 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1639 has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 6; Absent, 1, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [X] be amended as follows:

On page 1, line 6, delete the words "For the period March 1 through" On page 1, delete all of lines 7 thru 11 On page 1, line 12, before the word "Effective" delete "1979." And renumber the lines and pages accordingly

And when so amended, recommends the same do pass. But be re-referred to the Committee on Appropriations Rep. Martinson Chairman House Bill No. 1639 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1655 has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Martinson Chairman House Bill No. 1655 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1656 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 1, that the same

[ ] do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Martinson Chairman House Bill No. 1656 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1678 has had the same under consideration and recommends, by a vote of

Ayes, 10 ; Nays, 4 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Rep. Martinson Chairman  
House Bill No. 1678 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3024 has had the same under consideration and recommends, by a vote of Ayes, 9 ; Nays, 5 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Rep. Martinson Chairman  
House Concurrent Resolution No. 3024 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 2072 has had the same under consideration and recommends, by a vote of Ayes, 12 ; Nays, 0 ; Absent, 3 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

- On page 1, line 3 after the word "judges" insert the following: ", and declaring an emergency"
- On page 1, line 8 delete the word "TEMPORARY"
- On page 1, line 9 delete the words "DISTRICT COURT" and insert in lieu thereof the words "TEMPORARY JUDGESHIP"
- On page 2, line 12 delete the words "of the district court"
- On page 2, line 17 delete the words "the district court" and insert in lieu thereof the words "any court, other than the supreme court,"
- On page 5, after line 8 insert the following new section:  
"SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Winkjer Chairman  
Senate Bill No. 2072 was placed on the 6th order of business on the calendar for the succeeding legislative day.

## FIRST READING OF SENATE BILLS

**Senate Bill No. 2043.** — A Bill for an Act to create and enact two new sections to chapter 2-07 of the North Dakota Century Code, relating to the establishment of a program of weather modification research and development under the coordination and supervision of the weather modification board, and reports by the weather modification board to the governor.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2212.** — A Bill for an Act to amend and reenact section 16-11-07 of the North Dakota Century Code, relating to the ballot order of measures to be submitted to electors; or, in the alternative, to amend and reenact section 16.1-06-09 of the North Dakota Century Code, as created by section 4 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the ballot order of measures to be submitted to the electors.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2241.** — A Bill for an Act to create and enact three new sections to chapter 54-52 and a new subsection to section 54-52-01 of the North Dakota Century Code, relating to the definition of "penitentiary employee", and assessments, contributions, length of service, and normal retirement age for penitentiary employees.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2250.** — A Bill for an Act to create and enact a new section to chapter 49-19 of the North Dakota Century Code, relating to common carrier pipelines and the necessity to secure a certificate of public convenience and necessity from the public service commission.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2350.** — A Bill for an Act to amend and reenact paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to points assessed against drivers' licenses for violation of the speed limit.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2386.** — A Bill for an Act to amend and reenact section 4-10.3-08 of the North Dakota Century Code, requiring a handler of edible beans to record in the report to the council the individual and total amounts of edible beans received, sold, or shipped by the handler.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2417.** — A Bill for an Act relating to the removal of illegal dikes and dams by water management districts.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2421.** — A Bill for an Act to create and enact a new section to chapter 40-23; and to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to assessment and taxation of townhouse property.

Which was read the first time and referred to the Committee on Finance and Taxation.



**Senate Concurrent Resolution No. 4023.** — A concurrent resolution urging the Secretary of Agriculture to delete the Twin Buttes area from any legislation to increase the National Wilderness System, and to manage the area and all other areas of the Little Missouri National Grasslands for multiple uses pursuant to the Badlands and Rolling Prairies management plans.

Which was read the first time and referred to the Committee on Natural Resources.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Thursday, February 8, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-SEVENTH DAY

Bismarck, February 8, 1979

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

The prayer was offered by Rev. Jeff Mantz, Assembly of God Church, Mandan, North Dakota.

The roll was called, and all members were present except Reps. Dotzenrod, Gerl, Gorder and Lee.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-sixth

day and recommends that the same be corrected as follows:

On page 695, line 11, delete everything after the word "pass."

On page 695, delete line 12.

On page 704, line 14, following the word "pass" insert the

following: ", but be re-referred to the Committee on Appropriations"

And when so corrected recommends that the same be approved.

*Stanley Schuett*

Chairman

Rep. Schuett

Rep. Pomeroy

... moved that the report be adopted, which motion

prevailed.

RECOGNITIONS

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Warren Schuett, and Rep. Schuett was thereupon introduced to the House.

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Jerry Halmrast, and Rep. Halmrast was thereupon introduced to the House.

REPORT OF PROCEDURAL COMMITTEE

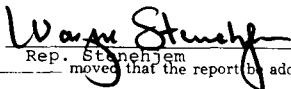
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

HB NO. 1258

and find the same correctly Re } Engrossed

Representative Dietz \_\_\_\_\_  
 motion prevailed, and the report was adopted.

  
 Rep. Stenehjem \_\_\_\_\_ Chairman  
 moved that the report be adopted, which

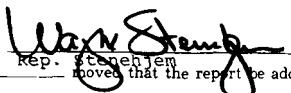
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1006 \_\_\_\_\_
- HB NO. 1056 \_\_\_\_\_
- HB NO. 1066 \_\_\_\_\_
- HB NO. 1117 \_\_\_\_\_
- HB NO. 1202 \_\_\_\_\_
- HB NO. 1230 \_\_\_\_\_
- HB NO. 1348 \_\_\_\_\_
- HB NO. 1588 \_\_\_\_\_
- HB NO. 1664 \_\_\_\_\_

and find the same correctly } Engrossed

Representative Dietz \_\_\_\_\_  
 motion prevailed, and the report was adopted.

  
 Rep. Stenehjem \_\_\_\_\_ Chairman  
 moved that the report be adopted, which

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1019 as recommended by the Committee on Appropriations as printed on page 693 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1122 as recommended by the Committee on Appropriations as printed on pages 693 and 694 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1190 as recommended by the Committee on Judiciary as printed on page 694 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1304 as recommended by the Committee on State and Federal Government as printed on page 695 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1388 as recommended by the Committee on Industry, Business and Labor as printed on pages 695 and 696 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1442 as recommended by the Committee on Finance and Taxation as printed on page 697 of the House Journal be adopted, which motion prevailed.

House Bill No. 1442 was re-referred to the Committee on Appropriations.

Rep. Winkjer moved that the amendments to House Bill No. 1464 as recommended by the Committee on Judiciary as printed on pages 697 and 698 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1473 as recommended by the Committee on Industry, Business and Labor as printed on page 698 of the House Journal be adopted, which motion prevailed.



CONMY	●	KINGSBURY	●	PELTIER	●	
CRABTREE	●	KLOUBEC	●	PETERSON	●	MR. SPEAKER
DICK	●	KNUDSON	●	POMEROY	●	
DIETZ	●	KOSKI	●	REED	●	
DOTZENROD	●	KRETSCHMAR	●	RETZER	●	
DUBORD	●	KUCHERA	●	RICHARD	●	
EAGLES	●	LANG	●	RICHIE	●	
ERICKSON	●	LANGLEY	●	RIEHL	●	
FLEMING	●	LARDY	●	RUED	●	
FREBORG	●	LARSON F # 24	●	SCHINDLER	●	
GACKLE	●	LARSON G # 28	●	SCOFIELD	●	
GERL	●	LARSON H # 7	●	SOLBERG	●	
GORDER	●	LEE	●	STENEHJEM	●	
GUNDERSON	●	LEIBHAN	●	STRINDEN	●	
GUNSCH	●	LIPSIA	●	SWONTEK	●	
HANSON	●	MAIXNER	●	THOMPSON	●	
HAUGLAND	●	MARSDEN	●	THORSGARD	●	
HAUSAUER A # 49	●	MARTIN	●	TIMM	●	
HAUSAUER R # 25	●	MARTINSON	●	TINJUM	●	
HEDSTROM	●	MATHENY	●	TWETEN	●	

So the bill lost.

**House Bill No. 1573.** — A Bill for an Act to amend and reenact subsection 6 of section 39-20-07 of the North Dakota Century Code, relating to certified copies of analytical reports of blood analysis by the state toxicologist as prima facie evidence and to repeal subsection 7 of section 39-20-07 of the North Dakota Century Code, relating to testimony of the state toxicologist by subpoena.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 85; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE						
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●	
BENEDECT		●	HICKLE		●	MEERS		●	VANDER VORST		●	
BERG		●	HOFFNER		●	MELBY		●	VIG		●	
BERGE	●		HOUHANN		●	MERTENS		●	WAGNER		●	
BERGER		●	HOVE		●	MEYER		●	WALD		●	
BLOMSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●	
BLACK	●		JACOBSONM		●	MUSHIK		●	WEBER		●	
BOYUM	●		KELLY		●	NICHOLAS		●	WENTZ		●	
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●	
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKLER		●	
CONMY		●	KINGSBURY		●	PELTIER	●					
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●	
DICK		●	KNUDSON	●		POMEROY		●				
DIETZ		●	KOSKI		●	REED		●				
DOTZENROD		●	KRETSCHMAR		●	RETZER		●				
DUBORD		●	KUCHERA		●	RICHARD		●				
EAGLES		●	LANG	●		RICHIE		●				
ERICKSON		●	LANGLEY		●	RIEHL		●				
FLEMING		●	LARDY		●	RUED		●				
FREBORG		●	LARSON F # 24		●	SCHINDLER		●				
GACKLE		●	LARSON G # 28		●	SCOFIELD		●				
GERL		●	LARSON H # 7		●	SOLBERG		●				
GORDER		●	LEE	●		STENEHJEM		●				
GUNDERSON		●	LEIBHAN		●	STRINDEN		●				
GUNSCH		●	LIPSIA		●	SWONTEK		●				
HANSON		●	MAIXNER		●	THOMPSON		●				
HAUGLAND		●	MARSDEN		●	THORSGARD		●				
HAUSAUER A # 49		●	MARTIN		●	TIMM		●				
HAUSAUER R # 25		●	MARTINSON		●	TINJUM		●				
HEDSTROM		●	MATHENY		●	TWETEN		●				

So the bill lost.

**RECOGNITION**

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Norman Grubb, and Rep. Grubb was thereupon introduced to the House.

**MESSAGE FROM THE SENATE**

**Senate Chamber**

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2024

- Senate Bill No. 2030
- Senate Bill No. 2042
- Senate Bill No. 2092
- Senate Bill No. 2156
- Senate Bill No. 2180
- Senate Bill No. 2218
- Senate Bill No. 2226
- Senate Bill No. 2254
- Senate Bill No. 2273
- Senate Bill No. 2379
- Senate Bill No. 2436
- Senate Bill No. 2453
- Senate Concurrent Resolution No. 4026
- Senate Concurrent Resolution No. 4028.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1575.** — A Bill for an Act to amend and reenact section 15-34.1-05 of the North Dakota Century Code, relating to the penalty for violation of the compulsory school attendance law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 6; nays, 87; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			WATSON		UNHEM
BENEDICT	•		HICKLE	•		WEIERS	•	VANDERVORST
BERG	•		HOFFNER	•		MELBY	•	VIG
BERGE	•		HOUWMANN	•		MERTENS	•	WAGNER
BERGER	•		HOVE	•		METER	•	WALD
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH
BLACK	•		JACOBSON	•		MURPHY	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROCKMAN	•		KENNELLY	•		OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKLER
CONNY	•		KINGSBURY	•		PELTIER		
CRABTREE	•		KLOUBEC	•		PETERSON		MR. SPEAKER
DICK	•		KNUDSON	•		POMEROY		
DIETZ	•		KOSKI	•		REED		
DOTZENROD	•		KRETSCHMAR	•		RETZER		
DUBORD	•		KUCHERA	•		RICHARD		
EAGLES	•		LANG	•		RICHIE		
ERICKSON	•		LANGLEY	•		RIEHL		
FLEMING	•		LARDY	•		RUED		
FREBORG	•		LARSON, F. # 24	•		SCHINDLER		
GACKLE	•		LARSON, G. # 26	•		SCOFIELD		
GERL	•		LARSON, H. # 7	•		SOLBERG		
GORDER	•		LEE	•		STENEHEM		
GUNDERSON	•		LEIBMAN	•		STRINDEN		
GUNSON	•		LIPSIEA	•		SWONTEK		
HANSON	•		MAIXNER	•		THOMPSON		
HAUGLAND	•		MARSDEN	•		THORSGARD		
HAUSAUER, A. # 46	•		MARTIN	•		TIMM		
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM		
HEDSTROM	•		MATHENY	•		TWETEN	•	

So the bill lost.

**House Bill No. 1580.** — A Bill for an Act to create and enact a new subsection to section 11-16-01 of the North Dakota Century Code, relating to duties of state's attorneys; and to amend and reenact subsections 4 and 5 of section 11-16-05, and subsections 6 and 7 of section 58-06-01 of the North Dakota Century Code, relating to restrictions on powers of state's attorney and the powers and duties of the board of township supervisors with respect to prosecuting actions.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 82; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•			•			•
BACKES		•	HERMAN		•	MATTSON		•
BENEDICT		•	HICKLE		•	MEERS		•
BERG		•	HOFFNER		•	MELBY		•
BERGE		•	HOUWMANN		•	MERTENS		•
BERGER		•	HOVE		•	MEYER		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•
BLACK		•	JACOBSON I		•	MUSHIK		•
BOYUM		•	KELLY		•	NICHOLAS		•
BROKAW		•	KENNELLY		•	OLSON		•
CHRISTENSEN		•	KERMOTT		•	OPEDAH		•
CONNY		•	KINGSBURY		•	PELTIER		•
CRABTREE		•	KLOUBEC		•	PETERSON		•
DICK		•	KNUDSON		•	POMEROY		•
DIETZ		•	KOSKI		•	REED		•
DOTZENROD		•	KRETSCHMAR		•	RETZER		•
DUBORD		•	KUCHERA		•	RICHARD		•
EAGLES		•	LANG		•	RICHIE		•
ERICKSON		•	LANGLEY		•	RIEHL		•
FLEMING		•	LARDY		•	RUED		•
FREBORG		•	LARSON F # 24		•	SCHINDLER		•
GACKLE		•	LARSON G # 29		•	SCOFIELD		•
GERL		•	LARSON H # 7		•	SOLBERG		•
GORDER		•	LEE		•	STENEHJEM		•
GUNDERSON		•	LEIBHAN		•	STRINDEN		•
GUNSCH		•	LIPSIEA		•	SWIONTEK		•
HANSON		•	MAIXNER		•	THOMPSON		•
HAUGLAND		•	MARSDEN		•	THORSGARD		•
HAUSAUER A # 49		•	MARTIN		•	TIMM		•
HAUSAUER R # 25		•	MARTINSON		•	TINJUM		•
HEDSTROM		•	MATHENY		•	TWETEN		•
								•
								MR. SPEAKER

So the bill lost.

## MESSAGES TO THE SENATE

## House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1025
- House Bill No. 1037
- House Bill No. 1316
- House Bill No. 1347
- House Bill No. 1448
- House Bill No. 1452
- House Bill No. 1459
- House Bill No. 1481
- House Bill No. 1497.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1072 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

- Martinson
- Gunderson
- Pomeroiy

ROY GILBREATH, Chief Clerk

## SECOND READING OF HOUSE BILLS

**House Bill No. 1589.** — A Bill for an Act to regulate products liability actions by providing for the indemnification of the seller by the manufacturer and requiring the manufacturer to assume the defense of the seller in certain actions.

Which has been read.







BERGER	•	HOVE	•	METER	•	WALD	•
• BJORNSON		JACOBSEN R	•	MURPHY	•	• WALSH	•
• BLACK		JACOBSON I	•	MUSHIK	•	• WEBER	•
• BOYUM		KELLY	•	NICHOLAS	•	• WENTZ	•
• BROKAW		KENNELLY	•	OLSON	•	• WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	• WINKLER	•
• CONMY		KINGSBURY	•	PELTIER	•		
• CRABTREE		KLOUBEC	•	PETERSON	•	MR SPEAKER	•
DICK	•	KNUDSON	•	• POMEROY			
DIEZT	•	KOSKI	•	• REED			
• DOTZENROD		KRETSCHMAR	•	• RETZER			
DuBORD	•	KUCHERA	•	• RICHARD			
• EAGLES		LANG	•	• RICHE			
ERICKSON	•	• LANGLEY		• RIEHL			
• FLEMING		LARDY	•	• RUED			
FREBORG	•	LARSON F # 24	•	• SCHNDLER			
GACKLE	•	LARSON G # 25	•	• SCOFIELD			
GERL	•	LARSON H # 7	•	• SOLBERG			
GORDER	•	LEE	•	• STENHEJEM			
GUNDERSON	•	LEIBHAN	•	• STRINDEN			
• GUNSCH		LIPSICA	•	• SWONTEK			
• HANSON		• WAIXNER		• THOMPSON			
HAUGLAND	•	MARSDEN	•	• THORSgard			
HAUSAUER A # 49	•	MARTIN	•	• TIMM			
HAUSAUER R # 25	•	MARTINSON	•	• TINJUM			
HEDSTROM	•	MATHENY	•	• TWETEN			

So the bill lost.

MOTION

Rep. Strinden moved that a committee of two be appointed to escort Mr. Chester J. Serkland, Norwegian Vice Consul for North Dakota at Fargo, accompanying Mr. Olaf Solli, Royal Norwegian Consul General of Minneapolis, to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Olaf Opedahl and Enoch Thorsgard to such escort committee, which committee subsequently escorted Mr. Solli to the rostrum.

Mr. Olaf Solli, Royal Norwegian Consul General, Minneapolis, briefly addressed the assembly.

MOTION

Rep. Kretschmar moved that House Bill No. 1372 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1372.** — A Bill for an Act to amend and reenact section 61-01-22 of the North Dakota Century Code, relating to water drainage permits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 77; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•		•	HERMAN	•		MATTSON	•		UNHJEM	•	
•	BENEDICT	•	HICKLE	•		MEERS	•		VANDER VORST	•	
•	BERG	•	HOFFNER	•		WELBY	•		VIG	•	
•	BERGE	•	HOUIMANN	•		WERTENS	•		WAGNER	•	
•	BERGER	•	HOVE	•		WEYER	•		WALD	•	
•	BJORNSON	•	JACOBSEN R	•		MURPHY	•		• WALSH	•	
•	BLACK	•	JACOBSON I	•		MUSHIK	•		• WEBER	•	
•	BOYUM	•	KELLY	•		NICHOLAS	•		• WENTZ	•	
•	BROKAW	•	KENNELLY	•		OLSON	•		• WESSMAN	•	
•	CHRISTENSEN	•	KERMOTT	•		OPEDAHL	•		• WINKLER	•	
•	CONMY	•	KINGSBURY	•		PELTIER	•				
•	CRABTREE	•	KLOUBEC	•		PETERSON	•		• MR SPEAKER	•	
•	DICK	•	KNUDSON	•		POMEROY	•				
•	DIEZT	•	KOSKI	•		• REED					
•	DOTZENROD	•	KRETSCHMAR	•		• RETZER					
•	DuBORD	•	KUCHERA	•		• RICHARD					
•	EAGLES	•	LANG	•		• RICHE					
•	ERICKSON	•	• LANGLEY			• RIEHL					
•	FLEMING	•	LARDY	•		• RUED					
•	FREBORG	•	LARSON F # 24	•		• SCHNDLER					
•	GACKLE	•	LARSON G # 25	•		• SCOFIELD					
•	GERL	•	LARSON H # 7	•		• SOLBERG					
•	GORDER	•	LEE	•		• STENHEJEM					
•	GUNDERSON	•	LEIBHAN	•		• STRINDEN					

— GUNSCH	●	LIPSIA	●	SWIONTEK	●
— HANSON	●	— MAXNER	●	— THOMPSON	●
— HAUGLAND	●	● MARSDEN	●	— THORSGARD	●
● HAUSAUER, A # 49	●	— MARTIN	●	— TIMM	●
● HAUSAUER, R # 25	●	— MARTINSON	●	— TINJUM	●
— HEDSTROM	●	— MATHENY	●	— TWETEN	●

So the bill lost.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Concurrent Resolution No. 4022

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1006.** Vocational Education — A Bill for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS			WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R		●	MURPHY		●	WALSH	
●			●	JACOBSON I		●	MUSHIK		●	WEBER ●	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KERNELLY		●	OLSON ●		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLUBBEC		●	PETERSON		●	MR SPEAKER	
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F # 24		●	SCHINDLER				
●			●	LARSON, G # 29		●	SCOFIELD				
●			●	LARSON, H # 7		●	SOLBERG				
●			●	LEE ●		●	STENEHJEM				
●			●	LEIBHAN		●	STRINDEN				
●			●	LIPSIA		●	SWIONTEK ●				
●			●	MAXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSGARD				
●			●	MARTIN		●	TIMM ●				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1066.** — A Bill for an Act to establish a unified judicial system, to abolish county courts, county justice courts, and county courts of increased jurisdiction; and to create and enact chapters 27-01.1, 27-02.1, 27-03.1, 27-04.1, 27-06.1, 27-07.1, and 27-24 of the North Dakota Century Code, relating to the general provisions of the unified judicial system, the supreme court, supreme court officials, the district courts, district court officials, probate matters and magistrates, and the municipal courts; and to repeal chapter 11-17, chapters 27-01 through 27-05, chapters 27-06 through 27-08, chapters 27-18 and 30-26, chapters 33-01 through 33-05, chapters 33-07 through 33-12, chapter 40-18, sections 11-09-22 and 11-09-23, subsection 8 of section 11-10-06, and section 11-11-12, 11-15-10, subsection 17 of section 12.1-01-04, and sections 24-07-25, 27-09.1-21, 27-20-04, 28-20-19, 28-26-03, 29-07-06, 31-09-05, 31-09-06,

31-09-07, 32-22-18, 47-18-28, and 47-19-37 of the North Dakota Century Code, relating to clerks of the district courts, the general provisions of the judicial branch of government, the supreme court and its personnel, the district courts, district court clerks and reporters, the county courts, the county courts with increased jurisdiction, probate appeals, the county justice courts, municipal judges, the duty of the boards of county commissioners to provide courts with supplies and attendants, the committal jurisdiction of juvenile courts, preliminary examinations before police magistrates, and the acknowledgment of record title instruments before county justices.

Which has been read.

Rep. Kretschmar moved that the House dispense with the reading of the title to House Bill No. 1066, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 42; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	•	HERMAN		•	•	WATTSOON		•	UNHJEM
BENEDICT		•	•	HICKLE		•	•	WEIERS		•	VANDER VORST
BERG		•	•	HOFFNER		•	•	MELBY		•	VIG
BERGE		•	•	HOLMANN		•	•	WERTENS		•	WAGNER
• BERGER		•	•	HOVE		•	•	MEYER		•	WALD
• BJORNSON		•	•	JACOBSEN R		•	•	MURPHY		•	WALSH
• BLACK		•	•	JACOBSON I		•	•	MUSHIK		•	WEBER
• BOYUM		•	•	KELLY		•	•	NICHOLAS		•	WENTZ
• BROKAW		•	•	KENNELLY		•	•	OLSON		•	WESSMAN
• CHRISTENSEN		•	•	KERMOTT		•	•	OPDAHL		•	WINKJER
• CONNY		•	•	KINGSBURY		•	•	PELTIER		•	
• CRABTREE		•	•	KLOUBEC		•	•	PETERSON		•	MR. SPEAKER
• DICK		•	•	KNUDSON		•	•	POMEROY		•	
• DIETZ		•	•	KOSKI		•	•	REED		•	
• DOTZENROD		•	•	KRETSCHMAR		•	•	RETZER		•	
• DUBORD		•	•	KUCHERA		•	•	RICHARD		•	
• EAGLES		•	•	LANG		•	•	RICHIE		•	
• EPICKSON		•	•	LANGLEY		•	•	RIEHL		•	
• FLEMING		•	•	LADY		•	•	RUED		•	
• FREDBORG		•	•	LARSON F # 24		•	•	SCHINDLER		•	
• GACKLE		•	•	LARSON G # 28		•	•	SCOFIELD		•	
• GERI		•	•	LARSON H # 7		•	•	SOLBERG		•	
• GORDER		•	•	LEE		•	•	STENEHJEM		•	
• GUNDERSON		•	•	LEIBHAN		•	•	STRINDEN		•	
• GUNSCH		•	•	LIPSIA		•	•	SWONTEK		•	
• HANSON		•	•	MAIXNER		•	•	THOMPSON		•	
• HAUGLAND		•	•	MARSDEN		•	•	THORSGARD		•	
• HAUSAUER A # 48		•	•	MARTIN		•	•	TIMM		•	
• HAUSAUER R # 25		•	•	MARTINSON		•	•	TINJUM		•	
• HEDSTROM		•	•	MATHENY		•	•	TWETEN		•	

So the bill passed and the title was agreed to.

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution No. 4022

And the Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Concurrent Resolution No. 4022

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1117.** — A Bill for an Act to amend and reenact section 48-10-02 of the North Dakota Century Code, relating to the authority of the capitol grounds planning commission with respect to the capitol building fund, and making an appropriation.

Which has been read.



● HAUSAUER R - 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1230.** — A Bill for an Act to provide for the renovation of the present warden's residence or the acquisition of a house in Bismarck or Mandan for use as a women's detention facility; detention facility security; alternative women's detention facilities and transfer conditions; and laws applicable to women inmates; to amend and reenact section 12-47-05 of the North Dakota Century Code, relating to officers of the penitentiary; and providing appropriations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 20; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST	●	
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOLMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		
● BROKAW	●		● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY		●	● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		MR SPEAKER		●
● DICK		●	● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD		●	● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD	●				
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY		●	● RIEHL					
● FLEMING			● LARDY			● RUED		●			
● FREBORG		●	● LARSON F # 24			● SCHINDLER					
● GACKLE		●	● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER		●	● LEE	●		● STENEHJEM					
● GUNDERSON		●	● LEIBHAN		●	● STRINDEN					
● GUNSCH			● LIPSIA			● SWIDNTEK					
● HANSON		●	● MAIKNER			● THOMPSON					
● HAUGLAND			● WARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY		●	● TWETEN	●				

So the bill passed and the title was agreed to.

MOTION

Rep. Meiers moved that the House reconsider its action whereby House Bill No. 1258 passed, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1258.** — A Bill for an Act relating to the promotion, advertising, research and development of honey, prescribing a tax on honey production, providing for its collection; and providing penalties for the violation of the Act; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 16; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST	●	
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE		●	● HOLMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		

● BLACK	● JACOBSON I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWITT	● OPEDAHL	● WINKLER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCHE	● LIPSIE	● SWIONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1348.** — A Bill for an Act to amend and reenact section 6-09-15.3 of the North Dakota Century Code, permitting loans secured by stock in bank holding companies, eliminating prohibition of loans in excess of North Dakota correspondent balances, and extending the disposal period of bank stock acquired by Bank of North Dakota in foreclosure from one year to three years.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN	●		● MATTSON	●		● UNHJEM	●	
● BENEDICT	●		● HICKLE	●		● MEERS	●		● VANDER VORST	●	
● BERG	●		● HOFFNER	●		● MELBY	●		● VIG	●	
● BERGE	●		● HOLUMANN	●		● WERTENS	●		● WAGNER	●	
● BERGER	●		● HOVE	●		● MEYER	●		● WALD	●	
● BJORNSON	●		● JACOBSEN R	●		● MURPHY	●		● WALSH	●	
● BLACK	●		● JACOBSON I	●		● MUSHIK	●		● WEBER	●	
● BOYUM	●		● KELLY	●		● NICHOLAS	●		● WENTZ	●	
● BROKAW	●		● KENNELLY	●		● OLSON	●		● WESSMAN	●	
● CHRISTENSEN	●		● KERWITT	●		● OPEDAHL	●		● WINKLER	●	
● CONNY	●		● KINGSBURY	●		● PELTIER	●				
● CRABTREE	●		● KLOUBEC	●		● PETERSON	●		● MR. SPEAKER	●	
● DICK	●		● KNUDSON	●		● POMEROY	●				
● DIETZ	●		● KOSKI	●		● REED	●				
● DOTZENROD	●		● KRETSCHMAR	●		● RETZER	●				
● DUBORD	●		● KUCHERA	●		● RICHARD	●				
● EAGLES	●		● LANG	●		● RICHIE	●				
● ERICKSON	●		● LANGLEY	●		● RIEHL	●				
● FLEMING	●		● LARDY	●		● RUED	●				
● FREBORG	●		● LARSON F # 24	●		● SCHINDLER	●				
● GACKLE	●		● LARSON G # 29	●		● SCOFIELD	●				
● GERL	●		● LARSON H # 7	●		● SOLBERG	●				
● GORDER	●		● LEE	●		● STENEHJEM	●				
● GUNDERSON	●		● LEIBMAN	●		● STRINDEN	●				
● GUNSCHE	●		● LIPSIE	●		● SWIONTEK	●				
● HANSON	●		● MAIXNER	●		● THOMPSON	●				
● HAUGLAND	●		● MARSDEN	●		● THORSGARD	●				
● HAUSAUER A # 49	●		● MARTIN	●		● TIMM	●				
● HAUSAUER R # 25	●		● MARTINSON	●		● TINJUM	●				
● HEDSTROM	●		● MATHENY	●		● TWETEN	●				

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1438 be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has ap-

pointed as a conference committee to act with a like committee from the House, on House Bill No. 1042.

Senators:

- Jones
- Cussions
- Rait

House Bill No. 1072.

Senators:

- Cussions
- Albers
- Rait

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1462.** — A Bill for an Act to amend and reenact sections 27-08.1-03 and 27-08.1-06 of the North Dakota Century Code, relating to informal hearings before the small claims court and the examination of judgment debtors, and execution of judgments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN	•	•	WATTSON	•	UNHJEM
•	BENEDICT		•	HICKLE		•	MERERS	•	VANDER VORST
•	BERG		•	HOFFNER		•	WELBY	•	VIG
•	BERGE		•	HOLMANN		•	WERTENS		WAGNER
•	BERGER		•	HOVE		•	WEYER		WALD
•	BJORNSON		•	JACOBSEN R		•	MURPHY		WALSH
•	BLACK		•	JACOBSON I		•	MUSHIK		WEBER
•	BOYUM		•	KELLY		•	NICHOLAS		WENTZ
•	BROKAW		•	KENNELLY		•	OLSON		WESSMAN
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		WINKJER
•	CONMY		•	KINGSBURY		•	PELTIER		
•	CRABTREE		•	KLOUBEC		•	PETERSON		•
•	DICK		•	KNUDSON		•	POWEROY		•
•	DIETZ		•	KOSKI		•	REED		
•	DOTZENROD		•	KRETSCHMAR		•	RETZER		
•	DUBORG		•	KUCHERA		•	RICHARD		
•	EAGLES		•	LANG		•	RICHIE		
•	ERIKSON		•	LANGLEY		•	RIEHL		
•	FLEMING		•	LARDY		•	RUED		
•	FREBORG		•	LARSON F # 24		•	SCHINDLER		
•	GACKLE		•	LARSON G # 29		•	SCOFIELD		
•	GERL		•	LARSON H # 7		•	SOLBERG		
•	GORDER		•	LEE		•	STENEHJEM		
•	GUNDERSON		•	LEIBHAN		•	STRONDEK		
•	GUNSCH		•	LIPSIEA		•	SWONTEK		
•	HANSON		•	MAIXNER		•	THOMPSON		
•	HAUGLAND		•	MARSDEN		•	THORSGARD		
•	HAUSAUER A # 49		•	MARTIN		•	TIMM		
•	HAUSAUER R # 25		•	MARTINSON		•	TINJUM		
•	HEDSTROM		•	MATHENY		•	TRETEN		
									•
									MR SPEAKER

So the bill passed and the title was agreed to.

**House Bill No. 1470.** — A Bill for an Act to amend and reenact section 39-18-08 of the North Dakota Century Code, relating to the sale of mobile homes by real estate brokers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN		•	WATTSON		UNHJEM
•	BENEDICT		•	HICKLE		•	MERERS		VANDER VORST
•	BERG		•	HOFFNER		•	WELBY		VIG



• BERGE	• HOUWMANN	• WERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNEL	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	• MR SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEJEM	
• GUNDERSON	• LEIBHAN	• STRINDEM	
• GUNSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1477.** — A Bill for an Act to create and enact a new section to chapter 43-03 of the North Dakota Century Code, relating to architects.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 56; nays, 38; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHEM		•
• BENEDICT		•	• HICKLE			• WEIERS		•	• VANDER VORST		
• BERG			• HOPFNER		•	• MELBY		•	• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY	•		• WALSH		•
• BLACK		•	• JACOBSON, I			• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS		•	• WENTZ		
• BROKAW	•		• KENNEL			• OLSON		•	• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL		•	• WINKJER		•
• CONNY			• KINGSBURY		•	• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK	•		• KNUDSON			• POMEROY		•			
• DIETZ			• KOSKI			• REED		•			
• DOTZENROD			• KRETSCHMAR			• RETZER		•			
• DUBORD			• KUCHERA		•	• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON		•	• LANGLEY		•	• RIEHL					
• FLEMING		•	• LARDY		•	• RUED					
• FREBORG		•	• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL		•	• LARSON, H # 7			• SOLBERG		•			
• GORDER			• LEE			• STENEJEM					
• GUNDERSON			• LEIBHAN		•	• STRINDEM	•				
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON		•	• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN		•	• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN		•			

So the bill passed and the title was agreed to.

**House Bill No. 1500.** — A Bill for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to the disclosure of information by insurance companies to the state fire marshal.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.



taxpayers may credit against the income tax for contributions to private colleges in the state; and providing an effective date.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 3; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE		•	• MEIERS		• VANDER VORST
• BERG	•		• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY	•	• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY		•	• PELTIER		
• CRABTREE			• KLOUBEK			• PETERSON		• MR SPEAKER
• DICK			• KNUDSON		•	• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY		•	• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCHE			• LIPSIA			• SWIONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSgard		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R - 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1568.** — A Bill for an Act to amend and reenact subsections 1 and 4 of section 23-30-02 of the North Dakota Century Code, relating to authorization of hospital districts.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 11; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE		•	• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY	•	• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY		•	• PELTIER		
• CRABTREE			• KLOUBEK			• PETERSON		• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCHE			• LIPSIA			• SWIONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSgard		

HAUSAUER A #49	MARTIN	TIMM
HAUSAUER R #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1600.** — A Bill for an Act to create and enact a new subsection to section 11-16-05 of the North Dakota Century Code, relating to restrictions upon the powers of state's attorneys to defend criminal cases.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 74; nays, 21; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN			MATTSON			UNHJEM		
BENEDICT			HICKLE			MEIERS			VANDER VORST		
BERG			HOFFNER			MELBY			VIG		
BERGE			HUWMANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER			WALD		
BJORNSON			JACOBSEN R			MURPHY			WALSH		
BLACK			JACOBSON I			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL			WINKJER		
CONMY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON			MR SPEAKER		
DICK			KNUDSON			POMEROY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEMING			LARDY			RUED					
FREBORG			LARSON F #24			SCHINDLER					
GACKLE			LARSON G #29			SCOFIELD					
GERL			LARSON H #1			SOLBERG					
GORDER			LEE			STENEHJEM					
GUNDERSON			LEIBHAN			STRINDEN					
GUNSCH			LIPSEA			SWONTEK					
HANSON			MAIXNER			THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER A #49			MARTIN			TIMM					
HAUSAUER R #25			MARTINSON			TINJUM					
HEDSTROM			MATHENY			TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1632.** — A Bill for an Act providing for legislative council sunset performance reviews; and making an appropriation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 53; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN			MATTSON			UNHJEM		
BENEDICT			HICKLE			MEIERS			VANDER VORST		
BERG			HOFFNER			MELBY			VIG		
BERGE			HUWMANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER			WALD		
BJORNSON			JACOBSEN R			MURPHY			WALSH		
BLACK			JACOBSON I			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL			WINKJER		
CONMY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON			MR SPEAKER		
DICK			KNUDSON			POMEROY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEMING			LARDY			RUED					
FREBORG			LARSON F #24			SCHINDLER					

● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill lost.

**House Bill No. 1655.** — A Bill for an Act to repeal section 14-07-02 of the North Dakota Century Code, relating to the status of the husband as the head of the family.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 20; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● YIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		●
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT		●	● OPEDAHL			● WINKJER		●
● CONMY			● KINGSBURY		●	● PELTIER			● MR SPEAKER		
● CRABTREE			● KLOUBEC			● PETERSON		●			
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSK			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER		●			
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON		●	● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RIED					
● FREBERG			● LARSON F # 24			● SCHINDLER		●			
● GACKLE			● LARSON G # 29			● SCOFIELD		●			
● GERL			● LARSON H # 7		●	● SOLBERG					
● GORDER			● LEE		●	● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH		●	● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER A # 49		●	● MARTIN			● TIMM		●			
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY		●	● TWETEN		●			

So the bill passed and the title was agreed to.

**House Bill No. 1664.** — A Bill for an Act to amend and reenact sections 43-20-06, 43-28-05, 43-28-14, and 43-28-17 of the North Dakota Century Code, relating to late registration fees for dental hygienists, compensation of members of the board of dental examiners, dental reexamination fees, and late registration fees for dentists.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 5; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● YIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		

● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. #24	● SCHINDLER	
● GACKLE	● LARSON, G. #29	● SCOFIELD	
● GERL	● LARSON, H. #7	● SOLBERG	
● GORDER	● LEE	● STENEHEW	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. #49	● MARTIN	● TIMM	
● HAUSAUER, R. #25	● MARTINSON	● TUNJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

MOTIONS

Rep. Kretschmar moved that 500 copies be printed of the engrossed House Bill Nos. 1066, 1388 and 1495, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business, the House stand adjourned until 12:30 p.m., Friday, February 9, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1044, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 7 delete the words "healthful surroundings;"
- On page 1, line 9 delete the word "mail,"
- On page 1, delete all of line 10
- On page 1, line 11 delete everything before the word "meal"
- On page 3, line 26 delete the word "and" and insert "in lieu thereof the word "or"
- On page 4, line 14 delete the word "not" and also delete the words "more than" and insert in lieu thereof the words "at least"
- On page 4, line 17 delete the words "fewer than" and after the word "six" insert the words "or less"
- On page 4, line 32 delete the word "The" and insert in lieu thereof the words "In grade one and grade two jails, and where practicable, in grade three jails, the"
- On page 6, line 1 after the word "information" insert the words "on such forms"
- On page 6, delete all of lines 8 through 18

On page 7, delete all of lines 4 through 7

On page 7, line 30 delete the word "as"

On page 8, line 10 delete the words ", when inmates are confined, of the following:" and insert in lieu thereof the words "of information concerning inmates as prescribed by rule."

On page 8, delete all of lines 11 through 17

On page 8, after line 27 insert the following new subsections:  
4. Ensure access to mail, telephone use, and visitors.  
5. Ensure that inmates are properly fed, clothed, and housed.  
6. Ensure that inmates have adequate medical care.  
7. Ensure that inmates may reasonably exercise their religious beliefs."

On page 8, delete all of lines 28 through 34

On page 9, delete all of lines 1 through 34

On page 10, delete all of lines 1 through 33

On page 11, line 28 delete the words "prevent escape" and insert in lieu thereof the words "control inmate behavior"

And renumber the lines, section, subsection and pages accordingly

And when so amended, recommends the same do pass.

Rep. Winkjer Chairman

House Bill No. 1044 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House

Bill No. 1245, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Rep. Haugland Chairman

House Bill No. 1245 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House

Bill No. 1249, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

*Haugland* Chairman  
Rep. Haugland

House Bill No. 1249 was placed on the 11th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1355, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1355 was placed on the 11th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1363, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21, strike the word "him" and insert in lieu thereof the following: "the veteran"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Haugland* Chairman  
Rep. Haugland

House Bill No. 1363 was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred House

Bill No. 1374, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 7 delete the word "trucks" and insert in lieu thereof the word "trailers"

On page 3, line 16 delete the words "three thousand" and insert in lieu thereof the words "one thousand five hundred"



JOURNAL OF THE HOUSE

On page 3, line 17 after the word "pounds" and before the period insert the following: "and it is not for hire or commercial use, or when used to transport recreational vehicles or boats and it is not for hire or commercial use"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

Rep. Erickson (Chairman)

House Bill No. 1374 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1383, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 1; Absent, 0, that the same

do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Gackle (Chairman)

House Bill No. 1383 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1391, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

[XX] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Nicholas (Chairman)

House Bill No. 1391 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House

Bill No. 1393, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

[XX] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Nicholas (Chairman)

House Bill No. 1393 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1397, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. Gackie

House Bill No. 1397 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1460, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 1 after the numerals "27-06-02" insert "and subsection 2 of section 27-20-05"
- On page 1, line 3 delete the word "reporter" and insert in lieu thereof the words "reporters and juvenile supervisors"
- On page 1, line 12 strike the word "a" and insert in lieu thereof the words "an annual" and after the word "salary" insert "commencing July 1, 1979,"
- On page 1, line 13 delete "twenty-two" and insert in lieu thereof "twenty" and also strike the word "five" and insert in lieu thereof the word "eight" and also strike the words "per annum" and insert in lieu thereof the following: "and commencing on July 1, 1980, an annual salary not to exceed twenty-two thousand one hundred dollars"
- On page 2, after line 17 insert the following new section:

"SECTION 2. AMENDMENT.) Subsection 2 of section 27-20-05 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. Each juvenile supervisor shall receive as full compensation for his services an annual salary as may be fixed from time to time by the judge who appointed him, or by his successor. Such salary shall not exceed twenty-one thousand four hundred dollars per annum and commencing on July 1, 1980, an annual salary not to exceed twenty-three thousand eight hundred dollars. In addition, the juvenile supervisor shall be paid reasonable travel expenses for mileage and subsistence necessarily incurred in the discharge of his duties, in accordance with the amount allowed to county officials."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*James Winkjer*

Chairman

House Bill No. 1460 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: A Majority of your Committee on Industry, Business and Labor

to whom was referred House Bill No. 1461, has had the same under

consideration and recommends that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 10, after the word "facility" insert the words "as defined in chapter 49-22."

On page 1, line 10, after the word "acquired" insert the word "contractually"

On page 1, line 10, delete the words "in any manner"

On page 1, line 13, delete the word "with" and insert in lieu thereof the word "including"

On page 1, line 19, delete the word "payments" and insert in lieu thereof the words "unpaid principal balance"

On page 1, line 19, delete the words "of the annual amount"

On page 1, line 20, delete the word "two" and insert in lieu thereof the word "four"

On page 1, line 20, after the word "to" insert the word "its"

On page 1, line 21, after the word "customers" and before the period insert the following:

"in the case of a private investor owned utility and rates charged to its member customers in the case of cooperative utilities"

On page 1, after line 21, insert the following:

"Upon increasing the unpaid principal balance the remaining unpaid equal installments shall be recalculated to reflect the change in the unpaid principal balance. The first annual installments shall be prorated to July 1 and all following annual installments shall fall due on July 1. The option provided herein shall not apply to any easement providing for compensation of less than \$5,000.00. In the event the landowner elects to receive the compensation in annual payments, the benefits unpaid at the time of sale of the real estate to which the easement attaches shall accrue to the purchaser of said real estate thereafter. The utility right of way agent shall inform the property owner of his option to choose annual installments."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass

<u>[Signature]</u> Rep. Rued	<u>[Signature]</u> Rep. Wald
<u>[Signature]</u> Rep. Vander Vorst	<u>[Signature]</u> Rep. Hedstrom
<u>[Signature]</u> Rep. Metz	<u>[Signature]</u> Rep. Kloubec
<u>[Signature]</u> Rep. Dubond	<u>[Signature]</u> Rep. Koski
<u>[Signature]</u> Rep. Gerl	<u>[Signature]</u> Rep. [unclear]
<u>[Signature]</u> Rep. Retzer	<u>[Signature]</u> Rep. Maixner

Chairman  
Rep. Rued

Mr. Speaker: A Minority of your Committee on Industry, Business and Labor

to whom was referred House Bill No. 1461 has had the same under consideration and recommends that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

- On page 1, line 10, after the word "facility" insert the words "as defined in chapter 49-22."
- On page 1, line 10, after the word "acquired" insert the word "contractually"
- On page 1, line 10, delete the words "in any manner"
- On page 1, line 13, delete the word "with" and insert in lieu thereof the word "including"
- On page 1, line 19, delete the word "payments" and insert in lieu thereof the words "unpaid principal balance"
- On page 1, line 19, delete the words "of the annual amount"
- On page 1, line 20, delete the word "two" and insert in lieu thereof the word "four"
- On page 1, line 20, after the word "to" insert the word "its"
- On page 1, line 21, after the word "customers" and before the period insert the following:  
"in the case of a private investor owned utility and rates charged to its member customers in the case of cooperative utilities"
- On page 1, after line 21, insert the following:  
"Upon increasing the unpaid principal balance the remaining unpaid equal installments shall be recalculated to reflect the change in the unpaid principal balance. The first annual installments shall be prorated to July 1 and all following annual installments shall fall due on July 1. The option provided herein shall not apply to any easement providing for compensation of less than \$5,000.00. In the event the landowner elects to receive the compensation in annual payments, the benefits unpaid at the time of sale of the real estate to which the easement attaches shall accrue to the purchaser of said real estate"

JOURNAL OF THE HOUSE

thereafter. The utility right of way agent shall inform the property owner of his option to choose annual installments."

And renumber the lines and pages accordingly

And when so amended recommends the same do not pass.

(Refused to sign)
Rep. Lang (Refused to sign)
Rep. Haugland
Rep. Peltier
Chairman Rep. Rued

The Reports of the Majority and the Minority with House Bill No. 1461 were placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House Bill No. 1467 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 5; Absent, 0, that the same do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman Rep. Gackle
House Bill No. 1467 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred House Bill No. 1490 has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 2, that the same do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Chairman Rep. Erickson
House Bill No. 1490 was placed on the 11th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House Bill No. 1509 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 14, strike the word "elementary"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

House \_\_\_\_\_ Bill No. 1509 \_\_\_\_\_ Chairman  
Rep. Haugland was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1520 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 10 ; Nays, 2 ; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 20 delete the word "without"

On page 1, line 21 delete "regard to marital misconduct" and after the word "proportions" insert "and, when the action for divorce is based on irreconcilable differences, without regard to marital misconduct,"

On page 2, line 2 after the word "including" insert the word "the" and also delete the word "a" and insert in lieu thereof the word "each"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

House \_\_\_\_\_ Bill No. 1520 \_\_\_\_\_ Chairman  
Rep. Winkjer was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1529 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 8 ; Nays, 4 ; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 17 after the word "and" insert the words "with the consent and approval of the district judge of the county,"

JOURNAL OF THE HOUSE

On page 1, line 18 strike the word "shall" and insert in lieu thereof the word "may" and also strike the word "his" and insert in lieu thereof the word "a"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Jim Winkjer*

Chairman

House

Rep. Winkjer

Bill No. 1529

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred House

Bill No. 1537 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Erickson*

Chairman

Rep. Erickson

House Bill No. 1537

was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1538 has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10 delete the word "a" and insert in lieu thereof the word "any"

On page 1, delete all of line 11

On page 1, line 12 delete the word and comma "firearm," and also delete the word "forever"

On page 1, line 14 after the word "subdivisions" and before the period insert the words "for a period of ten years following such conviction"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Jim Winkjer*

Chairman

Rep. Winkjer

House

Bill No. 1538

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

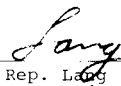
Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House

Bill No. 1540, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. Larry


House Bill No. 1540 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1567, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 2; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. James A. Peterson

House Bill No. 1567 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred House

Bill No. 1579, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 7; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. Erickson

House Bill No. 1579 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1599, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

 Chairman  
Rep. Gackle

House Bill No. 1599 was placed on the 11th order of business on the calendar for the succeeding legislative day.



Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1647, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

 Chairman  
Rep. Gackle

House Bill No. 1647 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1650, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 14, after the period and before the word "He" insert  
"In cities with a population exceeding three thousand the city  
engineer shall be a registered professional engineer."

And when so amended, recommends the same do pass.

 Chairman  
Rep. Lang

House Bill No. 1650 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1652, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 1, delete everything after the words "A BILL"  
and delete the remainder of the bill and insert in lieu thereof  
the following: "for an Act to amend and reenact section 39-06-17  
of the North Dakota Century Code, relating to restricted operator's  
licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 39-06-17 of the 1977  
Supplement to the North Dakota Century Code is hereby amended  
and reenacted to read as follows:

39-06-17. RESTRICTED LICENSES.)

1. The commissioner, upon issuing an operator's license  
or a temporary restricted operator's license pursuant  
to section 39-06.1-11, shall have authority whenever  
good cause appears to impose restrictions suitable to

the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or ~~such~~ other restrictions applicable to the licensee as the commissioner may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

2. The commissioner may either issue a special restricted license or may set forth ~~such~~ restrictions upon the usual license form. The commissioner shall likewise restrict licenses pursuant to the requirements of section 39-16.1-09.
3. A restricted operator's license or permit to operate ~~his~~ a parent's or guardian's automobile, or any other automobile which is equipped with dual controls and while accompanied by a qualified instructor, may be issued to any child, who is at least fourteen years of age, and otherwise qualified, upon the written recommendation of ~~his~~ the parent or guardian. No driver's license shall be issued until the child, accompanied by ~~his~~ the parent or guardian, shall appear in person and satisfy the examining officer that:
  - a. The child is at least fourteen years of age.
  - b. The child is qualified to operate an automobile safely.
  - c. It is necessary for the child to drive ~~his~~ the parent's or guardian's automobile without being accompanied by an adult.
  - d. The child has completed a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the commissioner ~~or in the alternative, has successfully completed a course at an approved commercial driver training school.~~ Approved courses may be taken in public, parochial or commercial schools or any combination thereof.

The parent or guardian of the child, at all times shall be responsible for any and all damages growing out of the negligent operation of a motor vehicle by any ~~such~~ child issued a restricted operator's license or permit. The provisions of this subsection shall not authorize the child to drive a motorcycle, commercial truck, motor bus, or taxicab.

4. The commissioner may issue a special restricted license in cases of very special need, upon request. A special license may be issued to a person between the ages of fourteen and sixteen years who has not completed a course in classroom instruction and a course of behind-the-wheel instruction acceptable to the commissioner. All requests shall be investigated by the commissioner.
5. The commissioner may upon receiving satisfactory evidence of any violation of the restrictions of ~~such~~ a license suspend or revoke the ~~same~~ license, but the licensee shall be entitled to a hearing as upon a suspension or revocation under this chapter.
- 5- 6. It is a class B misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a the person's restricted license issued to him."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

 .. Chairman  
Rep. Erickson

House Bill No. 1652 was placed on the 6th order of business on the calendar for the succeeding legislative day.

## JOURNAL OF THE HOUSE

Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1662, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

*Lang* Chairman

House Bill No. 1662 Rep. Lang was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1667, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

- On page 2, line 35, after the word "curved" insert the word "line"
- On page 5, line 12, after the word "a" insert the words "class B"
- On page 5, line 30, delete the words "On the" and insert in lieu thereof the word "The" and also delete the word "be" and insert in lieu thereof "contain a" and delete the word "an"
- On page 5, line 33, after the word "instrument" insert the words "of dedication"
- On page 5, line 34, after the word "platted" delete the words "and set forth what part of" and insert in lieu thereof a period
- On page 5, delete all of line 35
- On page 6, line 1, delete the words "these parts are dedicated."
- On page 6, line 6, delete ", together with"
- On page 6, line 7, delete "an attorney's opinion of ownership,"
- \*On page 6, line 8, before the period insert "together with a title opinion stating the name of the owner of record"

And when so amended, recommends the same do pass.

*Lang* Chairman

House Bill No. 1667 Rep. Lang was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1677, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

 Chairman  
Rep. Frickson

House Bill No. 1677 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1684, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

 Chairman  
Rep. Kloubec

House Bill No. 1684 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House


Bill No. 1685, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

On page 3, line 18, delete the word "hundred" and insert in lieu thereof "thousand"

And when so amended, recommends the same do not pass.

 Chairman  
Rep. Lang

House Bill No 1685 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House

Bill No. 1686, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 6, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 12, strike the word "fifteen" and insert in lieu thereof the word "twenty"

And when so amended, recommends the same do pass.

*Lang* Chairman  
Rep. Lang  
was placed on the 6th

House Bill No. 1686  
order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House Concurrent Resolution

Bill No. 3022, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Nicholas* Chairman  
Rep. Nicholas

House Concurrent Resolution Bill No. 3022 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred Senate Concurrent Resolution

No. 4023, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Kloubec* Chairman  
Rep. Kloubec

Senate Concurrent Resolution 4023 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Rep. Strinden introduced:

**House Concurrent Resolution No. 3048.** — A concurrent resolution directing a Legislative Council study to monitor the collocation of comprehensive mental health and area social service centers.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Reps. Gerl, Winkjer and Wald and Senator Barth introduced:

**House Concurrent Resolution No. 3049.** — A concurrent resolution directing the Legislative Council to conduct a study of North Dakota gambling laws, the gambling laws of other states, and their procedures for licensure, taxation, and auditing.

Was read the first time and referred to the committee on Judiciary.

Rep. Kingsbury introduced:

**House Concurrent Resolution No. 3050.** — A concurrent resolution directing a Legislative Council study of the fire insurance premium tax.

Was read the first time and referred to the committee on Appropriations.

## FIRST READING OF SENATE BILLS

**Senate Bill No. 2012.** State Library Commission — A Bill for an Act making an appropriation for defraying the expenses of the state library commission of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2016.** Educational Broadcasting Council — A Bill for an Act making an appropriation for defraying the expenses of the educational broadcasting council of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2031.** Water Commission — A Bill for an Act making an appropriation for defraying the expenses of the water commission of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2034.** Bonding Fund and Fire and Tornado Fund — A Bill for an Act making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2267.** — A Bill for an Act to create and enact a new section to chapter 51-04 of the North Dakota Century Code, relating to optional licensing of transient merchants by the attorney general; and to amend and reenact subsection 1 of section 51-04-01 of the North Dakota Century Code, relating to the definition of transient merchants; to amend and reenact section 51-04-02 of the North Dakota Century Code, relating to the application for a transient merchants license; to amend and reenact section 51-04-05 of the North Dakota Century Code, relating to the failure of a transient merchant's affidavit for certain sales; to amend and reenact section 51-04-07 of the North Dakota Century Code, relating to service of process; to amend and reenact section 51-04-08 of the North Dakota Century Code, relating to certain excepted sales from the transient merchants law.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2380.** — A Bill for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to the eligibility, term of office, and compensation for appointed members to a water management district board.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2385.** — A Bill for an Act to establish a state policy statement in the areas of abortion and childbirth, family planning, payment for abortions by health insurance contracts, limiting abortions in government hospitals in North Dakota, regulating payment for dilatation and curettage under insurance contracts, and directing the state health department to provide forms required by this Act; providing a penalty; and declaring an emergency.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2391.** — A Bill for an Act to create and enact a new section to chapter 30-24 of the North Dakota Century Code, relating to a snowmobile safety course for operators of snowmobiles between the

ages of fourteen and sixteen; to amend and reenact subsection 6 of section 39-24-09 of the North Dakota Century Code, relating to the possession of a valid driver's license or permit by operators of snowmobiles.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2396.** — A Bill for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to powers of boards of county commissioners.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2407.** — A Bill for an Act to amend and reenact section 50-03-01 of the North Dakota Century Code, relating to an additional county levy for the support of the poor.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2414.** — A Bill for an Act to amend and reenact subsection 4 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officers.

Which was read the first time and referred to the Committee on Political Subdivisions.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p. m., Friday, February 9, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-EIGHTH DAY

Bismarck, February 9, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. Don DeKok, Bismarck Reformed Church, Bismarck, North Dakota. The roll was called, and all members were present except Reps. Gerl, I. Jacobson, Lee, Strinden and Vander Vorst. A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-seventh Day and finds the same to be correct.

Rep. Swiontek Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1258

and find the same correctly Re } Engrossed

Rep. Stenejem Chairman moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

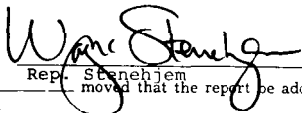
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1019
HB NO. 1122
HB NO. 1190
HB NO. 1304
HB NO. 1388
HB NO. 1442



- HB NO. 1464 \_\_\_\_\_
- HB NO. 1473 \_\_\_\_\_
- HB NO. 1491 \_\_\_\_\_
- HB NO. 1495 \_\_\_\_\_
- HB NO. 1596 \_\_\_\_\_
- HB NO. 1635 \_\_\_\_\_
- HB NO. 1639 \_\_\_\_\_

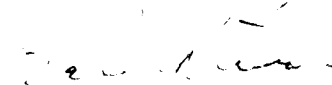
and find the same correctly } Engrossed

 Chairman  
 Rep. Stenehjem moved that the report be adopted, which

Representative Hanson motion prevailed, and the report was adopted.

Mr. Speaker : Your Procedural Committee on Delayed Bills

recommends that HCR 3051 be introduced

 Chairman

Rep. Strinden moved that the report be adopted, which motion

prevailed and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Winkjer moved that the amendments to House Bill No. 1044 as recommended by the Committee on Judiciary as printed on pages 729 and 730 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1363 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 731 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1374 as recommended by the Committee on Transportation as printed on pages 731 and 732 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1460 as recommended by the Committee on Judiciary as printed on page 733 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1461 as recommended by the Majority and Minority of the Committee on Industry, Business and Labor as printed on pages 734, 735 and 736 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1509 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 736 and 737 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1520 as recommended by the Committee on Judiciary as printed on page 737 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1529 as recommended by the Committee on Judiciary as printed on pages 737 and 738 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1538 as

recommended by the Committee on Judiciary as printed on page 738 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1650 as recommended by the Committee on Political Subdivisions as printed on page 740 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1652 as recommended by the Committee on Transportation as printed on pages 740 and 741 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1667 as recommended by the Committee on Political Subdivisions as printed on page 742 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1685 as recommended by the Committee on Political Subdivisions as printed on page 743 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1686 as recommended by the Committee on Political Subdivisions as printed on pages 743 and 744 of the House Journal be adopted, which motion prevailed.

MOTIONS

Rep. Nicholas moved that House Bill No. 1254 be returned to the House from the Committee on Appropriations, and then be re-referred to the Committee on Agriculture, which motion prevailed.

Rep. Kloubec moved that House Bill No. 1626 be returned to the House from the Committee on Industry, Business and Labor for the purpose of withdrawal, which motion prevailed.

Rep. Kloubec requested permission to withdraw House Bill No. 1626. There being no objection, it was so ordered by the Speaker.

Rep. Martinson moved that engrossed House Bill No. 1304 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Rep. Olson moved that the House reconsider its action whereby House Bill No. 1632 failed to pass, which motion failed on a verification vote.

SECOND READING OF HOUSE BILLS

**House Bill No. 1245.** — A Bill for an Act to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, and 25-16-08 of the North Dakota Century Code, relating to licensure of mental retardation facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 91; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		WATTSON	•		UNHJEM	•	
•			HICKLE	•		WEGERS	•		VANDERVORST	•	
•			HOFFNER	•		WELBY	•		VIG	•	
•			HOLMANN	•		WERTENS	•		WAGNER	•	
•			HOVE	•		MEYER	•		WALD	•	
•			JACOBSEN R	•		MURPHY	•		WALSH	•	
•			JACOBSON I	•		MUSHIK	•		WEBER	•	
•			KELLY	•		NICHOLAS	•		WENTZ	•	
•			KENNELLY	•		OLSON	•		WESSMAN	•	
•			KERMOTT	•		OPEDAHL	•		WINKJER	•	
•			KINGSBURY	•		PELTIER	•				
•			KLOUBEC	•		PETERSON	•		MR SPEAKER	•	
•			KNUDSON	•		POWEROY	•				
•			KOSKI	•		REED	•				
•			KRETSCHMAR	•		RETZER	•				
•			KUCHERA	•		RICHARD	•				
•			LANG	•		RICHE	•				
•			LANGLEY	•		RIEHL	•				
•			LARDY	•		RUED	•				
•			LARSON F # 74	•		SCHINDLER	•				
•			LARSON G # 29	•		SCOFIELD	•				

GERL	•	LARSON, H #7	•	SOLBERG	•
GORDER	•	LEE	•	STENEHJEM	•
GUNDERSON	•	LEIBHAN	•	STRINDEN	•
GUNSCH	•	LIPSIA	•	SWIONTEK	•
HANSON	•	MAIXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSgard	•
HAUSAUER, A #49	•	MARTIN	•	TIMM	•
HAUSAUER, R #25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHENY	•	TWETEN	•

So the bill lost.

**House Bill No. 1249.** — A Bill for an Act to provide for the regulation and control, permitting, registration, inspection, and impounding of sources of nonionizing radiation by the state department of health and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 74; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN	•		MATTSON	•		UNHJEM	•	
•	BENEDICT	•	HICKLE	•		MEIERS	•		VANDER VORST	•	
	BERG	•	HOFFNER	•		MELBY	•		VIG	•	
	BERGE	•	HOUWMANN	•		MERTENS	•		WAGNER	•	
•	BERGER	•	HOVE	•		MEYER	•		WALD	•	
	BJORNSON	•	JACOBSEN, R	•		MURPHY	•		WALSH	•	
	BLACK	•	JACOBSON, I	•		MUSHK	•		WEBER	•	
	BOYUM	•	KELLY	•		NICHOLAS	•		WENTZ	•	
•	BROKAW	•	KENNELLY	•		OLSON	•		WESSMAN	•	
	CHRISTENSEN	•	KERMOTT	•		OPEDAL	•		WINKLER	•	
	CONNY	•	KINGSBURY	•		PETLER	•				
	CRABTREE	•	KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
	DICK	•	KNUDSON	•		POMEROY	•				
	DIETZ	•	KOSKI	•		REED	•				
•	DOTZENROD	•	KRETSCHMAR	•		RETZER	•				
•	DUBORD	•	KUCHERA	•		RICHARD	•				
	EAGLES	•	LANG	•		RICHIE	•				
	ERICKSON	•	LANGLEY	•		RIEHL	•				
	FLEMING	•	LARDY	•		RUED	•				
	FREBERG	•	LARSON, F #24	•		SCHINDLER	•				
	GACKLE	•	LARSON, G #29	•		SCOFIELD	•				
•	GERL	•	LARSON, H #7	•		SOLBERG	•				
	GORDER	•	LEE	•		STENEHJEM	•				
	GUNDERSON	•	LEIBHAN	•		STRINDEN	•				
	GUNSCH	•	LIPSIA	•		SWIONTEK	•				
	HANSON	•	MAIXNER	•		THOMPSON	•				
	HAUGLAND	•	MARSDEN	•		THORSgard	•				
	HAUSAUER, A #49	•	MARTIN	•		TIMM	•				
	HAUSAUER, R #25	•	MARTINSON	•		TINJUM	•				
	HEDSTROM	•	MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1355.** — A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a township mill levy for the purchase and operation of mowing equipment; and to amend and reenact subsection 3 of section 63-01.1-11 of the North Dakota Century Code, relating to charges levied against landowners for not mowing land adjoining designated highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 62; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	BACKES	•	HERMAN	•		MATTSON	•		UNHJEM	•	
	BENEDICT	•	HICKLE	•		MEIERS	•		VANDER VORST	•	
	BERG	•	HOFFNER	•		MELBY	•		VIG	•	
	BERGE	•	HOUWMANN	•		MERTENS	•		WAGNER	•	
•	BERGER	•	HOVE	•		MEYER	•		WALD	•	
	BJORNSON	•	JACOBSEN, R	•		MURPHY	•		WALSH	•	
	BLACK	•	JACOBSON, I	•		MUSHK	•		WEBER	•	
	BOYUM	•	KELLY	•		NICHOLAS	•		WENTZ	•	

BROKAW	KENNELLY	OLSON	WESSMAN
CHRISTENSEN	KERMOTT	OPEDAHL	WINKLER
CONNY	KINGSBURY	PELTIER	
CRABTREE	KLOUBEC	PETERSON	MR. SPEAKER
DICK	KNUDSON	POWEROY	
DIETZ	KOSKI	REED	
DOTZENROD	KRETSCHMAR	RETZER	
DuBORD	KUCHERA	RICHARD	
EAGLES	LANG	RICHIE	
ERICKSON	LANGLEY	RIEHL	
FLEMING	LARDY	RUED	
FREBORG	LARSON, F # 24	SCHINDLER	
GACKLE	LARSON, G # 29	SCOFIELD	
GERL	LARSON, H # 7	SOLBERG	
GORDER	LEE	STENEHJEM	
GUNDERSON	LEIBHAN	STRINDE	
GUNSCH	LIPSEA	SWINTEK	
HANSON	MAWNER	THOMPSON	
HAUGLAND	MARSDEN	THORSGARD	
HAUSAUER A # 49	MARTIN	TIMM	
HAUSAUER R # 25	MARTINSON	TINJUM	
HEDSTROM	MATHENY	TWETEN	

So the bill lost.

**House Bill No. 1333.** — A Bill for an Act to amend and reenact subsection 1 of section 57-13-04 of the North Dakota Century Code, relating to limiting the difference on assessments for comparable agricultural land lying on the boundary between two assessment districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 65; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			MATTSON			UNHJEW		
BENEDICT			HICKLE			MEIERS			VANDER VORST		
BERG			HOFFNER			MELBY			VIG		
BERGE			HOUWMANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER			WALD		
BJORNSON			JACOBSEN, R			MURPHY			WALSH		
BLACK			JACOBSEN, I			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL			WINKLER		
CONNY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON			MR. SPEAKER		
DICK			KNUDSON			POWEROY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DuBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEMING			LARDY			RUED					
FREBORG			LARSON, F # 24			SCHINDLER					
GACKLE			LARSON, G # 29			SCOFIELD					
GERL			LARSON, H # 7			SOLBERG					
GORDER			LEE			STENEHJEM					
GUNDERSON			LEIBHAN			STRINDE					
GUNSCH			LIPSEA			SWINTEK					
HANSON			MAWNER			THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER A # 49			MARTIN			TIMM					
HAUSAUER R # 25			MARTINSON			TINJUM					
HEDSTROM			MATHENY			TWETEN					

So the bill lost.

**House Bill No. 1467.** — A Bill for an Act to amend and reenact subdivisions j and l of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, increasing the amount of certain retirement funds which may be deducted in determining North Dakota taxable income; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 72; absent and not voting, 4.



MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2010
- Senate Bill No. 2037
- Senate Bill No. 2189
- Senate Bill No. 2215
- Senate Bill No. 2305
- Senate Bill No. 2378
- Senate Bill No. 2424

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1491.** — A Bill for an Act to amend and reenact sections 5-01-06 and 5-01-09 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication and the unlawful delivery of alcoholic beverages to certain persons; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 61; nays, 37; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•			•		
BENEDICT		•	HICKLE		•	•	WATTSON		•	UNHJEM	
•	BERG		•	HOFFNER	•	•	WEIERS		•	VANDER VORST	•
•	BERGE	•	•	HOLMANN	•	•	WELBY		•	VIG	
•	BERGER		•	HOVE	•	•	WERTENS		•	WAGNER	
•	BJORNSON		•	JACOBSEN, R.	•	•	MEYER		•	WALD	
•	BLACK		•	JACOBSEN, I.	•	•	MURPHY		•	WALSH	
•	BOYUM		•	KELLY	•	•	MUSHIK		•	WEBER	
•	BROKAW		•	KENNELLY	•	•	NICHOLAS		•	WENTZ	•
•	CHRISTENSEN		•	KERMOTT	•	•	OLSON		•	WESSMAN	•
•	CONMY		•	KINGSBURY	•	•	OPEDAHL		•	WINKLER	•
•	CRABTREE		•	KLOUBEC	•	•	PELTIER		•		
•	DICK		•	KNUDSON	•	•	PETERSON		•	MR. SPEAKER	
•	DIETZ		•	KOSKI	•	•	POMEROY		•		
•	DOTZENROD		•	KRETSCHMAR	•	•	REED		•		
•	DUBORD		•	KUCHERA	•	•	RETZER		•		
•	EAGLES	•	•	LANG	•	•	RICHARD		•		
•	ERICKSON		•	LANGLEY	•	•	RIEHL		•		
•	FLEMING		•	LARDY	•	•	RUEF		•		
•	FREBORG		•	LARSON, F. # 24	•	•	SCHINDLER		•		
•	GACKLE		•	LARSON, G. # 29	•	•	SCHOFIELD		•		
•	GERL		•	LARSON, H. # 7	•	•	SOLBERG		•		
•	GORDER	•	•	LEE	•	•	STENEHJEM		•		
•	GUNDERSON	•	•	LEIBHAN	•	•	STRINDEN		•		
•	GUNSCH		•	LIPSIEA	•	•	SWIONTEK		•		
•	HANSON	•	•	MAIXNER	•	•	THOMPSON		•		
•	HAUGLAND	•	•	MARSDEN	•	•	THORSGARD		•		
•	HAUSAUER, A. # 49		•	MARTIN	•	•	TIMM		•		
•	HAUSAUER, R. # 25		•	MARTINSON	•	•	TINJUM		•		
•	HEDSTROM		•	MATHENY	•	•	TWETEN		•		

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that a committee of two be appointed to escort Congressman Mark Andrews and Mrs. Andrews to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Swiontek and Peltier to such committee, and Hon. Mark Andrews and Mrs. Andrews were escorted to the rostrum.

The Hon. Mark Andrews, United States Congressman from North Dakota, addressed the assembly.

Rep. Strinden moved that the remarks of Congressman Andrews be printed in the Journal, which motion prevailed.

Remarks of  
HON. MARK ANDREWS  
U.S. Congressman

Congressman Andrews: "Mr. Speaker:

"It is a privilege I deeply appreciate to appear before you today. Let me say at the outset that in the House of Representatives in Washington, we are limited to five minutes or less, so this will be no great filibuster. We do not want to upset your very busy schedule. In Washington we call Friday 'Get Away' day, and you understand that terminology.

"There is a great feeling of kinship among legislators, whether in state or in the national legislative bodies. We realize our separate responsibilities, but there is a kinship which develops — possibly on the campaign trail. Mary and I have had many delightful moments campaigning with you. We have also had some interesting times with our Democratic friends, on occasion with them going down one side of the street while we are going up the other side of the street in the same community.

"The two party system is a great one in a legislature like this. The people in America recognize this. They appreciate the contributions made by you. Consider the years Oscar Solberg has been here working for the state of North Dakota, and the years the Dean of the House, Brynhild Haugland, has contributed. The fact you have been returned these many years is proof the people appreciate you. They appreciate the dignity, honesty and ability you bring to this office. We must bring more and more of these virtues into politics to make this system work. On the other hand, it is good to look out here and see so many young people who are serving their first or second terms in the House. I know you are going to continue the Haugland/Solberg tradition.

"The people in North Dakota do want to participate. Right now in Washington we have a tractorcade. Whatever you might think about that method of bringing the views of the people to the attention of Congress and the President, it is getting their attention.

"I understand you have had groups here indicating they do wish to participate in legislation.

"I understand it is traditional for those of us who have come here to make suggestions as to how to amend election laws or make constitutional changes. I have no suggestions in regard to incumbents or challengers. I do have one suggestion along the lines of letting the people participate in decision making. If the change is made to have the North Dakota primary held in late June, I do think it would be interesting to have a Presidential Primary at that time. I get tired of other states having these Presidential Primaries. It is apparent that both great parties of this nation will have several people seeking the endorsements of their parties in 1980, and if the people of North Dakota were given the opportunity to be so heard, maybe we could have some impact on which candidates both great parties select. This is the only suggestion I would give to my fellow legislators. I believe this would be in line with the tradition of the people of North Dakota wanting to participate in the selection of who is to be elected to public office in the United States.

"It is good to be home and speaking to the North Dakota Legislature, which is one of the earliest ones to call for a balanced budget which limits spending. I might mention you people do a better job of that than we do in Washington. In conclusion I would say that more than just limiting spending, there is something else we should be talking about. I have been interested in politics for a long time, and I have learned there are many

people extremely knowledgeable about how to unload the wagon — by spending for this program and another program, but not to spend for still another program. What we need in Congress is to study how to load the wagon — what kind of incentives we can give to agriculture, what incentives we can give to business people, so we can get the system back on track. I would like to see incentives in our energy program so we encourage development of new sources of energy rather than to dwell exclusively on how we can tax the business, and make it harder to meet the tax demands, thus making the product scarcer to the general public. If we can recognize ways of loading the wagon to stimulate the economy of our great country, we would have met our objective.

“I know you are doing a great job in North Dakota, which we can talk about with pride in Congress. Milt, Quentin and I can point to this Legislature as one of the greatest in the fifty states.

“It is a privilege for us to be back this afternoon. Mary and I appreciate the opportunity to say hello, and to thank you for your help over the years. And, it is great to be back with the many friends we have made on the campaign trail. Thanks for giving us this time this afternoon.”

MOTION

Rep. A. Hausauer moved that House Bill No. 1387 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. A. Hausauer requested permission to withdraw House Bill No. 1387. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

**House Bill No. 1537.** — A Bill for an Act to amend and reenact sections 39-08-20, 39-16.1-02, subsection 2 of section 39-16.1-11 and 39-16.1-15 of the North Dakota Century Code, relating to motor vehicle operators, financial responsibility, and providing an effective date and penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 2; nays, 89; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN	●		MATTSON			UNHJEM		
BENEDICT		●	HICKLE	●		MEIERS			VANDER VORST		●
BERG		●	HOFFNER		●	MELBY			VIG		●
BERGE		●	HOUHANN		●	MERTENS			WAGNER		●
BERGER		●	HOVE		●	MEYER			WALD		●
BJORNSON		●	JACOBSEN R		●	MURPHY			WALSH		●
● BLACK		●	JACOBSON I		●	MUSHK			WEBER		●
BOYUM		●	KELLY		●	NICHOLAS	●		WENZT		●
BROKAW		●	KENNELLY		●	OLSON			WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH			WINKLER	●	
COMMY		●	KINGSBURY		●	PELTIER					
CRABTREE		●	KLOUREC		●	PETERSON	●		MP SPEAKER		●
DICK		●	KNUDSON		●	POMEROY					
DIETZ		●	KOSKI		●	REED					
DOTZENROD		●	KRETSCHMAR		●	RETZER					
DUBORD	●		KUCHERA		●	RICHARD					
EAGLES		●	LANG		●	RICHE					
ERICKSON		●	LANGLEY		●	RIEHL					
FLEMING		●	LARDY		●	RUED					
FREBORG		●	● LARSON F # 24		●	SCHINDLER					
GACKLE		●	LARSON G # 29		●	SCOFELD					
GERL	●		LARSON H # 7		●	SOLBERG					
GORDER		●	LEE	●		STRONJEM					
GUNDERSON		●	LEIBHAN		●	STRINDEN					
GUNSCH		●	LIPSIEA		●	SWINTEX	●				
HANSON		●	MAIXNER		●	THOMPSON					
HAUGLAND		●	MARSDEN		●	THORSGARD					
HAUSAUER A # 49		●	MARTIN		●	TAMM					
HAUSAUER R - 25		●	MARTINSON		●	TANJUM					
HEDSTROM		●	MATHENY		●	TWETEN					



So the bill lost.

**House Bill No. 1540.** — A Bill for an Act to amend and reenact sections 40-57-02 and 40-57-03 of the North Dakota Century Code, relating to the Municipal Industrial Development Act and defining projects to include residential dwelling accommodations for low and moderate income persons and to authorize municipalities to make loans to and purchase mortgages from lending institutions in connection with projects for residential dwellings for low and moderate income persons.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 79; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN	•		MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG	•		HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALO	•	
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER	•	
BOYUM		•	KELLY		•	NICHOLAS	•		WENTZ		•
• BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KESMOTT		•	OPEDahl		•	WENTZ	•	
CONNY		•	KINGSBURY		•	PETTER		•	WINKLER		•
CRABTREE		•	KLOUBEC		•	PETERSON	•		MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
• DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD	•		KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREIBORG		•	LARSON, F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G # 29		•	SCOFIELD		•			
GERL		•	LARSON, H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBMAN		•	STRINDEN		•			
GUNSON		•	LIPSA		•	SWONKE		•			
HANSON		•	MAXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSgard		•			
HAUSAUER A # 49		•	MARTIN		•	TMM		•			
HAUSAUER R # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**MOTION**

Rep. Riehl moved that House Bill No. 1659 be returned to the House from the Committee on Political Subdivisions, which motion prevailed.

Rep. Riehl requested permission to withdraw House Bill No. 1659. *There being no objection, it was so ordered by the Speaker.*

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1567.** — A Bill for an Act to provide for an appropriation from the general fund to the state planning division for distribution to the regional planning councils, and to provide requirements for obtaining the state funds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 82; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN	•		MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG	•		HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER		•

BERGER	•	HOVE	•	MEYER	•	WALD	•
BJORNSON	•	JACOBSEN, R.	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON, W.	•	MUSHIK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKJER	•
CONNY	•	KINGSBURY	•	PELTIER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUDSON	•	POWERROY	•	MR. SPEAKER	•
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F. # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G. # 26	•	SCOFIELD	•		
GERL	•	LARSON, H. # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIA	•	SWIONTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSEN	•	THORSGARD	•		
HAUSAUER, A. # 48	•	MARTH	•	TIMW	•		
HAUSAUER, R. # 25	•	MARTINSON	•	TINJUN	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1599.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption of gas from the sales and use tax; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subdivision b of subsection 1 of section 57-39.2-02.1, subsection 2 of section 57-39.2-18, subdivision a of subsection 6 of section 57-40.2-01, section 57-53-02 of the North Dakota Century Code, relating to the exemption of gas and heating fuels from sales and use and special fuels taxes, and to remove references to sales and use taxes on electricity; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 74; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEERS	•		VANDERVORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOLMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, W.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•				
DICK	•		KNUDSON	•		POWERROY	•		MR. SPEAKER	•	
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 26	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWIONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSEN	•		THORSGARD	•				
HAUSAUER, A. # 49	•		MARTH	•		TIMW	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUN	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1647.** — A Bill for an Act to provide a property tax

exemption on land used for shelterbelts, and to provide procedures for the administration of the tax exemption.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 82; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	MATTSON			•	UNHJEM
•				HICKLE			•	MEIERS			•	VANDER VORST
		•		HOFFNER				MELBY				VIG
•			•	HOUHANN				MERTENS				WAGNER
•		•	•	HOVE			•	MEYER				WALD
•			•	JACOBSEN R			•	MURPHY				WALSH
•		•	•	JACOBSON I			•	MUSHIK				WEBER
•		•		KELLY			•	NICHOLAS				WENTZ
•			•	KENNELLY			•	OLSON				WESSMAN
•				KERMOTT			•	OPEDAH				WINKJER
•			•	KINGSBURY			•	PETIER				
•		•	•	KLOUBEC			•	PETERSON			•	MR SPEAKER
•			•	KNUDSON			•	POMEROY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY			•	RIEHL				
•			•	LARDY			•	RUED				
•			•	LARSON # 24			•	SCHINDLER				
•			•	LARSON G # 29			•	SCOFIELD				
•			•	LARSON H # 7			•	SOLBERG				
•			•	LEE			•	STENEHJEM				
•			•	LEIBHAN			•	STRINDEN				
•			•	LIPSIA			•	SWONTEK				
•			•	MAIXNER			•	THOMPSON				
•			•	MARSDEN			•	THORSRGARD				
•			•	MARTIN			•	TAMM				
•			•	MARTINSON			•	TINLUM				
•			•	MATHENY			•	TWETEN				

So the bill lost.

**House Bill No. 1662.** — A Bill for an Act to amend and reenact section 11-10-02.1 of the North Dakota Century Code, relating to the employment of county surveyors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 7; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	MATTSON			•	UNHJEM
•				HICKLE			•	MEIERS			•	VANDER VORST
•		•	•	HOFFNER			•	MELBY			•	VIG
•			•	HOUHANN			•	MERTENS				WAGNER
•		•	•	HOVE			•	MEYER				WALD
•			•	JACOBSEN R			•	MURPHY				WALSH
•		•	•	JACOBSON I			•	MUSHIK				WEBER
•			•	KELLY			•	NICHOLAS				WENTZ
•			•	KENNELLY			•	OLSON				WESSMAN
•				KERMOTT			•	OPEDAH				WINKJER
•			•	KINGSBURY			•	PETIER				
•		•	•	KLOUBEC			•	PETERSON			•	MR SPEAKER
•			•	KNUDSON			•	POMEROY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY			•	RIEHL				
•			•	LARDY			•	RUED				
•			•	LARSON # 24			•	SCHINDLER				
•			•	LARSON G # 29			•	SCOFIELD				
•			•	LARSON H # 7			•	SOLBERG				
•			•	LEE			•	STENEHJEM				
•			•	LEIBHAN			•	STRINDEN				
•			•	LIPSIA			•	SWONTEK				
•			•	MAIXNER			•	THOMPSON				
•			•	MARSDEN			•	THORSRGARD				

● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1684.** — A Bill for an Act to amend and reenact sections 20.1-01-18, 20.1-01-19, 20.1-01-20, and 53-08-05 of the North Dakota Century Code, relating to hunting on lands belonging to another, and to landowner liability to others who use land for recreational purposes; and to repeal sections 20.1-01-17 and 20.1-01-22 of the North Dakota Century Code, relating to posting of lands to prohibit hunting and hunting on lands having unharvested crops.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 67; and absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		HERMAN		●	MATTSON		●	UNHJEM		●
● BENEDICT		●	● HICKLE		●	● MEIERS		●	● VANDER VORST		●
● BERG		●	● HOFFNER		●	● MELBY		●	● VIG		●
● BERGE		●	● HOUWMANN		●	● WERTENS		●	● WAGNER		●
● BERGER		●	● HOVE		●	● MEYER		●	● WALD		●
● BJORNSON		●	● JACOBSEN R		●	● MURPHY		●	● WALSH		●
● BLACK		●	● JACOBSON I		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY		●	● NICHOLAS		●	● WENTZ		●
● BROKAW		●	● KENNELLY		●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN		●	● KERMOTT		●	● OPEDAHL		●	● WINKJER		●
● CONMY		●	● KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON		●	MR SPEAKER		●
● DICK		●	● KNUDSON		●	● POWEROY		●			
● DIETZ		●	● KOSKI		●	● REED		●			
● DOTZENROD		●	● KRETSCHMAR		●	● RETZER		●			
● DUBORD		●	● KUCHERA		●	● RICHARD		●			
● EAGLES		●	● LANG		●	● RIEHL		●			
● ERICKSON		●	● LANGLEY		●	● RUED		●			
● FLEMING		●	● LARDY		●	● SCHINDLER		●			
● FREBORG		●	● LARSON F #24		●	● SCOFIELD		●			
● GACKLE		●	● LARSON G #29		●	● SOLBERG		●			
● GERL		●	● LARSON H #1		●	● STENEHJEM		●			
● GORDER		●	● LEE		●	● STRINDEN		●			
● GUNDERSON		●	● LEIBHAN		●	● SWIONTEK		●			
● GUNSCH		●	● LIPSIA		●	● THOMPSON		●			
● HANSON		●	● MAIXNER		●	● THORSGARD		●			
● HAUGLAND		●	● MARSDEN		●	● TIMM		●			
● HAUSAUER A #49		●	● MARTIN		●	● TINJUM		●			
● HAUSAUER R #25		●	● MARTINSON		●	● TWETEN		●			
● HEDSTROM		●	● MATHENY		●						

So the bill lost.

**House Bill No. 1019.** Securities Commissioner — A Bill for an Act making an appropriation for defraying the expenses of the securities commissioner of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 5; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		HERMAN		●	MATTSON		●	UNHJEM		●
● BENEDICT		●	● HICKLE		●	● MEIERS		●	● VANDER VORST		●
● BERG		●	● HOFFNER		●	● MELBY		●	● VIG		●
● BERGE		●	● HOUWMANN		●	● WERTENS		●	● WAGNER		●
● BERGER		●	● HOVE		●	● MEYER		●	● WALD		●
● BJORNSON		●	● JACOBSEN R		●	● MURPHY		●	● WALSH		●
● BLACK		●	● JACOBSON I		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY		●	● NICHOLAS		●	● WENTZ		●
● BROKAW		●	● KENNELLY		●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN		●	● KERMOTT		●	● OPEDAHL		●	● WINKJER		●
● CONMY		●	● KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON		●	● MR SPEAKER		●
● DICK		●	● KNUDSON		●	● POWEROY		●			



• BJORNSON	• JACOBSEN R	MURPHY •	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN •
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON •	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD •	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER •	• LEE	• STENHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1388.** — A Bill for an Act to reenact section 51-13-03 of the North Dakota Century Code, relating to the credit service charge allowed on retail installment sales.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 6; absent and not voting, 11.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN		• WATTSON		• UNHJEM	
• BENEDICT			• HICKLE		• WEERS		• VANDER VORST	
• BERG			• HOFFNER		• WELBY	•	• VIG	
• BERGE			• HOLMANN		• WERTEN •		• WAGNER	
• BERGER			• HOVE		• MEYER		• WALD	
• BJORNSON			• JACOBSEN R		• MURPHY •		• WALSH	
• BLACK			• JACOBSON I		• MUSHIK		• WEBER	
• BOYUM	•		• KELLY		• NICHOLAS		• WENTZ	
• BROKAW			• KENNELLY		• OLSON		• WESSMAN	
• CHRISTENSEN			• KERMOITT		• OPEDAHL		• WINKJER •	
• CONNY	•		• KINGSBURY		• PELTIER			
• CRABTREE			• KLOUBEC		• PETERSON •		• MR. SPEAKER	
• DICK	•		• KNUDSON		• POMEROY			
• DIETZ			• KOSKI		• REED			
• DOTZENROD			• KRETSCHMAR		• RETZER			
• DUBORD			• KUCHERA	•	• RICHARD •			
• EAGLES			• LANG		• RICHE			
• ERICKSON			• LANGLEY		• RIEHL			
• FLEMING			• LARDY		• RUED			
• FREBORG			• LARSON F # 24		• SCHINDLER			
• GACKLE			• LARSON G # 29		• SCOFIELD			
• GERL			• LARSON H # 7		• SOLBERG			
• GORDER •			• LEE		• STENHJEM	•		
• GUNDERSON			• LEIBHAN		• STRINDEN			
• GUNSCHE			• LIPSIEA		• SWIONTEK			
• HANSON			• MAIXNER		• THOMPSON			
• HAUGLAND			• MARSDEN		• THORSGARD			
• HAUSAUER A # 49			• MARTIN		• TIMM			
• HAUSAUER R # 25			• MARTINSON		• TINJUM			
• HEDSTROM			• MATHENY		• TWETEN			

So the bill passed and the title was agreed to.

**House Bill No. 1391.** — A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the compensation for board members of irrigation districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 2; absent and not voting, 15.



SECOND READING OF HOUSE BILLS

**House Bill No. 1464.** — A Bill for an Act to amend and reenact section 6-03-05.1 of the North Dakota Century Code, relating to advancement of funds to protect liens and providing for subordination of such advancements with respect to certain mortgages, liens, and judgments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS	●		● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON I.			● MUSHIK			● WEBER		●
● BOYUM	●		● KELLY			● NICHOLAS			● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER	●				
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUED					
● FREBORG			● LARSON F. # 24			● SCHMIDLER					
● GACKLE			● LARSON G. # 29			● SCOPFIELD					
● GERL			● LARSON H. # 7			● SOLBERG					
● GORDER	●		● LEE	●		● STENEHJEW					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A. # 49			● MARTIN			● TIMM					
● HAUSAUER R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1473.** — A Bill for an Act to create and enact a new section to chapter 10-15 of the North Dakota Century Code, relating to unclaimed distributions, redemptions, or payments of domestic cooperatives.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS	●		● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON I.			● MUSHIK			● WEBER		
● BOYUM	●		● KELLY			● NICHOLAS	●		● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER	●				
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					



● FREBORG	● LARSON F. # 24	● SCHINDLER
● GACKLE	● LARSON G. # 29	● SCOFIELD
● GERL	● LARSON H. # 7	● SOLBERG
● GORDER ●	● LEE ●	● STENEHEJM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSON	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A. # 49	● MARTIN	● TIMM
● HAUSAUER R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1495.** — A Bill for an Act to amend and reenact section 4-28.1-03 of the North Dakota Century Code, relating to remittance of the flax tax levy and creation of a flax utilization research fund; and to repeal section 4-28.1-01 of the North Dakota Century Code, relating to the flax tax levy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 3; absent and not voting, 13.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATSON ●		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFMAN			● MELBY		● VIG
● BERGE			● HOUWMANN			● MERTENS		● WAGNER
● BERGER			● HOWE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM ●			● KELLY			● NICHOLA ●		● WENTZ ●
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER ●		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED ●		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RICE		
● FREBORG			● LARSON F. # 24			● SCHINDLER		
● GACKLE			● LARSON G. # 29			● SCOFIELD		
● GERL			● LARSON H. # 7			● SOLBERG		
● GORDER ●			● LEE ●			● STENEHEJM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSON ●			● LIPSIA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		●
● HAUSAUER A. # 49			● MARTIN			● TIMM		
● HAUSAUER R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1596.** — A Bill for an Act to create and enact a new section to chapter 62-01 of the North Dakota Century Code, relating to a prohibition of possessing a pistol in a liquor establishment, providing for an exception and a penalty; and to amend and reenact sections 62-01-01, 62-01-08, 62-01-09, 62-01-10, and 62-01-14 of the North Dakota Century Code, relating to the definition of a pistol, the form and term of a pistol license, regulation of pistol sales, the penalty for violating sales regulations, and the granting and conditions of pistol dealers' licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 12; absent and not voting, 11.



**House Bill No. 1665.** — A Bill for an Act to amend and reenact sections 27-06-01, 27-06-03, 27-06-04, 27-06-05, 27-06-06, 27-06-07, and 27-06-08 of the North Dakota Century Code, relating to district court reporters.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 2; absent and not voting, 15.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		•	MATTSON		•	UNHJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOLMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALO	
•	BJORNSON		•	JACOBSEN	•	•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON I		•	MUSHK		•	WEBER	
•	BOYLUM	•	•	KELLY		•	NICHOLAS	•	•	WENTZ	•
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON	•	•	MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER	•			
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES	•	•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL	•			
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON F #24		•	SCHINDLER				
•	GACKLE		•	LARSON G #28		•	SCOFIELD				
•	GERL		•	LARSON H #7		•	SOLBERG	•			
•	GORDER	•	•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN	•	•	STRINDEN				
•	GUNSCH		•	LIPSIEA		•	SWONTEK				
•	HANSON		•	MAIXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER A #48		•	MARTIN		•	TIMM				
•	HAUSAUER R #25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1675.** — A Bill for an Act to create and enact the Uniform Federal Lien Registration Act, as chapter 35-28.1 of the North Dakota Century Code, relating to the filing and recording of federal tax liens and other federal liens; and to repeal chapter 35-28 of the North Dakota Century Code, relating to the filing and recording of federal tax liens.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 6; absent and not voting, 16.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BACKES		•	HERMAN		•	MATTSON		•	UNHJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	•
•	BERGE		•	HOLMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALO	•
•	BJORNSON		•	JACOBSEN	•	•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON I		•	MUSHK		•	WEBER	
•	BOYLUM	•	•	KELLY		•	NICHOLAS		•	WENTZ	•
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON	•	•	MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER	•			
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES	•	•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL	•			
•	FLEMING		•	LARDY		•	RUED				

FREBORG	●	LARSON, F #24	●	SCHINDLER
GACKLE	●	LARSON, G #29	●	SCOFIELD
GERL	●	LARSON, H #7	●	SOLBERG
GORDER	●	LEE	●	STENEHJEM
GUNDERSON	●	LEIBHAN	●	STRINDEN
GUNSCH	●	LIPSIEA	●	SWIONTEK
HANSON	●	MAIKNER	●	THOMPSON
HAUGLAND	●	MARSDEN	●	THORSGARD
HAUSAUER, A #49	●	MARTIN	●	TIMM
HAUSAUER, R #25	●	MARTINSON	●	TINJUM
HEDSTROM	●	MATHEHY	●	TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1677.** — A Bill for an Act to amend and reenact section 39-20-01 of the North Dakota Century Code, relating to the implied consent to determine the alcoholic content of blood.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 2; absent and not voting, 15.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		MATTSON			UNHJEM		
BENEDICT	●		HICKLE	●		MEIERS			VANDER VORST		
BERG	●		HOFFNER	●		MELBY			VIG		
BERGE	●		HOUAMANN	●		MERTENS			WAGNER		
BERGER	●		HOVE	●		MEYER			WALD		
BJORNSON	●		JACOBSEN R	●		MURPHY			WALSH		
BLACK	●		JACOBSON, I	●		MUSHIK			WEBER		
BOYUM	●		KELLY	●		NICHOLAS			WENTZ	●	
BROKAW	●		KENNELLY	●		OLSON			WESSMAN		
CHRISTENSEN	●		KERMOTT	●		OPEDAHL			WINKLER		
CONMY	●		KINGSBURY	●		PELTIER		●			
CRABTREE	●		KLOUBEC	●		PETERSON	●		MR. SPEAKER		
DICK	●		KNUDSON	●		POMEROY					
DIETZ	●		KOSKI	●		REED					
DOTZENROD	●		KRETSCHMAR	●		RETZER					
DUBORD	●		KUCHERA	●		RICHARD					
EAGLES	●		LANG	●		RICHIE					
ERICKSON	●		LANGLEY	●		RIEHL	●				
FLEMING	●		LARDY	●		RUED	●				
FREBORG			LARSON, F #24			SCHINDLER					
GACKLE			LARSON, G #29			SCOFIELD		●			
GERL			LARSON, H #7			SOLBERG					
GORDER	●		LEE	●		STENEHJEM					
GUNDERSON	●		LEIBHAN	●		STRINDEN	●				
GUNSCH	●		LIPSIEA	●		SWIONTEK	●				
HANSON	●		MAIKNER	●		THOMPSON	●				
HAUGLAND	●		MARSDEN	●		THORSGARD	●				
HAUSAUER, A #49	●		MARTIN	●		TIMM	●				
HAUSAUER, R #25	●		MARTINSON	●		TINJUM	●				
HEDSTROM	●		MATHEHY	●		TWETEN	●				

So the bill passed and the title was agreed.

SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3022.** — A concurrent resolution directing the Legislative Council to study and review the powers, duties, and jurisdictional boundaries of water management districts and legal drain boards.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 82; nays, 1; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		MATTSON			UNHJEM		
BENEDICT	●		HICKLE	●		MEIERS			VANDER VORST		
BERG	●		HOFFNER	●		MELBY			VIG		
BERGE	●		HOUAMANN	●		MERTENS			WAGNER		
BERGER	●		HOVE	●		MEYER			WALD		
BJORNSON	●		JACOBSEN R	●		MURPHY			WALSH		
BLACK	●		JACOBSON, I	●		MUSHIK			WEBER		

BOYUM ●	● KELLY	● NICHOLAS	● WENTZ ●
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONNY	● KINGSBURY	● PELTIER	● MR SPEAKER
● CRABTREE	● KLOUBEC	● PETERSO ●	
● DICK	● KNUSON	● POMEROY	
● DIETZ	● KOSKI	● REED ●	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHER ●	● RICHARD	
● EAGLES ●	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBERG	● LARSON ● # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER ●	● LEE	● STENEHEJEM	
● GUNDERSON	● LEIBHAN	● STRINDE ●	
● GUNSON	● LIPSIEA	● SWONTEK	
● HANSON	● MAJNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the House Concurrent Resolution was declared adopted.

MOTION

Rep. Kretschmar moved that House Concurrent Resolution No. 3024 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3029.** — A concurrent resolution directing the Legislative Council to study the feasibility of public television coverage of the Forty-seventh Legislative Assembly.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were yeas, 60; nays, 26; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			● WATTSON			● UNHJEM		
● BACKES ●			● HICKLE		●	● WEIERS			● VANDERVORST		
● BENEDIC ●			● HOFFNER			● WEI BY			● VIG		
● BERG			● HOUWMANN			● WERTENS			● WAGNER		
● BERGE			● HOWE		●	● WEYER					●
● BERGER			● JACOBSE ● R			● MURPHY			● WALSH		
● BJORNSON			● JACOBSON I			● MUSHIK			● WEBER		●
● BLACK			● KELLY			● NICHOLAS			● WENTZ ●		
● BOYUM ●			● KENNELLY			● OLSON			● WESSMAN		
● BROKAW			● KERMOTT			● OPEDAHL			● WINKJER		
● CHRISTENSEN			● KINGSBURY		●	● PELTIER					●
● CONNY			● KLOUBEC			● PETERSO ●			● MR SPEAKER		
● CRABTREE			● KNUSON			● POMEROY					
● DICK			● KOSKI			● REED ●					
● DIETZ			● KRETSCHMAR			● RETZER					
● DOTZENROD			● KUCHER ●			● RICHARD					
● DuBORD			● LANG		●	● RICHIE					
● EAGLES ●			● LANGLEY			● RIED					
● ERICKSON		●	● LARDY			● RUED					
● FLEMING			● LARSON ● # 24			● SCHINDLER					
● FREBERG			● LARSON G # 29		●	● SCOFIELD					
● GACKLE			● LARSON H # 7			● SOLBERG					
● GERL			● LEE			● STENEHEJEM					
● GORDER ●			● LEIBHAN		●	● STRINDE ●					
● GUNDERSON			● LIPSIEA			● SWONTEK					
● GUNSON			● MAJNER			● THOMPSON					
● HANSON			● MARSDEN		●	● THORSGARD					
● HAUGLAND			● MARTIN			● TIMM					
● HAUSAUER A # 49			● MARTINSON			● TINJUM					
● HAUSAUER R # 25			● MATHENY		●	● TWETEN					
● HEDSTROM											

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3032.** — A concurrent resolution directing a study by the Legislative Council to review the equity and adequacy of retirement provisions for supreme court and district court judges.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 76; nays, 10; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOLMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●		WINKJER ●
CONNY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●		
GERL ●			LARSON H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSCH ●			LIPSIA ●			SWONTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3035.** — A concurrent resolution directing a Legislative Council study of the relationship between American Indian tribal governments and North Dakota state government.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 83; nays, 5; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOLMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●		WINKJER ●
CONNY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●		
GERL ●			LARSON H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSCH ●			LIPSIA ●			SWONTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		



BROKAW ●	KENNELLY	OLSON	WESSMAN
CHRISTENSEN ●	KERMOTT	OPEDAHL	WINKJER
CONNY ●	KINGSBURY	PELTIER ●	
CRABTREE ●	KLOUBEC	PETERSON ●	MR. SPEAKER
DICK ●	KNUDSON	POMEROY	
DIETZ ●	KOSKI	REED	
DOTZENROD ●	KRETSCHMAR	RETZER ●	
DuBORD ●	KUCHERA	RICHARD	
EAGLES ●	LANG	RICHIE	
ERICKSON ●	LANGLEY	RIEHL	
FLEMING ●	LARDY	RUED	
FREBORG ●	LARSON, F # 24	SCHINDLER	
GACKLE ●	LARSON, G # 29	SCOFIELD	
GERL ●	LARSON, H # 7	SOLBERG	
GORDER ●	LEE ●	STENEHJEM	
GUNDERSON ●	LEIBHAN	STRINDEN	
GUNSCH ●	LIPSIA	SWONTEK	
HANSON ●	MAIXNER	THOMPSON	
HAUGLAND ●	MARSDEN	THORSGARD	
HAUSAUER, A # 49 ●	MARTIN	TIMM	
HAUSAUER, R # 25 ●	MARTINSON	TINJUM	
HEDSTROM ●	MATHENY	TWETEN	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2072.** — A Bill for an Act to create and enact chapter 27-26 of the North Dakota Century Code, relating to the appointment of temporary judges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 0; absent and not voting, 16.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL					1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM		
BENEDICT ●			HICKLE ●			MERS ●			VANDER VORST		
BERG ●			HOFFNER ●			MELBY ●			YIG		
BERGE ●			HOLMANN ●			MERTENS ●			WAGNER		
BERGER ●			HOVE ●			MEYER ●			WALD		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH		
BLACK ●			JACOBSON, I ●			MUSHK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN ●			KERMOTT			OPEDAHL			WINKJER		
CONNY ●			KINGSBURY			PELTIER					
CRABTREE ●			KLOUBEC			PETERSON ●			MR. SPEAKER		
DICK ●			KNUDSON			POMEROY					
DIETZ ●			KOSKI			REED					
DOTZENROD ●			KRETSCHMAR			RETZER ●					
DuBORD ●			KUCHERA			RICHARD					
EAGLES ●			LANG			RICHIE					
ERICKSON ●			LANGLEY			RIEHL					
FLEMING ●			LARDY			RUED					
FREBORG ●			LARSON, F # 24			SCHINDLER					
GACKLE ●			LARSON, G # 29			SCOFIELD					
GERL ●			LARSON, H # 7			SOLBERG					
GORDER ●			LEE ●			STENEHJEM					
GUNDERSON ●			LEIBHAN			STRINDEN					
GUNSCH ●			LIPSIA			SWONTEK					
HANSON ●			MAIXNER			THOMPSON					
HAUGLAND ●			MARSDEN			THORSGARD					
HAUSAUER, A # 49			MARTIN			TIMM					
HAUSAUER, R # 25			MARTINSON			TINJUM					
HEDSTROM ●			MATHENY			TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4023.** — A concurrent resolution urging the Secretary of Agriculture to delete the Twin Buttes area from any legislation to increase the National Wilderness System, and to manage the area and all other areas of the Little Missouri National Grasslands for multiple uses pursuant to the Badlands and Rolling Prairies management plans.

Was read the second time.



The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Monday, February 12, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1017, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 5; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 12, delete the numerals "1,300,083" and insert in lieu thereof the numerals "1,287,931"

On page 1, line 17, delete the numerals "337,459" and insert in lieu thereof the numerals "330,307"

On page 1, line 19, delete the numerals "51,135" and insert in lieu thereof the numerals "46,135"

On page 1, line 22, delete the numerals "1,300,083" and insert in lieu thereof the numerals "1,287,931"

On page 1, line 24, delete the numerals "657,350" and insert in lieu thereof the numerals "645,198"

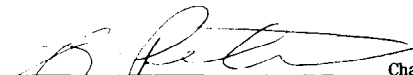
And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages for the Weather Modification Board are decreased by \$7,152 from the general fund. Of that amount, \$753 is a decrease to reflect average annual salary increases of 6.5 percent, and \$6,399 is a decrease to reflect adequate fringe benefits, including health insurance under the alternate plan. Decrease the data processing line item by \$5,000 from the general fund.

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

  
Rep. James A. Peterson Chairman

House Bill No. 1017 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1031, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 5, that the same



trust agreements with railway corporations abandoning railroad lines, for the purposes of reorganization or negotiated attempts to open the line for use, and to provide for reversion of the property to the railway corporation after five years in certain instances.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:


SECTION 1.) A new section to chapter 49-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

ABANDONMENT OF RAILWAY LINES - PUBLIC SERVICE COMMISSION AUTHORITY - TRUST AGREEMENT - TERM - REVERSION OF PROPERTY.)

1. If any railway corporation at any time abandons the use of any railway line in North Dakota, or if any railway corporation expresses an intent to abandon any railway line in North Dakota, the commission, as sole agent for the state, may enter into a trust agreement with the railway corporation for purposes of reorganization or reopening of the railway line. A trust agreement entered into pursuant to this subsection shall be for a period not to exceed five years.
2. If a railway corporation at any time abandons the use of any railway line in North Dakota, it may, at the request of the commission, execute a deed of trust transferring the railway track and ties, right of way, land, buildings, appurtenances, and other railway property necessary for the operation of railroads, to the commission, as trustee, for the purposes of reorganization or reopening of the railway line. Any deed of trust executed and delivered pursuant to this subsection shall provide for reversion of the deeded property to the railway corporation if there has been no reorganization or reopening of the railway line at the end of five years from the date of delivery of the deed."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

 Chairman  
Rep. Erickson

House Bill No. 1104 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House

Bill No. 1309, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 24, of the engrossed bill, delete the word "eighteen" and insert in lieu thereof the word "twenty-one"

On page 5, line 5, delete everything after the period

On page 5, delete all of lines 6 through 14

On page 5, line 15, delete "child."

On page 6, after line 33, insert the following subsection:  
"12. The social service board shall make such reasonable

rules and regulations as are necessary to carry out the purposes of this section."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

\_\_\_\_\_ *Haugland* Chairman  
Rep. Haugland  
House \_\_\_\_\_ Bill No. 1309 \_\_\_\_\_ was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1332, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

\_\_\_\_\_ *Rep. Erickson* Chairman  
Rep. Erickson  
House \_\_\_\_\_ Bill No. 1332 \_\_\_\_\_ was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred House

Bill No. 1381, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2 delete the word "must" and insert in lieu thereof the word "may"

On page 1, line 3, delete the words "to within twenty-five feet of a camping unit or vehicle"

On page 1, line 8 delete everything after the word "PENALTY.)" and insert in lieu thereof the following: "The director of North Dakota parks and recreation department may designate state parks or state campgrounds or an area therein where the use of alcoholic beverages is prohibited. Any person violating that designation shall be guilty of an infraction."

On page 1, delete all of lines 9 through 21

And renumber the lines accordingly.

\_\_\_\_\_ *Rep. Kloubec* Chairman  
Rep. Kloubec  
House \_\_\_\_\_ Bill No. 1381 \_\_\_\_\_ was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1415, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 2; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows:  without recommendation.

Rep. Erickson Chairman  
Rep. Erickson  
House Bill No. 1415 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1440, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows:  without recommendation.

Rep. Erickson Chairman  
Rep. Erickson  
House Bill No. 1440 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1453, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 2; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows:  without recommendation.

Rep. Erickson Chairman  
Rep. Erickson  
House Bill No. 1453 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1458, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows:  without recommendation.

On page 2, line 2, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 2, line 5, delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 2, line 8, delete the word "ten" and insert in lieu thereof the word "fifteen"

On page 4, line 9, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 4, line 12 delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 4, line 15, delete the word "ten" and insert in lieu thereof the word "fifteen"

On page 4, line 34, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 5, line 2, delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 5, line 4, delete the word "ten" and insert in lieu thereof the word "fifteen"

On page 5, line 13, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 5, line 18, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 5, line 20, delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 5, line 25, delete the word "ten" and insert in lieu thereof the word "fifteen"

On page 6, line 19, delete the word "twenty-five" and insert in lieu thereof the word "fifteen"

On page 6, line 22, delete the word "fifty" and insert in lieu thereof the word "thirty"

On page 6, line 25, delete the word "ten" and insert in lieu thereof the word "fifteen"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Erickson* Chairman  
Rep. Erickson

House Bill No. 1458 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House

Bill No. 1514 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Haugland* Chairman

House Bill No. 1514 Rep. Haugland was placed on the 11th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1527, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 1; Absent, 3, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

*Rep. Nicholas*  
Rep. Nicholas      Chairman

House Bill No. 1527 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1533, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

*Song*  
Rep. Song      Chairman

House Bill No. 1533 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1547, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 2; Absent, 3, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

*Rep. Nicholas*  
Rep. Nicholas      Chairman

House Bill No. 1547 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1548, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 1, delete the strike through over the numeral "4-" and after the word "of" insert "An abbreviated description of the" and also delete the strike through over the words "real property-affected-by-such"

On page 2, line 2, delete the strike through over the word "instruments-"

On page 2, after line 2, insert the following new subsection: "5. The number of the book and page where the instrument is recorded or the document number of the instrument."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Lang*

House \_\_\_\_\_ Bill No. 1548 \_\_\_\_\_ Rep. Lang \_\_\_\_\_ Chairman  
\_\_\_\_\_ was placed on the 6th \_\_\_\_\_  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on \_\_\_\_\_ Political Subdivisions \_\_\_\_\_  
to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1549 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 12 \_\_\_\_\_; Nays, 3 \_\_\_\_\_; Absent, 1 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Lang*

House \_\_\_\_\_ Bill No. 1549 \_\_\_\_\_ Rep. Lang \_\_\_\_\_ Chairman  
\_\_\_\_\_ was placed on the 11th \_\_\_\_\_  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on \_\_\_\_\_ Agriculture \_\_\_\_\_  
to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1570 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 10 \_\_\_\_\_; Nays, 3 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Nicholas*

House \_\_\_\_\_ Bill No. 1570 \_\_\_\_\_ Rep. Nicholas \_\_\_\_\_ Chairman  
\_\_\_\_\_ was placed on the 11th \_\_\_\_\_  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on \_\_\_\_\_ Transportation \_\_\_\_\_  
to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1577 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
Ayes, 12 \_\_\_\_\_; Nays, 0 \_\_\_\_\_; Absent, 4 \_\_\_\_\_, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Erickson*

House \_\_\_\_\_ Bill No. 1577 \_\_\_\_\_ Rep. Erickson \_\_\_\_\_ Chairman  
\_\_\_\_\_ was placed on the 11th \_\_\_\_\_  
order of business on the calendar for the succeeding legislative day.



Mr. Speaker: Your Committee on Natural Resources  
to whom was referred House

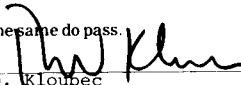
Bill No. 1604, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 6; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 12 delete "a" and strike "mineral" and after the word "~~lease~~" insert the following new language: "at least fifty-one per cent of the mineral rights or a lease of at least fifty-one per cent of the mineral rights" and also on line 12 delete the word "estate"

And renumber the lines accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Kloube

House Bill No. 1604 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1690, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 6; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

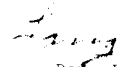
On page 1, line 20, after the word "published" insert the words "as a public service"

On page 1, line 21, delete the word "municipal" and insert in lieu thereof "municipal"

On page 2, line 10, after the word "published" insert the words "as a public service"

And renumber the lines accordingly

And when so amended, recommends the same do not pass

 Chairman  
Rep. Lang  
House Bill No. 1690 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Joint Constitutional Revision  
to whom was referred House Concurrent Resolution

No. 3003, has had the same under consideration and recommends, by a vote of  
Ayes, 6; Nays, 1; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

be amended as follows:



*Donald Wenstrom* Chairman  
Rep. Conmy Senator Wenstrom

House Concurrent Resolution ~~XX~~ No. 3003 was placed on the 11th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred House Concurrent Resolution

No. 3004, has had the same under consideration and recommends, by a vote of

Ayes, 6; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



*Donald Wenstrom* Co-Chairman  
Rep. Conmy Senator Wenstrom

House Concurrent Resolution ~~XX~~ No. 3004 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred House Concurrent Resolution

No. 3011, has had the same under consideration and recommends, by a vote of

Ayes, 6; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



*Donald Wenstrom* Chairman  
Rep. Conmy Senator Wenstrom

House Concurrent Resolution ~~XX~~ No. 3011 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House Concurrent Resolution

No. 3027, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 19 - after the word "commissions" and before the semicolon insert the following: ", and consideration of how best to provide for those producers who do not wish to participate"

## JOURNAL OF THE HOUSE

and renumber the lines and pages accordingly

And when so amended, recommend the same do pass



Chairman

House Concurrent Resolution ~~XXX~~ No. 3027 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House Concurrent Resolution

No. 3030, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. Haugland

House Concurrent Resolution No. 3030 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred House Concurrent Resolution

3033, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 2; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. Kloubec

Chairman

House Concurrent Resolution 3033 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred House Concurrent Resolution

3042, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 3 after the word "Dakota" and before the semicolon insert the following: ", and the construction and improvement of real estate interests from which the subsurface has been severed and security interests relative thereto"

And renumber the lines accordingly.

And when so amended, recommends the same do pass

Chairman

Rep. Kloubec

House Concurrent Resolution 3042 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2132 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4 that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Kloubec

Senate Bill No 2132 was placed on the 14th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2146 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3 that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Kloubec

Senate Bill No. 2146 was placed on the 14th order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Kretschmar and Vander Vorst and Senator Naaden introduced: House Concurrent Resolution No. 3051. A concurrent resolution urging Congress to maintain Farmers Home Administration county offices in North Dakota.

Was read the first time and referred to the committee on Agriculture.

Reps. Rued and A. Hausauer and Senator Lips introduced:

House Concurrent Resolution No. 3052. — A concurrent resolution directing the Legislative Council to conduct a study of the doctrine of comparative negligence and other related areas.

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

FIRST READING OF SENATE BILLS

Senate Bill No. 2024. Disaster Emergency Services — A Bill for an Act making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2030.** Geological Survey — A Bill for an Act making an appropriation for defraying the expenses of the geological survey of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2042.** — A Bill for an Act to amend and reenact section 1 of chapter 4 of the 1977 Session Laws of North Dakota, relating to the appropriation for the personal property tax replacement and homestead tax credit; and making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2092.** — A Bill for an Act to allow creditors to charge a late payment charge in the amount of one and one-half percent on accounts receivable from thirty days after the obligation is incurred, and to require creditors to supply debtors with a periodic statement.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2156.** — A Bill for an Act to authorize the state geologist and the industrial commission to make natural gas well status determinations and findings pursuant to the Natural Gas Policy Act of 1978 and to make oil well status determinations and findings pursuant to any future federal legislation or rules; and declaring an emergency.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2180.** — A Bill for an Act to amend and reenact section 13-05-04 of the North Dakota Century Code, relating to the annual license fee for collection agencies.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2218.** — A Bill for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century code, relating to the collection and appropriation of fees for the issuance of permits and registration certificates for air contaminant sources by the state department of health; to amend and reenact section 23-25-04.1 of the North Dakota Century Code, relating to the issuance of permits and registration certificates for air contaminant sources.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2226.** — A Bill for an Act to repeal chapter 197 of the 1969 Session Laws of North Dakota relating to the adoption of the quarter system of institutions of higher education in the state.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2254.** — A Bill for an Act to create and enact Chapter 61-02.1 of the North Dakota Century Code, relating to the establishment of a special fund for water use fees.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2273.** — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to normal and postponed retirement under the public employees retirement system.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2379.** — A Bill for an Act to create and enact two new subsections to section 19-02.1-14.1 of the North Dakota Century Code, relating to the selecting and dispensing of generic name drug products, the liability of pharmacists, manufacturing standards and practices; and to amend and reenact subsections 1 and 2 of section 19-02.1-14.1 of the North Dakota Century Code, relating to definitions and the labeling of prescription drugs.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2436.** — A Bill for an Act to amend and reenact sections 2-07-09.1, 11-11-28, 15-34.2-07, 39-03-08.3, 40-22-20, 40-28-07, 40-29-07, 40-31-03, 40-54-01, 48-02-04, and 61-19-08 of the North Dakota Century Code, relating to submission of bidders' bonds in envelopes separate from bids.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2453.** — A Bill for an Act to amend and reenact section 61-04-14 of the North Dakota Century Code, relating to extending time for application to beneficial use.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Concurrent Resolution No. 4026.** — A concurrent resolution urging state agencies, departments, boards, and commissions to furnish the Employment Security Bureau with information relating to employment opportunities.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4028.** — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Monday, February 12, 1979.

ROY GILBREATH, Chief Clerk

TWENTY-NINTH DAY

Bismarck, February 12, 1979

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

The prayer was offered by Rev. Norman E. Winkelman, Calvary United Methodist Church, Bismarck.

The roll was called, and all members were present except Reps. Hove, Lee, Solberg, Thorsgard and Weber.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-eighth

day and recommends that the same be corrected as follows:

On page 749, line 10, delete the name "Erickson" and insert in lieu thereof the name "Lang"

On page 749, line 11, delete the word "Transportation" and insert in lieu thereof "Political Subdivisions"

And when so corrected recommends that the same be approved.

Rep. Swintek Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1044
HB NO. 1363
HB NO. 1374
HB NO. 1460
HB NO. 1461
HB NO. 1509
HB NO. 1520
HB NO. 1529
HB NO. 1538

HB NO. 1650

HB NO. 1652

HB NO. 1667

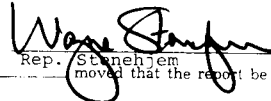
HB NO. 1685

HB NO. 1686

and find the same correctly

} Engrossed

Representative Meyer  
motion prevailed, and the report was adopted.

 Chairman  
Rep. Stenehjem moved that the report be adopted, which

### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1017 as recommended by the Committee on Appropriations as printed on page 772 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1031 as recommended by the Committee on Appropriations as printed on pages 772 and 773 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1104 as recommended by the Committee on Transportation as printed on pages 773 and 774 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1309 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 774 and 775 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1381 as recommended by the Committee on Natural Resources as printed on page 775 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1458 as recommended by the Committee on Transportation as printed on pages 776 and 777 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1548 as recommended by the Committee on Political Subdivisions as printed on pages 778 and 779 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1604 as recommended by the Committee on Natural Resources as printed on page 780 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1690 as recommended by the Committee on Political Subdivisions as printed on page 780 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Concurrent Resolution No. 3027 as recommended by the Committee on Agriculture as printed on pages 781 and 782 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Concurrent Resolution No. 3042 as recommended by the Committee on Natural Resources as printed on pages 781 and 782 of the House Journal be adopted, which motion prevailed.

### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1006

House Bill No. 1066









ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 57; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
BACKES	•		HERMAN			MATTSON		UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		VANDER VORST
BERG		•	HOFFNER			MELBY		VIG
BERGE		•	HOLMANN			MERTENS		WAGNER
BERGER		•	HOVE			MEYER		WALD
BJORNSON		•	JACOBSEN R			MURPHY		WALSH
BLACK		•	JACOBSON I		•	MUSHIK		WEBER
BOYUM		•	KELLY			NICHOLAS		WENTZ
BROKAW		•	KENNEL			OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT			OPEDAHL		WINKJER
CONMY		•	KINGSBURY			PELTIER		
CRABTREE		•	KLOUBEC			PETERSON		MR. SPEAKER
DICK		•	KNUDSON			POMEROY		
DIETZ		•	KOSKI			REED		
DOTZENROD		•	KRETSCHMAR			RETZER		
DUBORD		•	KUCHERA			RICHARD		
EAGLES		•	LANG			RICHIE		
ERIKSSON		•	LANGLEY			RIEHL		
FLEMING		•	LARDY			RUED		
FREBORG		•	LARSON F # 24			SCHINDLER		
GACKLE		•	LARSON G # 26			SCOFIELD		
GERL		•	LARSON H # 7			SOLBERG		
GORDER		•	LEE			STENEHJEM		
GUNDERSON		•	LEIBHAN			STRINDEN		
GUNSCH		•	LIPSIA			SWIONTEK		
HANSON		•	MAIXNER			THOMPSON		
HAUGLAND		•	MARSDEN			THORSGARD		
HAUSAUER A # 49		•	MARTIN			TIMM		
HAUSAUER R # 25		•	MARTINSON			TINJUM		
HEOSTROM		•	MATHENY			TWETEN		

So the bill lost.

**House Bill No. 1547.** — A Bill for an Act to create and enact a new section to chapter 61-01 of the North Dakota Century code, relating to draining of lands during times of flooding; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 69; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
BACKES			HERMAN			MATTSON		UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		VANDER VORST
BERG		•	HOFFNER			MELBY		VIG
BERGE		•	HOLMANN			MERTENS		WAGNER
BERGER		•	HOVE			MEYER		WALD
BJORNSON		•	JACOBSEN R			MURPHY		WALSH
BLACK		•	JACOBSON I		•	MUSHIK		WEBER
BOYUM		•	KELLY			NICHOLAS		WENTZ
BROKAW		•	KENNEL			OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT			OPEDAHL		WINKJER
CONMY		•	KINGSBURY			PELTIER		
CRABTREE		•	KLOUBEC			PETERSON		MR. SPEAKER
DICK		•	KNUDSON			POMEROY		
DIETZ		•	KOSKI			REED		
DOTZENROD		•	KRETSCHMAR			RETZER		
DUBORD		•	KUCHERA			RICHARD		
EAGLES		•	LANG			RICHIE		
ERIKSSON		•	LANGLEY			RIEHL		
FLEMING		•	LARDY			RUED		
FREBORG		•	LARSON F # 24			SCHINDLER		
GACKLE		•	LARSON G # 26			SCOFIELD		
GERL		•	LARSON H # 7			SOLBERG		
GORDER		•	LEE			STENEHJEM		
GUNDERSON		•	LEIBHAN			STRINDEN		
GUNSCH		•	LIPSIA			SWIONTEK		
HANSON		•	MAIXNER			THOMPSON		
HAUGLAND		•	MARSDEN			THORSGARD		
HAUSAUER A # 49		•	MARTIN			TIMM		
HAUSAUER R # 25		•	MARTINSON			TINJUM		
HEOSTROM		•	MATHENY			TWETEN		

So the bill lost.

**House Bill No. 1570.** — A Bill for an Act to create and enact a new section to chapter 4-12 and a new section to chapter 19-06.1 of the North Dakota Century Code, relating to intentionally destroying or molesting apiaries, and labeling of imported honey.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 33; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN			MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE			MEERS		•	VANDER VORST		•
BERG		•	HOFFNER			MELBY		•	VG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE			MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON		•	MUSHK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDahl		•	WINKLER		•
COMY		•	KINGSBURY		•	PELTER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON G # 29		•	SCOFIELD		•			
GERL		•	LARSON H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHEIM		•			
GUNDERSON		•	LEIBHAN		•	STRANDEN		•			
GUNSCHE		•	LIPSEA		•	SWONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
AUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER A # 49		•	MARTIN		•	TMM		•			
HAUSAUER R # 25		•	MARTINSON		•	TOLJUM		•			
HEDSTROM		•	MATHENY		•	WETEN		•			

So the bill passed and the title was agreed to.

**House Bill No. 1685.** — A Bill for an Act to amend and reenact section 2-06-10 of the North Dakota Century Code, relating to the size of municipalities that may issue bonds under the Airport Authorities Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 2; nays, 88; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN			MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE			MEERS		•	VANDER VORST		•
BERG		•	HOFFNER			MELBY		•	VG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE			MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDahl		•	WINKLER		•
COMY		•	KINGSBURY		•	PELTER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON G # 29		•	SCOFIELD		•			
GERL		•	LARSON H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHEIM		•			
GUNDERSON		•	LEIBHAN		•	STRANDEN		•			

GUNSC	•	LIPSIA	•	SWONTEK	•
HANSON	•	MAIXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSGARD	•
HAUSAUER A #49	•	MARTIN	•	TIMM	•
HAUSAUER R #25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHENY	•	TWETEN	•

So the bill lost.

SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3003.** — A concurrent resolution for the amendment of sections 215 and 216 and subsection 1 and subdivision d of subsection 6 of article 54 of the amendments to the Constitution of the State of North Dakota, all relating to the listing of the state's public institutions; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 24; nays, 66; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON	•		•		UNHJEM
•			HICKLE	•		MEIERS	•		•		VANDER VORST
			HOFFNER	•		MELBY	•		•		VIG
			HOUWMANN	•		MERTENS	•		•		WAGNER
			HOVE	•		MEYER	•		•		WALD
			JACOBSEN R	•		MURPHY	•		•		WALSH
			JACOBSON I	•		MUSHIK	•		•		WEBER
•			KELLY	•		NICHOLAS	•		•		WENTZ
			KENNELLY	•		OLSON	•		•		WESSMAN
			KERMOTT	•		OPEDAHL	•		•		WINKLER
•			KINGSBURN	•		PELTIER	•		•		MR SPEAKER
			KLOUBEC	•		PETERSON	•		•		
			KNUDSON	•		POWEROY	•		•		
			KOSKI	•		REGO	•		•		
			KRETSCHMAR	•		RETZER	•		•		
			KUCHERA	•		RICHARD	•		•		
			LANG	•		RICHIE	•		•		
			LANGLEY	•		RIEHL	•		•		
•			LARDY	•		RUED	•		•		
•			LARSON F #24	•		SCHINDLER	•		•		
			LARSON G #29	•		SCOFIELD	•		•		
•			LARSON H #7	•		SOLBERG	•		•		
			LEE	•		STENEHJEM	•		•		
			LEIBMAN	•		STRINDEN	•		•		
			LIPSIA	•		SWONTEK	•		•		
			MAIXNER	•		THOMPSON	•		•		
			MARSDEN	•		THORSGARD	•		•		
			MARTIN	•		TIMM	•		•		
			MARTINSON	•		TINJUM	•		•		
			MATHENY	•		TWETEN	•		•		

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3004.** — A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 215 and 216 of the Constitution of the State of North Dakota, relating to the listing of the state's public institutions; for the repeal of article 54 of the amendments to the Constitution of the State of North Dakota, relating to the board of higher education; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 26; nays, 70; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON	•		•		UNHJEM
•			HICKLE	•		MEIERS	•		•		VANDER VORST

BERG	•	•	HOFFNER	•	MELBY	•	VIG	•	
BERGE	•	•	HOUWMANN	•	MERTENS	•	WAGNER	•	
BERGER	•	•	HOVE	•	MEYER	•	WALD	•	
•	•	•	JACOBSEN R	•	MURPHY	•	WALSH	•	
•	•	•	JACOBSON I	•	MUSHK	•	WEBER	•	
•	•	•	KELLY	•	NICHOLAS	•	•	WENTZ	•
•	•	•	KENNELLY	•	OLSON	•	•	WESSMAN	•
•	•	•	KERMOTT	•	OPEDAHL	•	•	WINKLER	•
•	•	•	KINGSBURY	•	PELTIER	•	•	MR. SPEAKER	•
•	•	•	KLOUBEC	•	PETERSON	•	•		•
•	•	•	KNUDSON	•	POMEROY	•	•		•
•	•	•	KOSKI	•	REED	•	•		•
•	•	•	KRETSCHMAR	•	RETZER	•	•		•
•	•	•	KUCHERA	•	RICHARD	•	•		•
•	•	•	LANG	•	RICHIE	•	•		•
•	•	•	LANGLEY	•	RIEHL	•	•		•
•	•	•	JARDY	•	RUED	•	•		•
•	•	•	LARSON F # 24	•	SCHINDLER	•	•		•
•	•	•	LARSON G # 29	•	SCOPELDO	•	•		•
•	•	•	LARSON H # 7	•	SOLBERG	•	•		•
•	•	•	LEE	•	•	•	•		•
•	•	•	LEIBHAN	•	•	•	•		•
•	•	•	LIPSIA	•	•	•	•		•
•	•	•	MAIXNER	•	•	•	•		•
•	•	•	MARSDEN	•	•	•	•		•
•	•	•	MARTIN	•	•	•	•		•
•	•	•	MARTINSON	•	•	•	•		•
•	•	•	MATHENY	•	•	•	•		•

So the House Concurrent Resolution was declared lost.

MOTION

Rep. Kretschmar moved that House Bill No. 1453 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1453.** — A Bill for an Act to amend and reenact section 39-04-13 of the North Dakota Century Code, relating to duplicate plates, tabs, sticker, or registration card for motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 80; absent and not voting, 8.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•		•	HERMAN	•	MATTSON	•	UNHEIM	•
•		•	HICKLE	•	•	•	•	•
•		•	HOFFNER	•	•	•	•	•
•		•	HOUWMANN	•	•	•	•	•
•		•	HOVE	•	•	•	•	•
•		•	JACOBSEN R	•	•	•	•	•
•		•	JACOBSON I	•	•	•	•	•
•		•	KELLY	•	•	•	•	•
•		•	KENNELLY	•	•	•	•	•
•		•	KERMOTT	•	•	•	•	•
•		•	KINGSBURY	•	•	•	•	•
•		•	KLOUBEC	•	•	•	•	•
•		•	KNUDSON	•	•	•	•	•
•		•	KOSKI	•	•	•	•	•
•		•	KRETSCHMAR	•	•	•	•	•
•		•	KUCHERA	•	•	•	•	•
•		•	LANG	•	•	•	•	•
•		•	LANGLEY	•	•	•	•	•
•		•	JARDY	•	•	•	•	•
•		•	LARSON F # 24	•	•	•	•	•
•		•	LARSON G # 29	•	•	•	•	•
•		•	LARSON H # 7	•	•	•	•	•
•		•	LEE	•	•	•	•	•
•		•	LEIBHAN	•	•	•	•	•
•		•	LIPSIA	•	•	•	•	•
•		•	MAIXNER	•	•	•	•	•
•		•	MARSDEN	•	•	•	•	•
•		•	MARTIN	•	•	•	•	•
•		•	MARTINSON	•	•	•	•	•
•		•	MATHENY	•	•	•	•	•

So the bill lost.

**House Bill No. 1044** — A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to establishing jails, jail contracts, and regional corrections centers; definitions; grades of jail facilities; who may be confined in jail; confinement of





• BENEDICT	• HICKLE	• MEIERS	• VANDER VORST
• BERG	• HOFFNER	• MELBY	• WIG
• BERGE	• HOUWMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN P	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOFF	• OPEDAH	• WINKLER
• CONMY	• KINGSBURY	• PELTER	
• CRABTREE	• KLOUBEC	• PETERSON	• WF SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREDBERG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEM	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWINTEX	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TIVTEN	

So the bill passed and the title was agreed to.

**House Bill No. 1374.** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees for trailers, semitrailers, and farm trailers; to create and enact a new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemption from registration of trailers, semitrailers, and farm trailers; and to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, section 39-04-26, and subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to registration of motor vehicles, registration fees, gross weight requirements of towing vehicles, and operators' licenses; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 9; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOHN			• STENEHEM		
• BENEDICT			• HICKLE			• MEIERS			• STRINDEN		
• BERG			• HOFFNER			• MELBY			• SWINTEX		
• BERGE			• HOUWMANN			• MERTENS			• THOMPSON		
• BERGER			• HOVE			• MEYER			• THORSgard		
• BJORNSON			• JACOBSEN P		•	• MURPHY			• TIMM		
• BLACK			• JACOBSON I			• MUSHIK			• TINJUM		
• BOYUM			• KELLY			• NICHOLAS			• TIVTEN		
• BROKAW			• KENNELLY			• OLSON					
• CHRISTENSEN			• KERMOFF			• OPEDAH					
• CONMY			• KINGSBURY			• PELTER					
• CRABTREE			• KLOUBEC			• PETERSON					
• DICK		•	• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD		•	• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD		•			
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREDBERG			• LARSON F # 24			• SCHINDLER		•			
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHEM					
• GUNDERSON			• LEIBMAN		•	• STRINDEN					
• GUNSCH			• LIPSIA			• SWINTEX					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER A # 49		•	• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TIVTEN					



• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSON	• LIPSIEA	• SWONTEK
• HANSON	• MAINER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER R #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1461.** — A Bill for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to payment terms of easements for transmission facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 70; nays, 25; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSOON		• UNHJEM
• BENEDICT			• HICKLE			• WEIERS		• VANDER VORST
• BERG	•		• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER	•		• HOVE			• MEYER	•	• WALD
• BJORNSON			• JACOBSEN R			• MURPHY	•	• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN	•		• KERMOITT			• OPEDAHL		• WINKJER
• CONMY	•		• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC	•		• POMEROY		• MR. SPEAKER
• DICK			• KNUDSON			• REED		
• DIETZ			• KOSKI			• RETZER		
• DOTZENROD			• KRETSCHMAR			• RICHARD		
• DUBORD			• KUCHERA			• RICHIE		
• EAGLES	•		• LANG			• RIEHL	•	
• ERICKSON			• LANGLEY			• RUED		
• FLEMING			• LARDY			• SCHINDLER	•	
• FREBORG			• LARSON F #24			• SCOFIELD	•	
• GACKLE	•		• LARSON G #29			• SOLBERG	•	
• GERL			• LARSON H #7			• STENEHJEM		
• GORDER			• LEE			• STRINDEN		
• GUNDERSON			• LEIBHAN	•		• SWONTEK		
• GUNSON			• LIPSIEA			• THOMPSON		
• HANSON			• MAINER			• THORSGARD	•	
• HAUGLAND			• MARSDEN			• TIMM		
• HAUSAUER R #49			• MARTIN			• TINJUM		
• HAUSAUER R #25			• MARTINSON			• TWETEN		
• HEDSTROM			• MATHENY					

So the bill passed and the title was agreed to.

**House Bill No. 1509.** — A Bill for an Act to amend and reenact section 23-07-17.1 of the North Dakota Century Code, relating to inoculations required before admission to school and providing exemptions; and to repeal section 23-14-02 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 14; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• WATTSOON		• UNHJEM
• BENEDICT			• HICKLE		•	• WEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY	•	• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN	•		• KERMOITT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERS		• MR. SPEAKER

• DICK	• KNUDSON	• POMEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUČEPA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RUED
• FLEMING	• LARDY	• RUGD
• FREBORO	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1520.** — A Bill for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to permanent alimony and division of property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 52; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BACKES	•		• HERMAN			• MATTHEWSON	•		• UNHJEM		
• BENEDICT			• HICKLE	•		• MEIERS			• VANDER VORST		
• BERG		•	• OFFNER			• MELBY			• VIG		
• BERGE		•	• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• DVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHK			• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY		•	• OLSON			• WESSMAN		
• CHRISTENSEN		•	• KERMOITT			• OPEDAHL			• WINKLER		
• CONNY		•	• KINGSBURY			• PELTER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		•
• DICK		•	• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED		•			
• DOTZENROD		•	• KRETSCHMAR			• RETZER					
• DUBORD			• KUČEPA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON		•	• LANGLEY			• RUED					
• FLEMING			• LARDY			• RUGD					
• FREBORO			• LARSON F # 24			• SCHINDLER					
• GACKLE	•		• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG	•				
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON		•	• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON		•	• MAIXNER			• THOMPSON					
• HAUGLAND		•	• MARSDEN			• THORSGARD					
• HAUSAUER A # 49		•	• MARTIN			• TIMM					
• HAUSAUER R # 25		•	• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill lost.

**House Bill No. 1529.** — A Bill for an Act to amend and reenact section 11-16-15 of the North Dakota Century Code, relating to state's attorney inquiry into violations or criminal acts causing deaths and allowing such inquiry into all felonies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 15; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BACKES			• HERMAN			• MATTHEWSON	•		• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• OFFNER			• MELBY			• VIG		

• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKLER
• CONNY	• KINGSBURY	• PELTIER	• MR SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KOSKI	• POMEROY	
• DIETZ	• KNUDSON	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
GACKLE	• LARSON G # 29	• SCOFFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1533.** — A Bill for an Act to create and enact a new section to chapter 11-33.1, a new section to chapter 40-23, a new section to chapter 40-23.1, and a new section to chapter 40-24 of the North Dakota Century Code, relating to special assessment statements containing a statement of the interest due.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS		YEAS	N-V	NAYS		YEAS	N-V	NAYS	
• BACKES			• HERMAN	• MATTSON			• UNHJEM				
• BENEDICT			• HICKLE	• MEIERS			• VANDER VORST				
• BERG			• HOFFNER	• MELBY			• VIG				
• BERGE			• HOUMANN	• MERTENS			• WAGNER				
• BERGER			• HOVE	• MEYER	•		• WALD				
• BJORNSON			• JACOBSEN, R	• MURPHY			• WALSH				
• BLACK			• JACOBSON I	• MUSHIK			• WEBER				
• BOYUM			• KELLY	• NICHOLAS			• WENTZ				
• BROKAW			• KENNELLY	• OLSON			• WESSMAN				
CHRISTENSEN			• KERWOTT	• OPEDAHL			• WINKLER				
• CONNY			• KINGSBURY	• PELTIER			• MR SPEAKER				
• CRABTREE			• KLOUBEC	• PETERSON	•						
• DICK			• KNUDSON	• POMEROY							
• DIETZ			• KOSKI	• REED							
• DOTZENROD			• KRETSCHMAR	• RETZER							
• DUBORD			• KUCHERA	• RICHARD							
• EAGLES			• LANG	• RICHE							
• ERICKSON			• LANGLEY	• RIEHL							
• FLEMING			• LARDY	• RUED							
• FREBORG			• LARSON, F # 24	• SCHINDLER							
GACKLE	•		• LARSON, G # 29	• SCOFFIELD							
• GERL			• LARSON, H # 7	• SOLBERG							
• GORDER			• LEE	• STENEHJEM							
• GUNDERSON			• LEIBMAN	• STRINDEN							
• GUNSCH			• LIPSIA	• SWONTEK							
• HANSON			• MAXNER	• THOMPSON							
• HAUGLAND			• MARSDEN	• THORSGARD							
• HAUSAUER A # 49			• MARTIN	• TIMM							
• HAUSAUER R # 25			• MARTINSON	• TINJUM							
• HEDSTROM			• MATHENY	• TWETEN							

So the bill passed and the title was agreed to.

**House Bill No. 1538.** — A Bill for an Act to create and enact a new section to chapter 12.1-33 of the North Dakota Century Code, relating to convicted felons serving as law enforcement officers.

Which has been read.

Rep. Rued moved that House Bill No. 1538 be re-referred to the Committee on Judiciary, which motion failed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 62; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN			MATTSON		•	UNJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUHANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOST		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORO		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RIEHL		•			
ERICKSON		•	LANGLEY		•	RUED		•			
FLEMING		•	LARDY		•	SCHINDLER		•			
FREBERG		•	LARSON F # 24		•	SCOFIELD		•			
GACKLE		•	LARSON G # 29		•	SOLBERG		•			
GERL		•	LARSON H # 7		•	STENEHJEM		•			
GORDER		•	LEE		•	STRINDEN		•			
GUNDERSON		•	LEIBHAN		•	SWONTEK		•			
GUNSCH		•	LIPSIEA		•	THOMPSON		•			
HANSON		•	MAIXNER		•	THORSGARD		•			
HAUGLAND		•	MARSDEN		•	TIMM		•			
HAUSAUER A # 49		•	MARTIN		•	TINJUM		•			
HAUSAUER R # 25		•	MARTINSON		•	TWETEN		•			
HEDSTROM		•	MATHEWY		•						

So the bill lost.

**House Bill No. 1549.** — A Bill for an Act to require that a statement of full consideration be filed with the county register of deeds, to provide procedures for handling statements of full consideration, to provide that such statements shall be confidential, and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 54; nays, 41; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUHANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOST		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORO		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RIEHL		•			
ERICKSON		•	LANGLEY		•	RUED		•			
FLEMING		•	LARDY		•	SCHINDLER		•			
FREBERG		•	LARSON F # 24		•	SCOFIELD		•			
GACKLE		•	LARSON G # 29		•	SOLBERG		•			
GERL		•	LARSON H # 7		•	STENEHJEM		•			
GORDER		•	LEE		•	STRINDEN		•			
GUNDERSON		•	LEIBHAN		•	SWONTEK		•			
GUNSCH		•	LIPSIEA		•	THOMPSON		•			
HANSON		•	MAIXNER		•	THORSGARD		•			
HAUGLAND		•	MARSDEN		•	TIMM		•			
HAUSAUER A # 49		•	MARTIN		•	TINJUM		•			
HAUSAUER R # 25		•	MARTINSON		•	TWETEN		•			
HEDSTROM		•	MATHEWY		•						



● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG ●
● GORDER	● LEE ●	● STENENJEM
● GUNDERSON	● LEIBHAN ●	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1667.** — A Bill for an Act to create and enact section 40-50-19.1 and section 40-50-19.2 of the North Dakota Century Code, relating to the platting of townsites, additions and subdivisions; and to amend and reenact section 40-50-01, section 40-50-03 and section 40-50-04 of the North Dakota Century Code, relating to the platting of townsites, additions and subdivisions; and to repeal section 40-50-02 of the North Dakota Century Code, relating to the platting of townsites, additions and subdivisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON		● UNHEM
● BENEDICT			● HICKLE ●			● MEERS		● VANDERVOSS
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOLMANN			● MERTENS		● WAGNER
● BERGER			● HOVE ●			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHK		● WEBER ●
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROHAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOT*			● OPEDAHL		● WINKLER
● CONMY			● KINGSBUR ●			● PELTIER		
● CRABTREE			● KLUBEC			● PETERSON ●		● MR. SPEAKER
● DICK ●			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUJCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG ●		
● GORDER			● LEE ●			● STENENJEM		
● GUNDERSON			● LEIBHAN ●			● STRINDEN		
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGAARD		
● HAUSAUER A # 49			● MARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1686.** — A Bill for an Act to amend and reenact section 58-06-02 of the North Dakota Century Code, increasing the compensation for township supervisors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 3; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON		● UNHEM



• BENEDICT	• HICKLE	• MEIERS	• VANDER VORST
• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 28	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSRGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3011** — A concurrent resolution to repeal article 60 of the amendments to the Constitution of the State of North Dakota, relating to a one-mill levy on all taxable property within the State of North Dakota for the North Dakota state medical center at the University of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 86; nays, 9; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		•
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER		•	• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK		•	• JACOBSON I			• MUSHK			• WEBER		•
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY		•			
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR		•	• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY		•	• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 28			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND		•	• MARSDEN			• THORSRGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3024** — A concurrent resolution urging the President and Congress to maintain diplomatic relations and uphold treaty obligations with the Republic of China -Taiwan.

Was read the second time.

Rep. Peltier moved that House Concurrent Resolution No. 3024 be laid on the table.

Rep. A. Hausauer requested a recorded roll call vote, which request was granted.

The question then was on the motion of Rep. Peltier to lay House Concurrent Resolution No. 3024 on the table.

ROLL CALL

The roll was called and there were ayes, 32; nays, 59; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON		•	UNHJEM		•
•			HICKLE	•		MEIERS		•	VANDER VORST		•
•			HOPFNER	•		MELBY		•	VIG		•
•		•	HOLMANN	•		MERTENS		•	WAGNER		•
•			HOVE	•		MEYER		•	WALD		•
•		•	JACOBSEN R	•		MURPHY		•	WALSH		•
•		•	JACOBSON I	•		MUSHK		•	WEBER		•
•		•	KELLY	•		NICHOLAS		•	WENTZ		•
•			KENNELLY	•		OLSON		•	WESSMAN		•
•			KERMOTT	•		OPEDAHL		•	WINKJER		•
•		•	KINGSBURY	•		PELTIER		•			
•			KLOUBEC	•		PETERSON		•	MR. SPEAKER		
•		•	KNUDSON	•		POWEROY		•			
•			KOSKI	•		REED		•			
•			KRETSCHMAR	•		RETZER		•			
•			KUCHERA	•		RICHARD		•			
•		•	LANG	•		RICHIE		•			
•		•	LANGLEY	•		RIEHL		•			
•		•	LARDY	•		RUED		•			
•		•	LARSON F #24	•		SCHINDLER		•			
•		•	LARSON G #29	•		SCOFIELD		•			
•		•	LARSON H #7	•		SOLBERG		•			
•			LEE	•		STENEHJEM		•			
•			LEIGHAN	•		STRANDEN		•			
•		•	LIPSEA	•		SWONTEK		•			
•		•	MAIKNER	•		THOMPSON		•			
•		•	MARSDEN	•		THORSgard		•			
•		•	MARTIN	•		TIMM		•			
•		•	MARTINSON	•		TINJUM		•			
•		•	MATHEWY	•		TWETEN		•			

The motion failed.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

**House Concurrent Resolution No. 3030.** — A concurrent resolution urging Congress to develop a uniform definition of the term “veteran” for all federal programs relating to veterans.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

**House Concurrent Resolution No. 3033.** — A concurrent resolution in support of Northern Tier Pipeline.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

MOTIONS

Rep. Winkjer moved that House Bill No. 1427 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Winkjer requested permission to withdraw House Bill No. 1427. There being no objection, it was so ordered by the Speaker.

Rep. Winkjer moved that House Bill No. 1429 be returned to the House from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

Rep. Winkjer requested permission to withdraw House Bill No. 1429. There being no objection, it was so ordered by the Speaker.

Rep. Conmy moved that House Bill No. 1558 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Conmy requested permission to withdraw House Bill No. 1558. There being no objection, it was so ordered by the Speaker.

Rep. Kretschmar moved that 500 copies be printed of engrossed House Bill Nos. 1044, 1461 and 1652, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Tuesday, February 13, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Transportation

to whom was referred House

Bill No. 1169, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 15 delete the following: "The sale,"

On page 2, delete all of lines 16 through 18

On page 4, line 22 after the word "crossings" insert the words "in accordance with section 49-11-06"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman

House Bill No. 1169 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

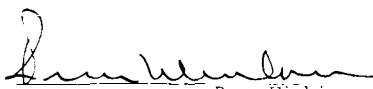
to whom was referred House

Bill No. 1203, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. Winkjer Chairman

House Bill No. 1203 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1304 has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 7, of the engrossed bill delete the word "subsection" and insert in lieu thereof the word "section"

On page 5, line 10, delete the word "subsection" and insert in lieu thereof the word "section"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Rep. Martinson Chairman

House Bill No. 1304 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1368 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 2, that the same

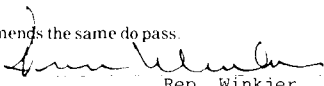
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3 delete "aganist" and insert in lieu thereof the word "against"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Rep. Winkjer Chairman

House Bill No. 1368 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1371 has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 6; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 3, delete all of lines 19 through 21
- On page 3, line 22 delete the numeral "2." and insert in lieu thereof the numeral "1."
- On page 3, line 24 delete everything after the word "dollars" and insert in lieu thereof a period
- On page 3, delete all of line 25
- On page 3, line 26 delete the numeral "3." and insert in lieu thereof the numeral "2."

And renumber the lines accordingly

And when so amended, recommends the same do not pass

Chairman

Rep. Winkjer

House Bill No. 1371 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1377, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Chairman

Rep. Knudson

House Bill No. 1377 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1380, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Chairman

Rep. Martinson

House Bill No. 1380 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1395, has had the same under consideration and recommends, by a vote of

Ayes, ... 11 \_\_\_\_\_; Nays, ... 0 \_\_\_\_\_; Absent, ... 5 \_\_\_\_\_, that the same

do pass.                     do not pass.                     be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to create and enact two new sections to chapter 23-29 of the North Dakota Century Code, limiting the location of solid waste management facilities over aquifers; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 23-29 of the North Dakota Century Code is hereby created and enacted to read as follows:

PERMIT - GEOLOGIC AND HYDROLOGIC STUDY.) Prior to receiving a permit for a solid waste management facility which would deposit solid wastes in the ground, the person seeking the permit shall conduct a thorough geologic and hydrologic study of the site in which the facility is to be located to determine the presence or absence of an adequate thickness of low permeability rock or sediment between the anticipated base of the proposed disposal pit and any aquifer. The department may issue a permit only if:

1. Tests indicate the presence of low permeability rock or sediment which will prevent leachate from reaching any aquifer; or
2. No site with suitable geologic conditions exists within a reasonable distance of the area to be served by the facility and the person seeking the permit has designed a system employing engineering safeguards to prevent any leachate from reaching any aquifer.

The department, in cooperation with the state geologist and the state engineer, shall be responsible for determining the adequacy of the geologic and hydrologic study, the adequacy of the low permeability layers to prevent leachate from reaching any aquifer, and the adequacy of any system designed to prevent any leachate from reaching any aquifer. For the purposes of this chapter, "aquifer" means a water-bearing formation which yields water in sufficient quantity to be of consequence as a source of supply. For the purposes of this chapter, "leachate" means liquid that has percolated through solid waste and has, during the percolation, extracted dissolved or suspended materials from the solid waste.

SECTION 2.) A new section to chapter 23-29 of the North Dakota Century Code is hereby created and enacted to read as follows:

CONSTRUCTION PROHIBITED IF SUITABLE GEOLOGIC CONDITIONS NOT PRESENT.) Any person who, prior to January 1, 1979, received a permit for a solid waste management facility which would deposit solid wastes in the ground, but who has not yet begun construction on the facility, shall conduct a thorough geologic and hydrologic study of the site on which the facility is to be located to determine the presence or absence of an adequate thickness of low permeability rock or sediment between the anticipated base of the proposed disposal pit and any aquifer. No solid waste management facility may be constructed unless:

1. Tests indicate the presence of low permeability rock or sediment which will prevent leachate from reaching any aquifer; or
2. No site with suitable geologic conditions exists within a reasonable distance of the area to be served by the facility and the person constructing the facility has designed a system employing engineering safeguards to prevent any leachate from reaching any aquifer.

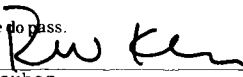
The department, in cooperation with the state geologist, shall be responsible for determining the adequacy of the geologic and hydrologic study, the adequacy of low permeability layers to prevent leachate from reaching any aquifer, and the adequacy of the system employed to prevent any leachate from reaching any aquifer.

SECTION 3. EFFECTIVE DATE.) The provisions of this Act shall be effective on and after January 1, 1979.

SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same ~~do pass.~~



Chairman

Rep. Kloubec

House Bill No. 1395 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

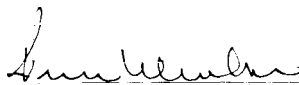
to whom was referred House

Bill No. 1400, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. Winkjer

House Bill No. 1400 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1407, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3 - after the word "agent" insert the following:  
 ", in cooperation with the cooperative extension service,"

On page 1, line 6 - delete the words "one hundred twenty" and insert in lieu thereof the word "seventy-five"

- On page 1, line 7 - delete the word "July" and insert in lieu thereof the word "April" and after the word "first" insert the following: "; and declaring an emergency"
- On page 2, line 2 - strike the word "July" and insert in lieu thereof the word "April"
- On page 2, line 12 - after the word "commissioner," insert the following: "in cooperation with the cooperative extension service,"
- On page 2, line 14 - delete all the underlined material
- On page 2, line 17 - delete the words "one hundred twenty" and insert in lieu thereof the words "seventy-five"
- On page 2, line 18 - delete the word "July" and insert in lieu thereof the word "April"
- On page 2, line 35 - strike the word "July" and insert in lieu thereof the word "April"
- On page 3, line 10 - after the word "commissioner," insert the following: "in cooperation with the cooperative extension service,"
- On page 3, line 12 - delete all the underlined material
- On page 3, line 15 - delete the words "one hundred twenty" and insert in lieu thereof the words "seventy-five"
- On page 3, line 16 - delete the word "July" and insert in lieu thereof the word "April"
- On page 3, after line 17 insert the following new section:

"SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas*  
Rep. Nicholas Chairman

House Bill No. 1407 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1414 has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete the words "to create and enact a new section to chapter"

On page 1, delete all of line 2

On page 1, line 3, delete the words "exemptions on mobile home tax;"

On page 1, line 5, after the semi-colon; insert the word "and"

On page 1, delete all of lines 12 through 21



On page 2, line 25, delete the word "November" and insert in lieu thereof the word "January"

On page 2, line 26, delete the word "annual" and insert in lieu thereof the word "monthly" and also delete the word "six" and insert in lieu thereof the word "one-half"

On page 3, line 7, delete the strike-through over the words "~~transients-or-nonresidents~~" and also delete the words "~~persons having an interest therein~~"

On page 3, delete all of lines 15 through 21, and insert in lieu thereof the following new subsection:

"2. Before a mobile home is moved from its existing location, the owner must have a current year's mobile home decal displayed thereon or must display on the mobile home during transport a tax release statement obtained from the county director of tax equalization indicating that all taxes, penalties and interest levied against the mobile home have been paid. A violation of this provision shall constitute an infraction."

And renumber the lines, sections, subsections, and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

Rep. Gackle

House Bill No. 1414 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1417 has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Winkjer*

Chairman

Rep. Winkjer

House Bill No. 1417 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1434 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Gackle*

Chairman

Rep. Gackle

House Bill No. 1434 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred House

Bill No. 1444, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

Rep. Knudson Chairman  
House Rep. Knudson Bill No. 1444 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1447, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

Rep. Martinson Chairman  
House Rep. Martinson Bill No. 1447 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1466, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

Rep. Gackle Chairman  
House Rep. Gackle Bill No. 1466 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1469, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

On page 1, line 19 delete the following: "foot pedals to permit muscular"

On page 1, line 20 delete "propulsion,"

On page 5 delete all of lines 15 and 16

On page 5, line 19 delete the following: "and the operator shall not carry any other"

On page 5, line 20 delete the word "person"

On page 6, delete all of lines 18 through 21

And renumber the lines and pages and subsections accordingly

And when so amended, recommends the same do pass.

Rep. Erickson Chairman  
House Bill No. 1469 Rep. Erickson was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1507, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Gackle Chairman

House Bill No. 1507 Rep. Gackle was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1542, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Rep. Knudson Chairman

House Rep. Knudson Bill No. 1542 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1601, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

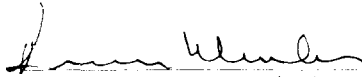
Rep. Martinson Chairman

House Bill No. 1601 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciaryto whom was referred HouseBill No. 1603, has had the same under consideration and recommends, by a vote ofAyes, 9; Nays, 6; Absent, 0, that the same do pass.  do not pass.  be placed on calendar

without recommendation.

 be amended as follows:

Chairman

HouseRep. Winkjer  
Bill No. 1603was placed on the 11th order of business on the calendar for the succeeding legislative day.Mr. Speaker: Your Committee on State and Federal Governmentto whom was referred HouseBill No. 1621, has had the same under consideration and recommends, by a vote ofAyes, 12; Nays, 1; Absent, 2, that the same do pass.  do not pass.  be placed on calendar

without recommendation.

 be amended as follows:

- On page 1, line 11, after the word "adult" and before the period insert the words ", or the imminent threat thereof"
- On page 2, line 4, delete the words "physical harm" and insert in lieu thereof the words "adult abuse"
- On page 2, line 15, after the word "applicant" and before the period insert the words "or others"
- On page 2, line 27, after the word "by" insert the words "the parties or, if indigent, by"
- On page 4, line 19, delete the word "knows" and insert in lieu thereof the words "has been served a copy"
- On page 4, line 20, after the word "constitute" insert the word "criminal"
- On page 4, line 33, delete the words "from the close of business at the end of the week"
- On page 4, line 34, delete the following: "to the resumption of business at the beginning of the week,"
- On page 5, line 4, after the word "applicant" insert the words "or other"
- On page 5, line 5, after the word "applicant" insert the words "or other"
- On page 5, line 7, delete the words "upon resumption of" and insert in lieu thereof the following: "seventy-two hours after its issuance, unless continued by the district court, or the issuing court in the event of continuing unavailability of the district court"
- On page 5, delete line 8
- On page 5, line 9, delete the words and comma "within seventy-two hours, whichever occurs sooner"
- And renumber the lines and pages accordingly
- And when so amended, recommends the same do pass.

Rep. Martinson

Chairman

HouseBill No. 1621was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1629, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

Rep. Martinson Chairman  
House Bill No. 1629 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
to whom was referred House

Bill No. 1634, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 17 strike the word "ten" and insert in lieu thereof  
the word "fifteen"

On page 2, line 18 strike the word "seventy-three" and insert in  
lieu thereof the word "eighty-two" and also on line 18 strike  
the words "two hundred"

On page 2, line 19 strike the words "and eighty"

On page 2, line 31 after the word "truck" insert the words "under  
eighty-two thousand pounds"

On page 4, line 6 strike the words "in any one month"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

Rep. Erickson Chairman  
House Bill No. 1634 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1640, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 0, that the same

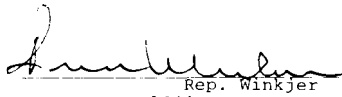
do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

Rep. Winkjer Chairman  
House Bill No. 1640 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1644, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

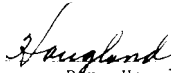


House Rep. Winkjer Chairman  
Bill No. 1644 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs  
to whom was referred House

Bill No. 1653, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 7; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

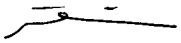


House Rep. Haugland Chairman  
Bill No. 1653 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House Concurrent Resolution

No. 3041, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 4; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



House Concurrent Resolution Rep. Martinson Chairman  
No. 3041 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House Concurrent Resolution

No. 3043, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

\_\_\_\_\_  
Rep. Martinson Chairman

House Concurrent Resolution No. 3043 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3046, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

\_\_\_\_\_  
Rep. Martinson Chairman

House Concurrent Resolution No. 3046 was placed on the 11th order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE RESOLUTIONS

Rep. Rued introduced:  
**House Concurrent Resolution No. 3053.** — A concurrent resolution directing the Legislative Council to conduct a study of the effect of the Federal Bankruptcy Act on state laws.

Was read the first time and referred to the committee on Judiciary.

Reps. Berg and Nicholas introduced:

**House Concurrent Resolution No. 3054.** — A concurrent resolution directing the Legislative Council to conduct a study of the taxation of sales of water in North Dakota.

Was read the first time and referred to the committee on Natural Resources.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2010.** State Radio Communications — A Bill for an Act making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2037.** State Revenue Sharing — A Bill for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2189.** — A Bill for an Act to create a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, combining the funds of the trusts created by the forty-fourth and forty-fifth legislative assemblies under the coal severance tax legislation and administered by the state land department.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2215.** — A Bill for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to permitting nonpublic school teachers to participate in the teachers' fund for retirement; and to amend subsection 3 of section 15-39.1-10 of the North Dakota Century Code, relating to the eligibility of nonpublic school teachers to participate in the teachers' fund for retirement.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2305.** — A Bill for an Act to direct the adjutant general to compile and publish a record of men and women in military service during the Vietnam conflict; and to provide an appropriation.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2378.** — A Bill for an Act making an appropriation for defraying the expense of remodeling and renovating pioneer hall at Minot state college.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2424.** — A Bill for an Act to create and enact a new section to chapter 20.1-06 of the North Dakota Century Code, relating to the conducting of fishing tournaments.

Which was read the first time and referred to the Committee on Natural Resources.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Tuesday, February 13, 1979.

ROY GILBREATH, Chief Clerk



THIRTIETH DAY

Bismarck, February 13, 1979

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

The prayer was offered by Rev. Don Kiingsmith, United Methodist Church, Mandan.

The roll was called, and all members were present except Reps. Gerl, Lee, Nicholas, Peltier, Thorsgard, and Tweten.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-ninth Day and finds the same to be correct.

Handwritten signature of Rep. Swartz, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1017
HB NO. 1031
HB NO. 1104
HB NO. 1381
HB NO. 1458
HB NO. 1548
HB NO. 1604
HB NO. 1690
HCR NO. 3027
HCR NO. 3042

and find the same correctly } Engrossed

Handwritten signature of Rep. Stenejem, Chairman

Representative Lipsiea moved that the report be adopted, which motion prevailed, and the report was adopted.

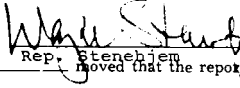
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

HB NO. 1309 \_\_\_\_\_

and find the same correctly Re } Engrossed

Representative Lipsiea \_\_\_\_\_  
motion prevailed, and the report was adopted.

 Chairman  
Rep. Stenbjer moved that the report be adopted, which

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

February 8, 1979

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on February 8, 1979, I signed the following House Bills:

House Bill No. 1045  
House Bill No. 1079  
House Bill No. 1083  
House Bill No. 1111

Sincerely yours,  
ARTHUR A. LINK  
Governor

POINT OF PERSONAL PRIVILEGE

Rep. Solberg: "Mr. Speaker:

"I rise on a point of personal privilege. I want to apologize for any worry I might have caused yesterday.

"Traveling in winter time can be hazardous, and now I know a new car can fail.

"I learned there are still some Good Samaritans remaining in our state, when a lady stopped and took me fifteen miles down the road to town. I also learned a policeman's blinking light does not always mean he is stopping you to give you a ticket.

"I appreciate their efforts, and I thank all of you for your concern."

SIXTH ORDER OF BUSINESS

Rep. Erickson moved that the amendments to House Bill No. 1169 as recommended by the Committee on Transportation as printed on page 807 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1304 as recommended by the Committee on State and Federal Government as printed on page 808 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1368 as recommended by the Committee on Judiciary as printed on page 808 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1371 as recommended by the Committee on Judiciary as printed on pages 808 and 809 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1395 as

recommended by the Committee on Natural Resources as printed on pages 809, 810 and 811 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1407 as recommended by the Committee on Agriculture as printed on pages 811 and 812 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1414 as recommended by the Committee on Finance and Taxation as printed on pages 812 and 813 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1469 as recommended by the Committee on Transportation as printed on pages 814 and 815 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1621 as recommended by the Committee on State and Federal Government as printed on page 816 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1634 as recommended by the Committee on Transportation as printed on page 817 of the House Journal be adopted, which motion prevailed.

#### MOTIONS

Rep. Swiontek moved that House Bill No. 1670 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Swiontek requested permission to withdraw House Bill No. 1670. There being no objection, it was so ordered by the Speaker.

#### MESSAGE FROM THE SENATE

##### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2009  
 Senate Bill No. 2059  
 Senate Bill No. 2249  
 Senate Bill No. 2252  
 Senate Bill No. 2289  
 Senate Bill No. 2306  
 Senate Bill No. 2313  
 Senate Bill No. 2331  
 Senate Bill No. 2405  
 Senate Bill No. 2406  
 Senate Bill No. 2412  
 Senate Bill No. 2432  
 Senate Bill No. 2462  
 Senate Bill No. 2478  
 Senate Concurrent Resolution No. 4016  
 Senate Concurrent Resolution No. 4019  
 Senate Concurrent Resolution No. 4032  
 Senate Concurrent Resolution No. 4035  
 Senate Concurrent Resolution No. 4036  
 Senate Concurrent Resolution No. 4038  
 Senate Concurrent Resolution No. 4039  
 Senate Concurrent Resolution No. 4040  
 Senate Concurrent Resolution No. 4046

LEO LEIDHOLM, Secretary

## SECOND READING OF HOUSE BILLS

**House Bill No. 1380.** — A Bill for an Act requiring full, adequate, and timely notice of the meetings of all public bodies.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 61; nays, 36; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	HERMAN		●	●	MATTSON		●	UNHJEW	
●	BENEDICT		●	HICKLE		●	MEIERS		●	VANDERVORST	
	BERG	●	●	HOFFNER			MELBY		●	VIG	
●	BERGE		●	HOLMANN			MERTENS		●	WAGNER	
	BERGER	●		HOVE			MEYER		●	WALD	●
●	BJORNSON			JACOBSEN, R.			MURPHY		●	WALSH	
●	BLACK		●	JACOBSON, I.		●	MUSHIK			WEBER	●
	BOYUM	●		KELLY		●	NICHOLAS		●	WENTZ	
	BROKAW	●	●	KENNELLY		●	OLSON		●	WESSMAN	
	CHRISTENSEN	●		KERMOTT		●	OPEDAHL		●	WINKJER	
●	CONMY			KINGSBURY		●	PELTIER				
●	CRABTREE			KLOUBEC		●	PETERSON		●	MR. SPEAKER	
	DICK	●	●	KNUDSON		●	POWEROY				
●	DIETZ		●	KOSKI		●	REED				
	DOTZENROD	●	●	KRETSCHMAR			RETZER		●		
●	DUBORD			KUCHERA		●	RICHARD				
●	EAGLES			LANG		●	RICHIE				
●	ERICKSON			LANGLEY		●	RIEHL		●		
●	FLEWING		●	LARDY			RUED		●		
	FREBORG	●	●	LARSON, F. # 24			SCHINDLER		●		
●	GACKLE		●	LARSON, G. # 28			SCOFIELD		●		
●	GERL		●	LARSON, H. # 7		●	SOLBERG				
●	GORDER			LEE		●	STENEHJEM				
	GUNDERSON	●	●	LEIBHAN			STRINDEN				
	GUNSCH	●		LIPSIEA		●	SWONTEK				
●	HANSON		●	MAIXNER		●	THOMPSON				
●	HAUGLAND			MARSEN		●	THORSGARD		●		
●	HAUSAUER, A. # 49		●	MARTIN			TIMM		●		
●	HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM				
●	HEDSTROM		●	MATHENY			TWETEN		●		

So the bill passed and the title was agreed to.

## MOTION

Rep. Strinden moved that a committee of two be appointed to escort Mr. James Biddle, President of the National Trust for Historic Preservation, to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Mushik and Kretschmar to the escort committee which subsequently escorted Mr. Biddle to the podium.

Rep. Strinden moved that the remarks of Mr. Biddle be printed in the Journal, which motion prevailed.

## Remarks of

## JAMES BIDDLE

President of the National Trust  
for Historic Preservation

"Thank you very much, Mr. Speaker.

"I have been on many podiums in my life and introduced many times to many groups of people, but this is about the top, so I will thank all of you here in North Dakota for doing me this honor and for doing this honor to the Preservation Movement in this country which I represent.

"I know this is a busy schedule for you, so I will not hold you very long. I shall only briefly touch on why I am here.

"I have been asked by the Preservation Movement in your state to come and make a little talk on what historic preservation is all about and what is being achieved by this group in America today.

"I head an organization called the National Trust for Historic Preservation which was charged by Congress in 1949 to be the only national organization for the preservation movement in the country to ask you to preserve sites, buildings and objects, and to coordinate the national

private preservation movement, and thirdly, to serve as an educational source to educate the American people to the need for preserving their architectural and cultural heritage and their roots. I work out of Washington, D.C.. We have six regional offices scattered around the country. My budget is about \$15 million a year and there are 300 employees throughout the nation.

“One important role is to provide you with the services you might need in developing historical preservation movements throughout the communities and towns in North Dakota. The preservation movement is basically a grassroots movement involving the total population. It used to be the preservation movement was made up of a bunch of little old ladies of both sexes. There is another old quote that the preservation movement is run by little old ladies running around in tennis shoes. Thank heaven for those gals, because they were the ones who undertook to preserve Mount Vernon and Monticello for our nation.

“I hope the message I can leave with you today is simply that we must preserve our historic sites. We consider this a social undertaking just as important as your social undertaking here in the legislature in dealing with installation of sewers and lighting in communities. We wish to preserve these historic monuments, which are assets we can use from the past.

“What is past varies from community to community. Here it might be something from 90 years ago, while elsewhere it might be something from 250 years ago. We ask you to conserve for our future use and enjoyment those places of historic significance to your communities and your state.

“I am honored and pleased to be here today. Thank you for having me.”

**MOTIONS**

Rep. Kingsbury moved that House Bill No. 1195 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Kingsbury requested permission to withdraw House Bill No. 1195. There being no objection, it was so ordered by the Speaker.

Rep. Meiers moved that the House reconsider its action whereby House Bill No. 1549 passed the House, which motion prevailed on a verification vote.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1549.** — A Bill for an Act to require that a statement of full consideration be filed with the county register of deeds, to provide procedures for handling statements of full consideration, to provide that such statements shall be confidential, and to provide a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 52; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●			●			●		
BACKES		●	HERMAN			MATTSON			UNHJEW		
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		
BERG		●	HOFFNER			MELBY		●	WIG		
BERGE		●	HOLMANN		●	MERTENS		●	WAGNER		
● BERGER			HOVE		●	Meyer		●	WALD		
● BJORNSON			JACOBSEN, R		●	MURPHY		●	WALSH		●
● BLACK			JACOBSON, I		●	MUSHIK		●	WEBER		●
● BOYUM			KELLY		●	NICHOLAS		●	WENTZ		●

• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POWEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. #24	• SCHINDLER	
• GACKLE	• LARSON, G. #29	• SCOFIELD	
• GERL	• LARSON, H. #7	• SOLBERG	
• GORDER	• LEE	• STENEHJEW	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGAR	
• HAUSAUER, A. #49	• MARTIN	• TIMM	
• HAUSAUER, R. #25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill lost.

### MESSAGES TO THE SENATE House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1019  
 House Bill No. 1122  
 House Bill No. 1190  
 House Bill No. 1197  
 House Bill No. 1388  
 House Bill No. 1391  
 House Bill No. 1393  
 House Bill No. 1397  
 House Bill No. 1464  
 House Bill No. 1473  
 House Bill No. 1491  
 House Bill No. 1495  
 House Bill No. 1596  
 House Bill No. 1635  
 House Bill No. 1662  
 House Bill No. 1665  
 House Bill No. 1675  
 House Bill No. 1677  
 House Concurrent Resolution No. 3022  
 House Concurrent Resolution No. 3029  
 House Concurrent Resolution No. 3032  
 House Concurrent Resolution No. 3035

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4023

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2072

ROY GILBREATH, Chief Clerk

### SECOND READING OF HOUSE BILLS

**House Bill No. 1417.** — A Bill for an Act to amend and reenact sections 11-17-04 and 28-20.1-05 of the North Dakota Century Code,

relating to fees charged by the clerk of the district court, and to the fee charged by the clerk of the district court for filing foreign judgments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 66; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	•
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	•
BERG		•	HOFFNER	•		MELBY	•		VIG	•	•
BERGE		•	HOUHANN	•		MERTENS	•		WAGNER	•	•
BERGER	•		HOVE	•		MEYER	•		WALD	•	•
BJORNSON		•	JACOBSEN, R.	•		MURPHY	•		WALSH	•	•
BLACK		•	JACOBSON, I.	•		MUSHIK	•		WEBER	•	•
BOYUM		•	KELLY	•		NICHOLAS	•		WENTZ	•	•
BROKAW		•	KENNELLY	•		OLSON	•		WESSMAN	•	•
CHRISTENSEN		•	KERMOTT	•		OPEDAH	•		WINKJER	•	•
CONMY		•	KINGSBURY	•		PELTIER	•		MR. SPEAKER		
CRABTREE		•	KLOUBEC	•		PETERSON	•				
DICK		•	KNUDSON	•		POMEROY	•				
DIETZ		•	KOSKI	•		REED	•				
DOTZENROD		•	KRETSCHMAR	•		RETZER	•				
DUBORD		•	KUCHERA	•		RICHARD	•				
EAGLES		•	LANG	•		RICHIE	•				
ERICKSON		•	LANGLEY	•		RIEHL	•				
FLEMING		•	LARDY	•		RUED	•				
FREBERG		•	LARSON, F. #24	•		SCHINDLER	•				
GACKLE		•	LARSON, G. #29	•		SCOFIELD	•				
GERL		•	LARSON, H. #7	•		SOLBERG	•				
GORDER		•	LEE	•		STENEHJEM	•				
GUNDERSON		•	LEIBHAN	•		STRINDEN	•				
GUNSCH		•	LIPSEA	•		SWONTEK	•				
HANSON		•	MAIXNER	•		THOMPSON	•				
HAUGLAND		•	MARSDEN	•		THORSGARD	•				
HAUSAUER, A. #46		•	MARTIN	•		TIMM	•				
HAUSAUER, R. #25		•	MARTINSON	•		TINJUM	•				
WEDSTROM		•	WATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1603.** — A Bill for an Act to amend and reenact sections 12-54.1-01, 12-59-05, 12.1-16-01, and 12.1-32-01 of the North Dakota Century Code, relating to good conduct sentence reduction for offenders sentenced to the penitentiary or state farm, to parole consideration by the parole board, to murder, and to the classification of offenses; and making murder a class AA felony with a maximum penalty of life imprisonment, and providing that a sentence for a class AA felony shall be served without benefit of parole or good conduct sentence reduction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 18; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	•
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	•
BERG		•	HOFFNER	•		MELBY	•		VIG	•	•
BERGE		•	HOUHANN	•		MERTENS	•		WAGNER	•	•
BERGER	•		HOVE	•		MEYER	•		WALD	•	•
BJORNSON		•	JACOBSEN, R.	•		MURPHY	•		WALSH	•	•
BLACK		•	JACOBSON, I.	•		MUSHIK	•		WEBER	•	•
BOYUM		•	KELLY	•		NICHOLAS	•		WENTZ	•	•
BROKAW		•	KENNELLY	•		OLSON	•		WESSMAN	•	•
CHRISTENSEN		•	KERMOTT	•		OPEDAH	•		WINKJER	•	•
CONMY		•	KINGSBURY	•		PELTIER	•		MR. SPEAKER		
CRABTREE		•	KLOUBEC	•		PETERSON	•				
DICK		•	KNUDSON	•		POMEROY	•				
DIETZ		•	KOSKI	•		REED	•				
DOTZENROD		•	KRETSCHMAR	•		RETZER	•				
DUBORD		•	KUCHERA	•		RICHARD	•				
EAGLES		•	LANG	•		RICHIE	•				

• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHEWY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1640.** — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct games of chance; and providing for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games of chance, bookkeeping requirements, expense requirements, examination of books and records, licensure of distributors, a tax based on expenses and a criminal penalty for violation of this Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 96; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTSON	•		• UNHJEM	•	
• BENEDICT	•		• HICKLE	•		• MEIERS	•		• VANDER VORST	•	
• BERG	•		• HOPFNER	•		• WELBY	•		• VIG	•	
• BERGE	•		• HOUMANN	•		• WERTENS	•		• WAGNER	•	
• BERGER	•		• HOWE	•		• WEFER	•		• WALD	•	
• BJOHNSON	•		• JACOBSEN, R.	•		• MURPHY	•		• WALSH	•	
• BLACK	•		• JACOBSON, I.	•		• MUSHIK	•		• WEBER	•	
• BOYUM	•		• KELLY	•		• NICHOLAS	•		• WENTZ	•	
• BROKAW	•		• KENNELLY	•		• OLSON	•		• WESSMAN	•	
• CHRISTENSEN	•		• KERMOY	•		• OPEDAHL	•		• WINKLER	•	
• CONMY	•		• KINGSBURY	•		• PELTIER	•				
• CRABTREE	•		• KLOUBEC	•		• PETERSON	•		• MR. SPEAKER	•	
• DICK	•		• KNUDSON	•		• POMEROY	•				
• DIETZ	•		• KOSKI	•		• REED	•				
• DOTZENROD	•		• KRETSCHMAR	•		• RETZER	•				
• DUBORD	•		• KUCHER	•		• RICHARD	•				
• EAGLES	•		• LANG	•		• RICHIE	•				
• ERICKSON	•		• LANGLEY	•		• RIEHL	•				
• FLEMING	•		• LARDY	•		• RUED	•				
• FREBORG	•		• LARSON, F. # 24	•		• SCHINDLER	•				
• GACKLE	•		• LARSON, G. # 29	•		• SCOFIELD	•				
• GERL	•		• LARSON, H. # 7	•		• SOLBERG	•				
• GORDER	•		• LEE	•		• STENEHJEM	•				
• GUNDERSON	•		• LEIBHAN	•		• STRINDEN	•				
• GUNSCHE	•		• LIPSIEA	•		• SWIONTEK	•				
• HANSON	•		• MAIXNER	•		• THOMPSON	•				
• HAUGLAND	•		• MARSDEN	•		• THORSGARD	•				
• HAUSAUER, A. # 49	•		• MARTIN	•		• TIMM	•				
• HAUSAUER, R. # 25	•		• MARTINSON	•		• TINJUM	•				
• HEDSTROM	•		• MATHEWY	•		• TWETEN	•				

So the bill lost.

**House Bill No. 1644.** — A Bill for an Act to amend and reenact sections 12-54.1-01, 12-59-05, 12.1-16-01, and 12.1-32-01 of the North Dakota Century Code, relating to good conduct sentence reduction for prison inmates, parole consideration by the parole board, the definition and penalty for murder, and the classification and maximum penalties for offenses; and providing a life imprisonment penalty for murder without benefit of parole or good conduct sentence reduction.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 83; absent and not voting, 8.



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		WATTSON	•	UNHJEM
BENEDICT	•		HICKLE	•		WEIERS	•	VANDER VORST
BERG	•		HOFFNER	•	•	WELBY	•	VG
BERGE	•		HOUMANN	•		WERTENS	•	WAGNER
BERGER	•		HOVE	•		MEYER	•	WALD
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH
BLACK	•		JACOBSON, I.	•		MUSHIK	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKJER
CONMY	•		KINGSBURY	•		PELTIER	•	
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR. SPEAKER
DICK	•		KNUDSON	•		POWEROY	•	
DIETZ	•		KOSKI	•		REED	•	
DOTZENROD	•		KRETSCHMAR	•		RETZER	•	
DUBORD	•		KUCHERA	•		RICHARD	•	
EAGLES	•		LANG	•		RICHIE	•	
ERICKSON	•		LANGLEY	•		RIEHL	•	
FLEMING	•		LARDY	•		RUED	•	
FREBORG	•		LARSON, F. #24	•		SCHINDLER	•	
GACKLE	•		LARSON, G. #28	•		SCOFIELD	•	
GERL	•		LARSON, H. #7	•		SOLBERG	•	
GORDER	•		LEE	•		STENEHJEM	•	
GUNDERSON	•		LEIBHAN	•		STRINDEN	•	
GUNSCH	•		LIPSIEA	•		SWIONTEK	•	
HANSON	•		MAIKNER	•		THOMPSON	•	
HAUGLAND	•		MARSDEN	•		THORSGARD	•	
HAUSAUER, A. #48	•		MARTIN	•		TIMM	•	
HAUSAUER, R. #25	•		MARTINSON	•		TINJUM	•	
HEDSTROM	•		MATHEWY	•		TWETEN	•	

So the bill lost.

**House Bill No. 1690.** — A Bill for an Act to create and enact a new section to chapter 40-09 of the North Dakota Century Code, providing for a biennial vote on whether city commission proceedings shall be published in the official newspaper; and to amend and reenact section 40-08-12, providing for a biennial vote on whether city council proceedings shall be published in the official newspaper.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 18; nays, 75; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		WATTSON	•	UNHJEM
BENEDICT	•		HICKLE	•		WEIERS	•	VANDER VORST
BERG	•		HOFFNER	•	•	WELBY	•	VG
BERGE	•		HOUMANN	•		WERTENS	•	WAGNER
BERGER	•		HOVE	•		MEYER	•	WALD
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH
BLACK	•		JACOBSON, I.	•		MUSHIK	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROKAW	•		KENNELLY	•		OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•	WINKJER
CONMY	•		KINGSBURY	•		PELTIER	•	
CRABTREE	•		KLOUBEC	•		PETERSON	•	MR. SPEAKER
DICK	•		KNUDSON	•		POWEROY	•	
DIETZ	•		KOSKI	•		REED	•	
DOTZENROD	•		KRETSCHMAR	•		RETZER	•	
DUBORD	•		KUCHERA	•		RICHARD	•	
EAGLES	•		LANG	•		RICHIE	•	
ERICKSON	•		LANGLEY	•		RIEHL	•	
FLEMING	•		LARDY	•		RUED	•	
FREBORG	•		LARSON, F. #24	•		SCHINDLER	•	
GACKLE	•		LARSON, G. #28	•		SCOFIELD	•	
GERL	•		LARSON, H. #7	•		SOLBERG	•	
GORDER	•		LEE	•		STENEHJEM	•	
GUNDERSON	•		LEIBHAN	•		STRINDEN	•	
GUNSCH	•		LIPSIEA	•		SWIONTEK	•	
HANSON	•		MAIKNER	•		THOMPSON	•	
HAUGLAND	•		MARSDEN	•		THORSGARD	•	
HAUSAUER, A. #48	•		MARTIN	•		TIMM	•	
HAUSAUER, R. #25	•		MARTINSON	•		TINJUM	•	
HEDSTROM	•		MATHEWY	•		TWETEN	•	

So the bill lost.



● ERICKSON	● LANGLEY ●	● RIEHL ●
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F #24	● SCHINDLER
● GACKLE	● LARSON, G #29	● SCOFIELD
● GERL	● LARSON, H #7	● SOLBERG
● GORDER	● LEE ●	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIE	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORGARD
● HAUSAUER, A #49	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1104.** — A Bill for an Act to create and enact a new section to chapter 49-09 of the North Dakota Century Code, relating to authorizing the public service commission to enter into limited trust agreements with railway corporations abandoning railroad lines, for the purposes of reorganization or negotiated attempts to open the line for use, and to provide for reversion of the property to the railway corporation after five years in certain instances.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 3; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● WATTSON		● UNHJEM
● BENEDICT			● HICKLE			● WEIERS		● VANDERVORST
● BERG			● HOFFNER			● WELBY		● VIG
● BERGE			● HOLMANN			● WERTENS		● WAGNER
● BERGER			● HOVE			● WEYER		● WALD
● BJOJNSON			● JACOBSEN, R			● MURPHY	●	● WALSH
● BLACK			● JACOBSON, I			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ ●
● BROWAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KEMMOTT			● OPEDAHL		● WINKLER
● CONRY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD ●		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F #24			● SCHINDLER		
● GACKLE			● LARSON, G #29			● SCOFIELD		
● GERL			● LARSON, H #7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIE			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORGARD		
● HAUSAUER, A #49			● MARTIN			● TIMM		
● HAUSAUER, R #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, with Speaker Wagner presiding.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1203.** — A Bill for an Act to enact the Uniform Survival and Death Act, relating to the survival of actions and claims for relief arising from actionable conduct; and to repeal chapter 32-21 of the North Dakota Century Code, relating to death by wrongful act.

Which has been read.







**House Bill No. 1434.** — A Bill for an Act to amend and reenact section 24-05-01 of the North Dakota Century Code, relating to the amount of the county road tax.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 15; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			• HERMAN			• MATTSON		• UNHJEM
			• HICKLE			• MEIERS		• VANDER VORST
			• HOFFNER			• MELBY		• VIG
			• HOUMANN			• MERTENS		• WAGNER
			• HOVE			• MEYER		• WALD
			• JACOBSEN, R.			• MURPHY		• WALSH
			• JACOBSON, I.			• MUSHIK		• WEBER
			• KELLY			• NICHOLAS		• WENTZ
			• KENNELLY			• OLSON		• WESSMAN
			• KERMOTT			• OPEDAHL		• WINKJER
			• KINGSBURY			• PELTIER		
			• KLOUBEC			• PETERSON		
			• KNUDSON			• POMEROY		• MR SPEAKER
			• KOSKI			• REED		
			• KRETSCHMAR			• RETZER		
			• KUCHERA			• RICHARD		
			• LANG			• RICHIE		
			• LANGLEY			• RIEHL		
			• LARDY			• RUED		
			• LARSON, F. # 24			• SCHINDLER		
			• LARSON, G. # 26			• SCOFIELD		
			• LARSON, H. # 7			• SOLBERG		
			• LEE			• STENEHJEM		
			• LEIBHAN			• STRINDEN		
			• LIPSIA			• SWONTEK		
			• MAXNER			• THOMPSON		
			• MARSH			• THORSGARD		
			• MARTIN			• TIMM		
			• MARTINSON			• TINJUM		
			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1444.** — A Bill for an Act allowing nonreorganized school districts the option of charging a fee for bus transportation which they provide.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 77; nays, 19; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			• HERMAN			• MATTSON		• UNHJEM
•			• HICKLE			• MEIERS		• VANDER VORST
•			• HOFFNER			• MELBY		• VIG
•			• HOUMANN			• MERTENS		• WAGNER
•			• HOVE			• MEYER		• WALD
•			• JACOBSEN, R.			• MURPHY		• WALSH
•			• JACOBSON, I.			• MUSHIK		• WEBER
•			• KELLY			• NICHOLAS		• WENTZ
•			• KENNELLY			• OLSON		• WESSMAN
•			• KERMOTT			• OPEDAHL		• WINKJER
•			• KINGSBURY			• PELTIER		
•			• KLOUBEC			• PETERSON		• MR SPEAKER
•			• KNUDSON			• POMEROY		
•			• KOSKI			• REED		
•			• KRETSCHMAR			• RETZER		
•			• KUCHERA			• RICHARD		
•			• LANG			• RICHIE		
•			• LANGLEY			• RIEHL		
•			• LARDY			• RUED		
•			• LARSON, F. # 24			• SCHINDLER		
•			• LARSON, G. # 26			• SCOFIELD		
•			• LARSON, H. # 7			• SOLBERG		
•			• LEE			• STENEHJEM		
•			• LEIBHAN			• STRINDEN		
•			• LIPSIA			• SWONTEK		







relating to the circumstances under which the receipts from fairs and educational, religious, or charitable activities are exempt from the sales tax.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 7; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
• BACKES			• HERMAN			• MATTSOSON	•	• UNHJEM	
• BENEDICT			• HICKLE			• MEIERS	•	• VANDER VORST	
• BERG			• HOFFNER			• MELBY	•	• VIG	
• BERGE			• HOUMANN			• MERTENS	•	• WAGNER	
• BERGER			• HOVE			• MEYER	•	• WALD	
• BJORNSON			• JACOBSEN R.			• MURPHY	•	• WALSH	
• BLACK			• JACOBSON I.			• WUSHIK	•	• WEBER	
• BOYUM			• KELLY			• NICHOLAS	•	• WENTZ	
• BROKAW			• KENNELLY	•		• OLSON	•	• WESSMAN	
• CHRISTENSEN			• KERMOTT			• OPEDAHL	•	• WINKJER	
• CONMY			• KINGSBURY			• PELTIER			
• CRABTREE			• KLOUBEC			• PETERSON	•	• MR. SPEAKER	
• DICK			• KNUDSON			• POMEROY			
• DIETZ			• KOSKI			• REED			
• DOTZENROD			• KRETSCHMAR			• RETZER			
• DUBORD			• KUCHERA			• RICHARD			
• EAGLES			• LANG			• RICHIE			
• ERICKSON			• LANGLEY			• RIEHL			
• FLEMING	•		• LARDY	•		• RUED			
• FRENBORG		•	• LARSON F # 24			• SCHINDLER		•	
• GACKLE		•	• LARSON G # 29			• SCOFIELD			
• GERL		•	• LARSON H # 7			• SOLBERG			
• GORDER			• LEE	•		• STENEHJEM			
• GUNDERSON			• LEIBHAN			• STRINDEN			
• GUNSON			• LPSIEA			• SWONTEK			
• HANSON		•	• MADNER			• THOMPSON			
• HAUGLAND			• MARSDEN			• THOMPSON			
• HAUSAUER, A. # 40			• MARTIN			• TIMM			
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM			
• HEDSTROM			• MATHEWY	•		• TWETEN			

So the bill passed and the title was agreed to.

**House Bill No. 1542.** — A Bill for an Act to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
• BACKES			• HERMAN			• MATTSOSON		• UNHJEM	
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST	
• BERG			• HOFFNER			• MELBY		• VIG	
• BERGE			• HOUMANN			• MERTENS		• WAGNER	
• BERGER			• HOVE			• MEYER		• WALD	
• BJORNSON			• JACOBSEN R.			• MURPHY		• WALSH	
• BLACK			• JACOBSON I.			• WUSHIK		• WEBER	
• BOYUM			• KELLY			• NICHOLAS		• WENTZ	
• BROKAW			• KENNELLY			• OLSON		• WESSMAN	
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER	
• CONMY			• KINGSBURY			• PELTIER			
• CRABTREE			• KLOUBEC			• PETERSON	•	• MR. SPEAKER	
• DICK			• KNUDSON			• POMEROY			
• DIETZ			• KOSKI			• REED			
• DOTZENROD			• KRETSCHMAR			• RETZER			
• DUBORD			• KUCHERA			• RICHARD			
• EAGLES			• LANG			• RICHIE			
• ERICKSON			• LANGLEY			• RIEHL			
• FLEMING			• LARDY			• RUED			
• FRENBORG			• LARSON F # 24			• SCHINDLER			
• GACKLE			• LARSON G # 29			• SCOFIELD			
• GERL			• LARSON H # 7			• SOLBERG			
• GORDER			• LEE	•		• STENEHJEM			
• GUNDERSON			• LEIBHAN			• STRINDEN			





• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1604.** — A Bill for an Act to amend and reenact subsection 4 of section 38-18-05 of the North Dakota Century Code, relating to the definition of mineral developer.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 32; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		• MATTSON	• UNHJEM		
• BENEDICT		•	• HICKLE		• MEIERS	• VANDER VORST		
• BERG		•	• HOFFNER	•	• MELBY	• VIG		
• BERGE		•	• HOUMANN		• MERTENS	• WAGNER		
• BERGER		•	• HOVE		• MEYER	• WALD		
• BJORNSON		•	• JACOBSEN, R		• MURPHY	• WALSH		•
• BLACK		•	• JACOBSON, I	•	• MUSHAK	• WEBER		•
• BOYUM		•	• KELLY		• NICHOLAS	• WENTZ		•
• BROKAW		•	• KENNELLY		• OLSON	• WESSMAN		•
• CHRISTENSEN		•	• KERMOTT		• OPEDAHL	• WINKJER		
• CONMY		•	• KINGSBURY		• PELTIER			
• CRABTREE		•	• KLOUBEC		• PETERSON	• MR. SPEAKER		
• DICK		•	• KNUDSON	•	• POMEROY			
• DIETZ		•	• KOSKI		• REED			
• DOTZENROD		•	• KRETSCHMAR		• RETZER			
• DUBORD		•	• KUCHERA		• RICHARD			
• EAGLES		•	• LANG		• RICHIE			
• ERICKSON		•	• LANGLEY	•	• RIEHL			
• FLEMING		•	• LARDY		• RUD			
• FREIBORG		•	• LARSON, F #24		• SCHINDLER			
• GACKLE		•	• LARSON, G #29		• SCOFIELD			
• GERL		•	• LARSON, H #7		• SOLBERG			•
• GORDER		•	• LEE	•	• STENEHJEM			
• GUNDERSON		•	• LEIBHAN		• STRINDEN			
• GUNSCH		•	• LIPSIEA		• SWONTEK			
• HANSON		•	• MAIXNER		• THOMPSON			•
• HAUGLAND		•	• MARSDEN		• THORSGARD			
• HAUSAUER, A #49		•	• MARTIN	•	• TIMM			
• HAUSAUER, R. #25		•	• MARTINSON		• TINJUM			•
• HEDSTROM		•	• MATHENY		• TWETEN			•

So the bill passed and the title was agreed to.

**ANNOUNCEMENT**

Rep. Strinden requested that the record show that Rep. Fleming will be in Washington, D.C. on February 21, 1979, attending a White House Conference on Inflation. Rep. Backes has requested that Rep. Fleming serve in his stead at this conference.

**MOTIONS**

Rep. Unhjem moved that House Bill No. 1523 be returned to the House from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

Rep. Unhjem requested permission to withdraw House Bill No. 1523. There being no objection, it was so ordered by the Speaker.

Rep. Kretschmar moved that 500 copies be printed of engrossed House Bill No. 1104, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Wednesday, February 14, 1979, which motion prevailed.

## JOURNAL OF THE HOUSE

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1003, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

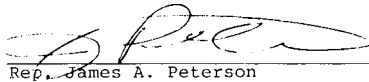
On page 1, line 8, delete the numerals "1,647,195" and insert  
in lieu thereof the numerals "372,130"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment decreases funds for the legislative space renovation projects to be completed during the 1979-81 biennium by \$1,265,065 from \$1,647,195 to \$372,130. The decrease is to reflect the fact that many of the renovations are conditioned upon vacancy of certain space in the State Capitol based on occupancy of the new Judicial Wing-State Office Building. That occupancy is now scheduled for late in the next biennium, or early in the 1981-83 biennium, and therefore, the bulk of the renovation will take place in the latter biennium. The principal items of renovation for the 1979-81 biennium include the new elevator allowing access to the Senate balcony area and present Supreme Court library area, recarpeting the legislative chambers, and adding a removable legislative information booth and display to Memorial Hallway.

And when so amended, recommends the same do pass.



Rep. James A. Peterson

Chairman

House

Bill No. 1003

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1016, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 20, after the word "improvements" insert the  
words "and contracts"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment provides that the line item appropriation of \$485,000.00 can be spent for contracts as well as land, structures, and major improvements.



Rep. James A. Peterson

Chairman

House Bill No. 1016 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1027, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 12, delete the numerals "4,322,102" and insert in lieu thereof the numerals "4,321,247"

On page 1, line 16, delete the numerals "625,408" and insert in lieu thereof the numerals "624,553"

On page 1, line 23, delete the numerals "4,322,102" and insert in lieu thereof the numerals "4,321,247"

On page 2, line 1, delete the numerals "423,072" and insert in lieu thereof the numerals "422,217"

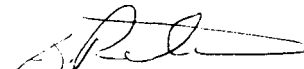
On page 2, line 8, delete the word "employees" and insert in lieu thereof the word "employee"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

**Statement of the Purpose of the Amendment:**

The purpose of this amendment is to reduce Law Enforcement Council salaries and wages by \$855. The proposed appropriation for salaries and wages will include adequate funds for fringe benefits including family medical insurance coverage. The budget for the Law Enforcement Council includes \$20,977 of which \$14,809 is from the general fund and \$6,168 is federal funds for a jail inspector.

  
Rep. James A. Peterson Chairman

House Bill No. 1027 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1036, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19, delete the numerals "17,995,293" and insert in lieu thereof the numerals "18,205,293"

On page 1, line 23, delete the numerals "23,283,638" and insert in lieu thereof the numerals "23,493,638"

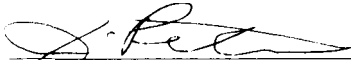
On page 2, line 8, delete the numerals "23,480,133" and insert in lieu thereof the numerals "23,690,133"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment increases the salaries and wages line item by \$210,000.00 to provide adequate funds for family medical insurance.



Chairman

House Rep. James A. Peterson Bill No. 1036 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1130, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 3; Absent, 0, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 2, line 20, delete the numerals "1980" and insert in lieu thereof the numerals "1981"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

House Rep. Gackle Bill No. 1130 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1170, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 1, line 10, before the word "Any" insert the numeral "1."

On page 1, line 15, delete the strike-through over the words "the-purpose-of-participating-in-cooperative"

On page 1, after line 18 add the following subsection: "2. Any school district may, upon resolution of the school board, and approval of sixty percent of those voting on the question at a regularly scheduled or special election in the school district, levy a tax of not to exceed five mills upon all taxable property within such school



district for the purpose of maintaining a vocational education program only for that school district and approved by the state board. The levy shall be in addition to any other mill levies authorized by law."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Knudson*

Chairman

Rep. Knudson

House

Bill No. 1170

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1222, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 15 strike the word "acquire" and insert in lieu thereof the following: "a. Acquire"
- On page 1, line 19 strike the following: ", may, subject" and insert in lieu thereof the following: "Condemnation may only be used to protect the integrity of state lands that are appropriate for park and recreation purposes. b. Subject"
- On page 1, line 21 strike "his" and insert in lieu thereof "the director's"
- On page 1, line 22 strike "as he shall deem" and insert in lieu thereof "deemed"
- On page 1, line 24 after the word "reserves" strike ", and may also, subject" and insert in lieu thereof "c. Subject"
- On page 2, line 3 after the word "necessary" strike ", may" and insert in lieu thereof a period
- On page 2, line 4 strike the word "accept" and insert in lieu thereof "d. Accept"
- On page 2, line 6 after the word "projects" strike ", may use" and insert in lieu thereof "e. Use"
- On page 2, line 9 after the word "lands" strike ", may act" and insert in lieu thereof "f. Act"
- On page 2, line 11 after the word "States" strike ", may" and insert in lieu thereof a period.
- On page 2, line 12 strike "make" and insert in lieu thereof "g. Make"
- On page 2, line 14 strike ", and may cooperate" and insert in lieu thereof "h. Cooperate"
- On page 2, line 18 strike "he" and insert in lieu thereof "the director"

And renumber the subdivisions, lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Kloubec

Chairman

House Bill No. 1222 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1274, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 5, that the same

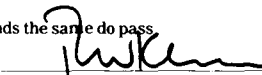
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 18, strike the words "Any proposal" and insert in lieu thereof the words "An application" and also on line 18 after the word "any" insert the word and comma "dike,"
- On page 1, line 19 after the word "facilities" insert the following: ", along with complete plans and specifications therefor," and also on line 19 strike the words "board of" and insert in lieu thereof "state engineer."
- On page 1, strike lines 20 and 21
- On page 1, line 22 strike the words "if the proposal meets with its approval, it"
- On page 1, line 24 remove the strike through over the words "~~After-the-receipt-thereof,-the-state~~", after the word "commission" insert the word "engineer" and also on line 24 remove the strike through over the word "~~shall~~"
- On page 2, line 1 remove the strike through over the words "~~consider the-same-in-such-detail-as~~" and also on line 1, remove the strike through over the words "~~it-may-seem-necessary~~"
- On page 2, line 2 remove the strike through over the words "~~and proper,-and-shall-make~~" and also on line 2 remove the strike through over the words "~~recommendations-and suggestions~~"
- On page 2, remove all the strike through on line 3
- On page 2, line 4 after the word "~~proposai~~" insert the word "application" and also on line 4 remove the strike through over the words "~~,-and-within-forty-five-days of-its-receipt-forward~~"
- On page 2, line 5 remove the strike through over the words "~~the same-to-the-board-of-commissioners,-~~" and insert before the period "of the district within which the contemplated project is located" and also on line 5 remove the strike through over the words "~~The-board-thereupon~~"
- On page 2, line 6 after the word "shall" strike the remainder of the sentence and insert in lieu thereof the following: "consider the same, and if the proposal and recommendations shall meet with its approval, it shall return the same within forty-five days to the state engineer."
- On page 2, delete lines 7 through 10
- On page 2, line 11 strike "the receipt of such plans and specifications" and insert in lieu thereof "The state engineer"

- On page 2, line 13 after the word "dangerous" insert the word and comma "dike,"
  - On page 2, line 15 strike the word "its" and insert in lieu thereof the word "his"
  - On page 2, line 16 after the word "safety" insert the words "or the protection of property"
  - On page 2, line 17 strike the words "water commission" and insert in lieu thereof the word "engineer"
  - On page 2, line 18 strike the words "such commission" and insert in lieu thereof the words "the state engineer"
  - On page 2, line 20 strike the words "water commission" and insert in lieu thereof the word "engineer"
  - On page 2, line 21 strike the words "water commission" and insert in lieu thereof the word "engineer"
- And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Chairman  
 Rep. Kloubec

House Bill No. 1274 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1302, has had the same under consideration and recommends, by a vote of

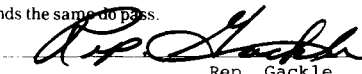
Ayes, 15; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 2, delete the following: ", and sections 57-02-27, 57-02-28, 57-02-34, and"
  - On page 1, line 3, delete the numerals "57-05-01"
  - On page 1, line 4, delete the following: "and the classification of"
  - On page 1, line 5, delete the following: "property for assessment and taxation purposes"
  - On page 1, line 17, strike the word "may" and insert in lieu thereof the word "shall"
  - On page 2, line 1, following the word "purposes," insert "cash rent,"
  - On page 2, delete lines 3 through 35
  - On page 3, delete lines 1 through 34
  - On page 4, delete lines 1 through 35
  - On page 5, delete lines 1 through 4
- And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Chairman  
 Rep. Gackle

House Bill No. 1302 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1337 has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 11, delete the words "PRECEDING OR"

On page 1, line 12, delete the strike through over the words "the-first  
day-of-January-the-fourth-day-of"

On page 1, delete all of the strike through on line 13


On page 1, line 14, delete the strike through over the word "December"  
and also on line 14, delete the words "any of the holidays  
enumerated in section 1-03-01"

On page 1, delete all of lines 15 and 16

On page 1, line 17, before the word "Sunday" insert the words "Saturday  
or"

And renumber the lines and pages accordingly


And when so amended, recommends the same do pass.

  
House Rep. Martinson Chairman  
Bill No. 1337 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1358 has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

  
House Rep. Gackie Chairman  
Bill No. 1358 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1385 has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 5, line 7, delete the numerals "1979" and insert in lieu  
thereof the numerals "1980"

On page 5, line 8, delete the numerals "1979" and insert in lieu  
thereof the numerals "1980"

And renumber the lines accordingly

And when so amended, recommends the same to pass. Be Placed On the Calendar Without Recommendation.

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1385 was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1411, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

*James A. Peterson* Chairman  
Rep. James A. Peterson

House Bill No. 1411 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1424, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1424 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1446, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

*Rep. Winkjer* Chairman  
Rep. Winkjer

House Bill No. 1446 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1450, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 3 delete "subsection 1 of section"

On page 1, line 4 delete "12.0-20-03 and"

On page 1, line 5 delete "gross sexual imposition and"

On page 1, delete all of lines 18 through 21 from the bill

On page 2, delete all of lines 1 through 21 from the bill

On page 2, line 33 delete the letter "B" and insert in lieu thereof the letter "A" and also delete "unless" and insert in lieu thereof a period

On page 2, delete all of lines 34 and 35

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*Winkjer*

Rep. Winkjer Chairman

House Bill No. 1450 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1455, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rudson*

Rep. Rudson Chairman

House Bill No. 1455 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1456, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rued*

Rep. Rued Chairman

House Bill No. 1456 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1472, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 6, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. James A. Peterson

House Bill No. 1472 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1484, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 7; Absent, 1, that the same

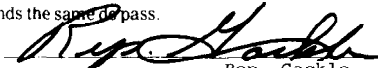
- do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 1, line 4, after the word "income" insert the following: "; and providing for an effective date"

On page 5, following line 9, add the following new section: "SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective for assessments of property made on or after January 1, 1980, and for payments of rent for periods beginning on or after January 1, 1980."

And renumber the lines and sections accordingly

And when so amended, recommends the same do pass.

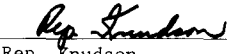
 Chairman  
Rep. Gackle

House Bill No. 1484 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1488, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 3; Absent, 1, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Knudson

House Bill No. 1488 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1496, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 2; Absent, 4, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 1, line 7, after the word "program" and before the period insert the words "; and providing an appropriation"


On page 2, after line 30, insert a new section: "SECTION 4. APPROPRIATION.) There is hereby appropriated

## JOURNAL OF THE HOUSE

out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$32,000.00, or so much thereof as may be necessary, to North Dakota public employees retirement system for the purpose of administrating the medical disability for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same be reported out without recommendation, but be re-referred to the Committee on Appropriations.



Chairman

House Rep. Martinson  
Bill No. 1496 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1508, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

House Rep. Martinson  
Bill No. 1508 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1513, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

House Rep. Martinson  
Bill No. 1513 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor  
to whom was referred House

Bill No. 1519, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 12, delete the word "lieutenant"

On page 2, line 21, delete the word "lieutenant"

And renumber the lines and pages accordingly



And when so amended, recommends the same do pass.

*Ed Rued* Chairman  
Rep. Rued

House Bill No. 1519 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1544, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 20 delete the second word "in" and insert in lieu thereof the words "with and subject to the approval of"

On page 2, line 1 delete the word "the" and insert in lieu thereof the word "an" and after the word "discontinuance" insert the words "which has been approved by the district court"

On page 2, line 12 after the numeral "3." insert the word "AMENDMENT"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Tom Winkjer* Chairman  
Rep. Winkjer

House Bill No. 1544 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1545, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 50-01 of the North Dakota Century Code, relating to the determination of eligibility for county poor relief, notice of the determination regarding county poor relief eligibility, and appeals from such determination; and to amend and reenact section 50-01-01 of the North Dakota Century Code relating to eligibility for county poor relief.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. ) A new section to chapter 50-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

DETERMINATION OF ELIGIBILITY - NOTICE - APPEAL. )  
The director of the county social service board, or an individual designated by the county social service board,

shall be responsible for determining, within a reasonable period of time, an applicant's eligibility for relief under this chapter. Applicants shall be provided written notice of the determination, such notice to include the reasons for such determination, as well as an explanation of the applicant's right to a timely appeal of the determination to the county social service board if aggrieved by the decision. Decisions of the county social service board regarding appeals taken pursuant to this section shall be subject to judicial review in the manner prescribed by chapter 28-32.

SECTION 2. AMENDMENT. ) Section 50-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-01-01. COUNTY OBLIGATED TO SUPPORT POOR - ELIGIBILITY FOR ASSISTANCE - TRANSFER OF PROPERTY AS SECURITY FOR ASSISTANCE. ) Each Within the limits of the county poor relief appropriation therefor, and subject to reimbursement under section 50-01-09.2, each county in this state is obligated, upon receipt of a written application on a form prescribed by the social service board of North Dakota, to relieve and support persons who are residents of the county and who are in need of poor relief. To be eligible for such relief, the poor-person applicant:

1. Shall not at any time before or after making application for county poor relief have made an assignment or transfer of property for the purpose of rendering himself eligible for assistance under this chapter.
2. Shall comply with the provisions of section 50-24-13 written eligibility standards for county poor relief established by the county social service board. Pursuant to this requirement, the ownership of real or personal property by an applicant for county poor relief, or by the spouse of such applicant, either individually or jointly, or of insurance on the life of the applicant shall not preclude the granting of such relief if the applicant is without funds for his support. However, as a condition to the granting of county poor relief, the applicant may be required to transfer such property in trust by appropriate instrument as security for relief the applicant may thereafter receive, unless the property consists of one of the following:
  - a. A homestead.
  - b. A life insurance policy having a cash surrender value of less than three hundred dollars.
  - c. Personal property of a value less than three hundred dollars, not including household goods, wearing apparel, and personal effects, such as money.
  - d. Property selected by the applicant having a value of less than three hundred dollars.
  - e. Real or personal property held in trust for the applicant by the federal government.
  - f. Real or personal property on which the taking of security may be prohibited through legislation enacted by the Congress of the United States."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Haugland Chairman  
Rep. Haugland  
House Bill No. 1545 was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1550, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Gackle Chairman  
Rep. Gackle  
House Bill No. 1550 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1561, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Winkjer Chairman  
Rep. Winkjer  
House Bill No. 1561 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1571, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 0; Absent, 5, that the same

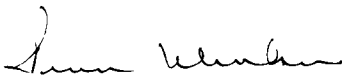
do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Winkjer Chairman  
Rep. Winkjer  
House Bill No. 1571 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1574, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Rep. Winkjer  
Bill No. 1574 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred House

Bill No. 1593, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 11 delete "in instances where the"

On page 1, line 12 delete "mineral estate has been severed from  
the surface estate,"

On page 1, line 13 delete "grant" and insert in lieu thereof  
"provide"

On page 1, line 14 delete "two" and insert in lieu thereof "one"

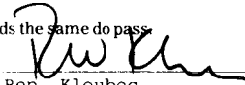
On page 1, line 15 delete "and one-half" and delete "state's  
share of the" and also on line 15 delete "output" and  
insert in lieu thereof "production"

On page 1, line 18 insert a period after "instrumentality" and  
also on line 18 delete "thereof, in"

On page 1, delete lines 19 and 20

And renumber the lines accordingly

And when so amended, recommends the same do pass



Chairman

House Rep. Kloubec  
Bill No. 1593 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1611, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 1, after the word "study" delete the word "and"

On page 1, line 2, delete the word "improve"

On page 1, delete lines 15 through 22

On page 2, delete lines 1 through 9

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment deletes the provisions of the bill which would have provided for a new state accounting system.



Chairman

Rep. James A. Peterson

House Bill No. 1611 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1620, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and also delete the remainder of the bill and insert in lieu thereof "for an Act to create and enact a new section in chapter 60-06 of the North Dakota Century Code, relating to the determination of the fair rental terms of existing leaseholds on railroad rights of way.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. The provisions of this chapter shall apply to the renewal of existing leaseholds on railroad rights of way."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Rued

House Bill No. 1620 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1643, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 1, that the same

X do pass. do not pass. be placed on calendar without recommendation.

But be re-referred to the Committee on Appropriations

House Rep. Martinson Chairman  
Bill No. 1643

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred House

Bill No. 1666, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

House Bill No. 1666 Rep. Rued Chairman  
was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions  
to whom was referred House

Bill No. 1676, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

House Bill No. 1676 Rep. Lang Chairman  
was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1691, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 6; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, delete all of lines 2 thru 6  
On page 2, line 7, delete the words "set by the governor"  
And renumber the lines and pages accordingly  
And when so amended, recommends the same do not pass.

House Rep. Martinson Chairman  
Bill No. 1691 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House Concurrent Resolution

No. 3021, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3021 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House Concurrent Resolution

No. 3045, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3045 Rep. Rued was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2115, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate Bill No. 2115 Rep. Rued was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2194, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate Bill No. 2194 Rep. Rued was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2251, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate Bill No. 2251 Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Nicholas, Meyer, and Rued, and Senators Peterson and Reiten introduced:

**House Concurrent Resolution No. 3055.** — A concurrent resolution directing the legislative council to study the provisions relating to the membership of the boards of directors of non-profit hospital service corporations, non-profit medical service corporations, non-profit dental service corporations and non-profit vision service corporations.

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

Reps. Dick and H. Larson introduced:

**House Concurrent Resolution No. 3056.** — A concurrent resolution directing a Legislative Council study of binding arbitration between school teachers and school boards.

Was read the first time and referred to the Committee on Education.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2027.** State Historical Board, International Peace Garden and Heritage Commission — A Bill for an Act making an appropriation for defraying the expenses of the state historical board and international peace garden of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2028.** Council on Arts and Humanities — A Bill for an Act making an appropriation for defraying the expenses of the council on arts and humanities of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2220.** — A Bill for an Act to create and enact a new section to chapter 23-20.1 of the North Dakota Century Code, relating to the collection of fees for the issuance of licenses and registration certificates for sources of ionizing radiation by the state department of health.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2276.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide qualifications for the director of the coal development impact office and to require confirmation by the senate; to amend and reenact section 14 of chapter 560 of the 1977 Session Laws of North Dakota,



relating to the coal development impact office and providing for qualifications for the director and confirmation by the senate; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2311.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code to allow an income tax credit for contributions to the North Dakota independent college fund.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2364.** — A Bill for an Act to amend and reenact subsection 4 of section 23-13-02.1, subsection 2 of section 23-13-02.3, sections 23-13-02.4 and 23-13-02.5, and subsection 1 of section 23-13-02.6 of the North Dakota Century Code, relating to the use of coin-operated and card-operated dispensing devices in self-service motor fuel dispensing facilities.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2461.** — A Bill for an Act to authorize a school district mill levy for federal unemployment compensation taxes.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2463.** — A Bill for an Act to create and enact a new subsection to section 43-32-30 of the North Dakota Century Code, relating to the exemption from licensure as a psychologist of persons practicing as school psychologists.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2464.** — A Bill for an Act to create and enact a new section to chapter 15-03 of the North Dakota Century Code, relating to the execution of instruments under the board of university and school lands loan pool account.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4010.** — A concurrent resolution urging the United States Congress not to pass any legislation mandating conversion to the metric system in the United States.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Concurrent Resolution No. 4031.** — A concurrent resolution urging a congressional investigation of the United States Postal Service, and directing that the resolution be delivered by courier to appropriate persons in Washington so as to avoid the risk of delay or loss in the United States mail.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Wednesday, February 14, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-FIRST DAY

Bismarck, February 14, 1979

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

The prayer was offered by Rev. George Walker, First Evangelical Free Church, Bismarck.

The roll was called and all members were present except Reps. Berger, Black, Erickson, Hoffner, I. Jacobson, Kelly, Knudson, G. Larson, H. Larson, Lee, Leibhan, Mattson, Meyer, Olson, Schindler, Swiontek, and Tinjum.

A quorum was declared by the Speaker.

ANNOUNCEMENT

Speaker Wagner announced that the Committee on Education is still meeting and will be present in the Chamber later in the afternoon.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirtieth Day and finds the same to be correct.

Handwritten signature of Steven J. Swiontek, Chairman, Rep. Swiontek, moved that the report be adopted, which motion prevailed.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. William Goetz, and Rep. Goetz was thereupon introduced to the House.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1169
HB NO. 1368
HB NO. 1371
HB NO. 1395
HB NO. 1407
HB NO. 1414
HB NO. 1469
HB NO. 1621
HB NO. 1634

and find the same correctly } Engrossed

*Wayne Stenehjem*  
Rep. Stenehjem Chairman  
moved that the report be adopted, which

Representative Dietz motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1304

and find the same correctly Re } Engrossed

*Wayne Stenehjem*  
Rep. Stenehjem Chairman  
moved that the report be adopted, which

Representative Dietz motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1003 as recommended by the Committee on Appropriations as printed on page 842 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1016 as recommended by the Committee on Appropriations as printed on page 842 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1027 as recommended by the Committee on Appropriations as printed on page 843 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1036 as recommended by the Committee on Appropriations as printed on pages 843 and 844 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1130 as recommended by the Committee on Finance and Taxation as printed on page 844 of the House Journal be adopted.

Rep. Fleming requested a recorded roll call vote on Rep. Gackle's motion to adopt the amendments to House Bill No. 1130, which request was granted.

The question being on the motion of Rep. Gackle to adopt the amendments to House Bill No. 1130.

ROLL CALL

The roll was called, and there were ayes, 66; nays, 30; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●					●			● UNHJEM
			●					●			● VANDER VORST
●					●	●					● VIG
●			●					●			● WAGNER
		●						●			● WALD
●						●					● WALSH
●								●			● WEBER
●			●			●					● WENTZ
		●	●					●			● WESSMAN
●								●			● WINKLER
●			●			●					● MR. SPEAKER
●			●					●			
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			●					●			

● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FLEMBORG	● LARSON, F #24	● SCHINDLER
● GACKLE	● LARSON, G #29	● SCOPFELD
● GERL	● LARSON, H #7	● SOLBERG
● GORDER	● LEE	● STENEHJEW
● GUNDERSON	● LEIHAN	● STRINDEN
● GUNSCY	● LIPSIA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSKARD
● HAUSAUER, A #49	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

The motion prevailed, and the amendments to House Bill No. 1130 were adopted.

Rep. Knudson moved that the amendments to House Bill No. 1170 as recommended by the Committee on Education as printed on pages 844 and 845 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1222 as recommended by the Committee on Natural Resources as printed on page 845 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1274 as recommended by the Committee on Natural Resources as printed on pages 846 and 847 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1302 as recommended by the Committee on Finance and Taxation as printed on page 847 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1337 as recommended by the Committee on State and Federal Government as printed on page 848 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1385 as recommended by the Committee on Finance and Taxation as printed on pages 848 and 849 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1450 as recommended by the Committee on Judiciary as printed on pages 849 and 850 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1484 as recommended by the Committee on Finance and Taxation as printed on page 851 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1496 as recommended by the Committee on State and Federal Government as printed on pages 851 and 852 of the House Journal be adopted, which motion prevailed.

House Bill No. 1496 was re-referred to the Committee on Appropriations.

Rep. Rued moved that the amendments to House Bill No. 1519 as recommended by the Committee on Industry, Business and Labor as printed on pages 852 and 853 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1544 as recommended by the Committee on Judiciary as printed on page 853 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1545 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 853 and 854 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1593 as recommended by the Committee on Natural Resources as printed on page 856 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1611 as recommended by the Committee on Appropriations as printed on pages 856 and 857 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1620 as recommended by the Committee on Industry, Business and Labor as printed on page 857 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1691 as recommended by the Committee on State and Federal Government as printed on page 858 of the House Journal be adopted, which motion prevailed.

#### MESSAGE TO THE SENATE

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1044  
 House Bill No. 1363  
 House Bill No. 1374  
 House Bill No. 1415  
 House Bill No. 1460  
 House Bill No. 1461  
 House Bill No. 1509  
 House Bill No. 1529  
 House Bill No. 1533  
 House Bill No. 1570  
 House Bill No. 1577  
 House Bill No. 1652  
 House Bill No. 1667  
 House Bill No. 1686  
 House Concurrent Resolution No. 3011  
 House Concurrent Resolution No. 3024  
 House Concurrent Resolution No. 3030  
 House Concurrent Resolution No. 3033.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE SENATE

##### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2007  
 Senate Bill No. 2039  
 Senate Bill No. 2186  
 Senate Bill No. 2340  
 Senate Bill No. 2363  
 Senate Bill No. 2410  
 Senate Bill No. 2445.

LEO LEIDHOLM, Secretary

#### MOTION

Rep. Kretschmar moved that the House reconsider its action by which House Bill No. 1017 failed to pass, which motion prevailed.



Rep. Nicholas requested permission to withdraw House Bill No. 1546. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

**House Bill No. 1358.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to income for individuals and fiduciaries; and to repeal subsection 1 of section 57-38-66 of the North Dakota Century Code, relating to the business and corporation privilege tax on individuals, estates, and trusts; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 83; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERBUTT	•		OPEDAHL	•		WINKLER	•	
CONNY	•		KINGSBURY	•		PELTER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER		
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 26	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENERHEJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNDSCH	•		LIPSIE	•		SWONTEK	•				
HANSON	•		MARKER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER, A. # 49	•		MARTIN	•		TIMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•				
HEDESTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1371.** — A Bill for an Act to create and enact sections 47-15-14, 47-15-15, 47-15-16, and 47-15-17 of the North Dakota Century Code, relating to the theft of hired personal property, evidence of theft intent in a hiring contract, the financial liability of a hirer for personal property theft, and providing criminal penalties for personal property theft; and to amend and reenact section 12.1-23-02 of the North Dakota Century Code, relating to the theft of property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 73; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHIK	•		WEBER	•	

BOYUM	KELLY	NICHOLAS	WENTZ
BROKAW	KENNELLY	OLSON	WESSMAN
CHRISTENSEN	KERMOTT	OPEDAHL	WINKJER
COMAY	KINGSBURY	PELTIER	MR SPEAKER
CRABTREE	KLOUBEC	PETERSON	
DICK	KNUDSON	POMEROY	
DIETZ	KOSKI	REED	
DOTZENROD	KRETSCHMAR	RETZER	
DuBORD	KUCHERA	RICHARD	
EAGLES	LANG	RICHIE	
ERICKSON	LANGLEY	RIEHL	
FLEMING	LARDY	RUED	
FREBORG	LARSON F # 24	SCHINDLER	
GACKLE	LARSON G # 29	SCOFIELD	
GERL	LARSON H # 7	SOLBERG	
GORDER	LEE	STENEHJEM	
GUNDERSON	LEIBHAN	STRINDEN	
GUNSON	LIPSIEA	SWINTEK	
HANSON	MAIXNER	THOMPSON	
HAUGLAND	MARSDEN	THORSGARD	
HAUSAUER A # 49	MARTIN	TIMM	
HAUSAUER R # 25	MARTINSON	TINJUM	
HEDSTROM	MATHENY	TWETEN	

So the bill lost.

**House Bill No. 1411.** — A Bill for an Act to provide for a study by the industrial commission of North Dakota on the feasibility of the construction of a state-operated grain alcohol production plant at the state mill and elevator; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 64; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN			MATTSON		•
•			HICKLE		•	MEIERS		•
		•	HOFFNER			MELBY		•
			HOUMANN		•	MERTENS		•
			HOVE		•	MEYER		•
		•	JACOBSEN R			MURPHY		•
		•	JACOBSON I			MUSHIK		•
		•	KELLY		•	NICHOLAS		•
			KENNELLY		•	OLSON		•
			KERMOTT		•	OPEDAHL		•
			KINGSBURY		•	PELTIER		•
			KLOUBEC		•	PETERSON		•
		•	KNUDSON			POMEROY		•
		•	KOSKI		•	REED		•
		•	KRETSCHMAR		•	RETZER		•
		•	KUCHERA		•	RICHARD		•
		•	LANG		•	RICHIE		•
		•	LANGLEY		•	RIEHL		•
		•	LARDY		•	RUED		•
		•	LARSON F # 24		•	SCHINDLER		•
		•	LARSON G # 29		•	SCOFIELD		•
		•	LARSON H # 7		•	SOLBERG		•
		•	LEE		•	STENEHJEM		•
		•	LEIBHAN		•	STRINDEN		•
		•	LIPSIEA		•	SWINTEK		•
		•	MAIXNER		•	THOMPSON		•
		•	MARSDEN		•	THORSGARD		•
		•	MARTIN		•	TIMM		•
		•	MARTINSON		•	TINJUM		•
		•	MATHENY		•	TWETEN		•

So the bill lost.

**House Bill No. 1424.** — A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 of the North Dakota Century Code, relating to the duty of the state supervisor of assessments to make the sales ratio study; and to repeal sections 57-01-06, 57-01-06.1, and 57-01-07 of the North Dakota Century Code, relating to the sales ratio study.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 47; absent and not voting, 6.



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON		• UNHJEM
• BENEDICT	•		• HICKLE	•		• MEIERS		• VANDER VORST
• BERG	•		• HOFFNER			• MELBY	•	• VIG
• BERGE		•	• HOUMANN		•	• MERTENS		• WAGNER
• BERGER		•	• HOVE	•		• MEYER	•	• WALD
• BJORNSON	•		• JACOBSEN R		•	• MURPHY		• WALSH
• BLACK		•	• JACOBSON I		•	• MUSHIK	•	• WEBER
• BOYUM	•		• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW		•	• KENNELLY		•	• OLSON		• WESSMAN
• CHRISTENSEN		•	• KERMOTT	•		• OPEDAHL	•	• WINKJER
• CONMY		•	• KINGSBURY		•	• PELTIER		
• CRABTREE	•		• KLOUBEC	•		• PETERSON		MR SPEAKER
• DICK		•	• KNUDSON		•	• POMEROY		
• DIETZ	•		• KOSKI	•		• REED	•	
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		
• DUBORD	•		• KUCHERA		•	• RICHARD		
• EAGLES		•	• LANG	•		• RICHIE	•	
• ERICKSON		•	• LANGLEY		•	• RIEHL	•	
• FLEMING		•	• LARDY	•		• RUED		
• FREBORG		•	• LARSON F # 24		•	• SCHINDLER		
• GACKLE		•	• LARSON G # 29		•	• SCOFIELD		
• GERL	•		• LARSON H # 7		•	• SOLBERG		
• GORDER		•	• LEE	•		• STENEHJEM	•	
• GUNDERSON		•	• LEIBHAN	•		• STRINDEN		
• GUNSCH	•		• LIPSIEA		•	• SWIONTEK	•	
• HANSON		•	• MAIXNER		•	• THOMPSON		
• HAUGLAND		•	• MARSDEN		•	• THORSgard		
• HAUSAUER A # 49		•	• MARTIN	•		• TIMM	•	
• HAUSAUER R # 25	•		• MARTINSON		•	• TINJUM		
• HEDSTROM		•	• MATHENY	•		• TWETEN		

So the bill lost.

**House Bill No. 1455.** — A Bill for an Act to create and enact a new subsection to section 15-38-04.1 of the North Dakota Century Code, providing for a school holiday on George Washington's birthday; and to amend and reenact sections 15-40.1-09 and 15-47-33 of the North Dakota Century Code, increasing the holidays includable in determining "average daily membership" for purposes of determining school aid and in counting the number of days in a full school year.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 47; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON		• UNHJEM
• BENEDICT	•		• HICKLE	•		• MEIERS		• VANDER VORST
• BERG		•	• HOFFNER			• MELBY	•	• VIG
• BERGE		•	• HOUMANN		•	• MERTENS		• WAGNER
• BERGER		•	• HOVE	•		• MEYER	•	• WALD
• BJORNSON	•		• JACOBSEN R		•	• MURPHY		• WALSH
• BLACK		•	• JACOBSON I		•	• MUSHIK	•	• WEBER
• BOYUM	•		• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW		•	• KENNELLY		•	• OLSON		• WESSMAN
• CHRISTENSEN		•	• KERMOTT	•		• OPEDAHL	•	• WINKJER
• CONMY		•	• KINGSBURY		•	• PELTIER		
• CRABTREE	•		• KLOUBEC	•		• PETERSON		MR SPEAKER
• DICK		•	• KNUDSON		•	• POMEROY		
• DIETZ	•		• KOSKI	•		• REED	•	
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		
• DUBORD	•		• KUCHERA		•	• RICHARD		
• EAGLES		•	• LANG	•		• RICHIE	•	
• ERICKSON		•	• LANGLEY		•	• RIEHL	•	
• FLEMING		•	• LARDY	•		• RUED		
• FREBORG		•	• LARSON F # 24		•	• SCHINDLER		
• GACKLE		•	• LARSON G # 29		•	• SCOFIELD		
• GERL	•		• LARSON H # 7		•	• SOLBERG		
• GORDER		•	• LEE	•		• STENEHJEM	•	
• GUNDERSON		•	• LEIBHAN	•		• STRINDEN		
• GUNSCH	•		• LIPSIEA		•	• SWIONTEK	•	
• HANSON		•	• MAIXNER		•	• THOMPSON		
• HAUGLAND		•	• MARSDEN		•	• THORSgard		
• HAUSAUER A # 49		•	• MARTIN	•		• TIMM	•	
• HAUSAUER R # 25	•		• MARTINSON		•	• TINJUM		
• HEDSTROM		•	• MATHENY	•		• TWETEN		

So the bill lost.

MOTION

Rep. Strinden moved that a committee of two be appointed to escort a delegation from the Northern Lights Council of the Boy Scouts of America to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Winkjer and Thompson to the escort committee, which subsequently escorted to the podium for introduction:

- Eagle Scout Jerry Bannerman, Fargo
- Star Scout Scott Adkins, Devils Lake
- Explorer Scout Twyla Presser, Mandan
- Explorer Scout Dan Rash, Bismarck
- Cub Scout James Ballweber, Scranton
- Cub Scout Steve Burian, Bismarck

SECOND READING OF HOUSE BILLS

**House Bill No. 1472.** — A Bill for an Act providing for the implementation of a rehabilitation teacher program throughout the state to serve the blind and visually impaired; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 62; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		•					•
•			NICKLE	•		•		•		•	•
•			HÖFFNER	•		•		•		•	•
•			HOLMANN	•		•		•		•	•
•			HOVE	•		•		•		•	•
•			JACOBSEN R	•		•		•		•	•
•			JACOBSON I	•		•		•		•	•
•			KELLY	•		•		•		•	•
•			KENNELLY	•		•		•		•	•
•			KERMOTT	•		•		•		•	•
•			KINGSBURY	•		•		•		•	•
•			KLOUBEC	•		•		•		•	•
•			KNUDSON	•		•		•		•	•
•			KOSKI	•		•		•		•	•
•			KRETSCHMAR	•		•		•		•	•
•			KUCHERA	•		•		•		•	•
•			LANG	•		•		•		•	•
•			LANGLEY	•		•		•		•	•
•			LARDY	•		•		•		•	•
•			LARSON F #24	•		•		•		•	•
•			LARSON G #29	•		•		•		•	•
•			LARSON H #7	•		•		•		•	•
•			LEE	•		•		•		•	•
•			LEIBMAN	•		•		•		•	•
•			LIPSIEA	•		•		•		•	•
•			MAIXNER	•		•		•		•	•
•			MARSDEN	•		•		•		•	•
•			MARTIN	•		•		•		•	•
•			MARTINSON	•		•		•		•	•
•			MATHENY	•		•		•		•	•
•			MATTSON	•		•		•		•	•
•			MEIERS	•		•		•		•	•
•			MELBY	•		•		•		•	•
•			MERTENS	•		•		•		•	•
•			MEYER	•		•		•		•	•
•			MURPHY	•		•		•		•	•
•			MUSHIK	•		•		•		•	•
•			NICHOLAS	•		•		•		•	•
•			OLSON	•		•		•		•	•
•			OPEDAHL	•		•		•		•	•
•			PELTIER	•		•		•		•	•
•			PETERSON	•		•		•		•	•
•			POMEROY	•		•		•		•	•
•			REED	•		•		•		•	•
•			RETZER	•		•		•		•	•
•			RICHARD	•		•		•		•	•
•			RIEHL	•		•		•		•	•
•			RUED	•		•		•		•	•
•			SCHINDLER	•		•		•		•	•
•			SCOFIELD	•		•		•		•	•
•			SOLBERG	•		•		•		•	•
•			STENHJEM	•		•		•		•	•
•			STRINDEK	•		•		•		•	•
•			SWONTEK	•		•		•		•	•
•			THOMPSON	•		•		•		•	•
•			THORSGARD	•		•		•		•	•
•			TIMM	•		•		•		•	•
•			TINJUM	•		•		•		•	•
•			TWETEN	•		•		•		•	•
•			UNHJEM	•		•		•		•	•
•			VANDER VORST	•		•		•		•	•
•			VG	•		•		•		•	•
•			WAGNER	•		•		•		•	•
•			WALD	•		•		•		•	•
•			WALSH	•		•		•		•	•
•			WEBER	•		•		•		•	•
•			WENTZ	•		•		•		•	•
•			WESSMAN	•		•		•		•	•
•			WINKJER	•		•		•		•	•
•			MR. SPEAKER	•		•		•		•	•

So the bill lost.

MOTION

Rep. Gerl moved that House Bill No. 1666 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1488.** — A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to the age for starting school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 80; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON		UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		VANDER VORST
BERG		•	HOFFNER		•	MELBY		VIG
BERGE		•	HOUMANN		•	MERTENS		WAGNER
BERGER		•	HOVE		•	MEYER		WALD
BJORNSON		•	JACOBSEN, R		•	MURPHY		WALSH
BLACK		•	JACOBSON, I		•	MUSHIK		WEBER
BOYUM		•	KELLY		•	NICHOLAS		WENTZ
BROKAW		•	KENNELLY		•	OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		WINKJER
COMMY		•	KINGSBURY		•	PELTIER		
CRABTREE		•	KLOUBEC		•	PETERSON		MR SPEAKER
DICK		•	KNUDSON		•	POMERROY		
DIEZ		•	KOSKI		•	REED		
DOTZENROD		•	KRETSCHMAR		•	RETZER		
DUBORD		•	KUCHERA		•	RICHARD		
EAGLES		•	LANG		•	RIEHL		
ERICKSON		•	LANGLEY		•	RIEHL		
FLEMING		•	LARDY		•	RUED		
FREBORG		•	LARSON, F #24		•	SCHINDLER		
GACKLE		•	LARSON, G #29		•	SCOFIELD		
GERL		•	LARSON, H #7		•	SOLBERG		
GORDER		•	LEE		•	STENEHJEM		
GUNDERSON		•	LEIBHAN		•	STRINDEJEM		
GUNSCH		•	LIPSIEA		•	SWONTEK		
HANSON		•	MAIXNER		•	THOMPSON		
HAUGLAND		•	MARSDEN		•	THORSGARD		
HAUSAUER, A #49		•	MARTIN		•	TIMM		
HAUSAUER, R #25		•	MARTINSON		•	TINJUM		
HEDSTROM		•	MATHEHY		•	TWETEN		

So the bill lost.

**House Bill No. 1574.** — A Bill for an Act to amend and reenact section 40-12-01 of the North Dakota Century Code, relating to applying the provisions for initiating and referring of municipal ordinances to all cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 12; nays, 79; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON		UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		VANDER VORST
BERG		•	HOFFNER		•	MELBY		VIG
BERGE		•	HOUMANN		•	MERTENS		WAGNER
BERGER		•	HOVE		•	MEYER		WALD
BJORNSON		•	JACOBSEN, R		•	MURPHY		WALSH
BLACK		•	JACOBSON, I		•	MUSHIK		WEBER
BOYUM		•	KELLY		•	NICHOLAS		WENTZ
BROKAW		•	KENNELLY		•	OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		WINKJER
COMMY		•	KINGSBURY		•	PELTIER		
CRABTREE		•	KLOUBEC		•	PETERSON		MR SPEAKER
DICK		•	KNUDSON		•	POMERROY		
DIEZ		•	KOSKI		•	REED		
DOTZENROD		•	KRETSCHMAR		•	RETZER		
DUBORD		•	KUCHERA		•	RICHARD		
EAGLES		•	LANG		•	RIEHL		
ERICKSON		•	LANGLEY		•	RIEHL		
FLEMING		•	LARDY		•	RUED		
FREBORG		•	LARSON, F #24		•	SCHINDLER		
GACKLE		•	LARSON, G #29		•	SCOFIELD		
GERL		•	LARSON, H #7		•	SOLBERG		
GORDER		•	LEE		•	STENEHJEM		
GUNDERSON		•	LEIBHAN		•	STRINDEJEM		
GUNSCH		•	LIPSIEA		•	SWONTEK		
HANSON		•	MAIXNER		•	THOMPSON		
HAUGLAND		•	MARSDEN		•	THORSGARD		
HAUSAUER, A #49		•	MARTIN		•	TIMM		
HAUSAUER, R #25		•	MARTINSON		•	TINJUM		
HEDSTROM		•	MATHEHY		•	TWETEN		

So the bill lost.

**House Bill No. 1676.** — A Bill for an Act to amend and reenact subsection 4 of section 61-24-08 of the North Dakota Century Code,



● BJORNSON	● JACOBSEN R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNEL	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKLER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEF	● STENHEJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House re-convened with Speaker Wagner presiding.

SECOND READING OF HOUSE BILLS

**House Bill No. 1304.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, creating a coal impact commission, setting out the powers and duties of the coal impact commission; to amend and reenact sections 14 and 15 of chapter 560 of the 1977 Session Laws of North Dakota, creating a coal impact commission and setting out the powers and duties of the coal impact commission; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 2; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOLMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE	●		● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY	●		● NICHOLAS	●		● WENTZ		
● BROKAW		●	● KENNEL			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD	●				
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL	●				
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEF	●		● STENHEJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK	●				
● HANSON		●	● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1368.** — A Bill for an Act to amend and reenact section 51-21-05 of the North Dakota Century Code, relating to civil remedies against adult shoplifters or against the parent or guardian of a minor shoplifter.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 2; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK	●		● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY	●		● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC	●		● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD	●				
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #26			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE	●		● STENHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSIEA			● SWONTEK	●				
● HANSON			● MAWNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1395.** — A Bill for an Act to create and enact two new sections to chapter 23-29 of the North Dakota Century Code, limiting the location of solid waste management facilities over aquifers; providing an effective date; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY	●		● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD	●				
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY			● RUED					

● FREBORG	● LARSON F. # 24	● SCHINDLER
● GACKLE	● LARSON G. # 29	● SCOFIELD
● GERL	● LARSON H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHEM
● GUNDERSON	● LEIHAN	● STRINDEM
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A. # 49	● MARTIN	● TIMM
● HAUSAUER R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1407.** — A Bill for an Act to amend and reenact sections 4-10.2-03 and 4-10.3-03 of the North Dakota Century Code, allowing the commissioner of agriculture or a designated county agent, in cooperation with the cooperative extension service, to conduct an election for the North Dakota sunflower council or the North Dakota edible bean council and to allow for the elections to be conducted within seventy-five days prior to April first; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 2; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTON		● UNHJEM
●			● HICKLE			● MEIERS		● VANDER VORST
●			● HOFFNER			● MELBY		● VIG
●			● HOUMANN			● MERTENS		● WAGNER
●			● HOVE			● MEYER		● WALD
●			● JACOBSEN R.			● MURPHY		● WALSH
●			● JACOBSON I.			● MUSHIK		● WEBER
●			● KELLY			● NICHOLAS		● WENTZ
●			● KENNELLY			● OLSON		● WESSMAN
●			● KERMOTT			● OPEHAHL		● WINKJER
●			● KINGSBURY			● PELTER		
●			● KLOUBEC			● PETERSON		● MR. SPEAKER
●			● KNUDSON			● POMEROY		
●			● KOSKI			● REED		
●			● KRETSCHMAR			● RETZER		
●			● KUCHERA			● RICHARD		
●			● LANG			● RICHE		
●			● LANGLEY			● RIEHL		
●			● LARDY			● RUED		
●			● LARSON F. # 24			● SCHINDLER		
●			● LARSON G. # 29			● SCOFIELD		
●			● LARSON H. # 7			● SOLBERG		
●			● LEE			● STENEHEM		
●			● LEIHAN			● STRINDEM		
●			● LIPSIA			● SWONTEK		
●			● MAIXNER			● THOMPSON		
●			● MARSDEN			● THORSGARD		
●			● MARTIN			● TIMM		
●			● MARTINSON			● TINJUM		
●			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1414.** — A Bill for an Act to amend and reenact section 57-55-03 of the North Dakota Century Code, relating to interest due on delinquent mobile home tax; and to amend and reenact section 57-55-11 of the North Dakota Century Code, relating to the collection of the mobile home tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 7; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER		•	• MELBY			• VIG		•
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY		•	• WALSH		
• BLACK		•	• JACOBSON I			• MUSHK		•	• WEBER		
• BOYUM			• KELLY		•	• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK		•	• KNUDSON			• POWEROY					
• DIETZ			• KOSKI		•	• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 26			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1446.** — A Bill for an Act to amend and reenact section 12.1-21-01 of the North Dakota Century Code, relating to the crime of arson.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER		•	• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHK			• WEBER		
• BOYUM			• KELLY		•	• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK		•	• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 26			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1456.** — A Bill for an Act to prohibit discrimination in the choice of optometric services.

Which has been read.



ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			● HERMAN			● MATTHEWSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY ●			● NICHOLAS ●		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KENNEDY			● OPEDAHL		● WINKLER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK ●			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA ●			● RICHARD ●		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 26			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH ●			● LIPSIE			● SWONTEK		
● HANSON			● MAIKNER			● THOMPSON		
● HAUGLAND			● WARSDEN			● THORSGARD		
● HAUSAUER A # 48			● WARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEOSTROM			● MATHEWY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1469.** — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to regulations of motorized bicycles; to create a new section to chapter 39-06 of the North Dakota Century Code, relating to operator's license requirements for operation of motorized bicycles; to amend and reenact section 39-22-03 of the North Dakota Century Code, relating to motorcycle and motorized bicycle dealers; providing a penalty; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 11; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			● HERMAN			● MATTHEWSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY ●			● NICHOLAS ●		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KENNEDY			● OPEDAHL		● WINKLER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA ●			● RICHARD ●		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 26			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		

• GUNSCH	• LIPSIEA	• SWINTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1508.** — A Bill for an Act to amend and reenact sections 19-13.1-13 and 19-20.1-11 of the North Dakota Century Code, allowing the state laboratories department to publish certain information at its discretion.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST	•	
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN #8			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY	•		• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #29			• SCORFIELD					
• GERL			• LARSON H #7			• SOLBERG					
• GORDER			• LEE	•		• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWINTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A #49			• MARTIN			• TIMM	•				
• HAUSAUER R #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1513.** — A Bill for an Act to amend and reenact section 47-20.1-10 of the North Dakota Century Code, relating to the minimum corner requirements of United States government survey corners;

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY	•		• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					

● DIETZ	● KOSKI	● REED
● DOTZENROD	● KRETSCHMAR	● RETZER
● DUBORD	● KUCHER	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 26	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1550.** — A Bill for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the duties of the state board of equalization regarding property assessment levels; to amend and reenact sections 57-02-27, 57-02-28, 57-02-34, and 57-05-01 of the North Dakota Century Code, relating to the assessment of property for tax purposes and the basis for the computation of property taxes.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 7; absent and not voting, 4.

REGULAR SESSION									ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKE			● HERMAN			● WATTSON			● UNHJEM					
● BENEDICT			● HICKLE			● WEIERS			● VANDERVORST					
● BERG		●	● HOFFNER			● MELBY			● VIG					
● BERGE			● HOUAMANN			● MERTENS			● WAGNER					
● BERGER			● HOVE			● MEYER			● WALO					
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH					
● BLACK			● JACOBSON I			● MUSHIK			● WEBER					
● BOYUM		●	● KELLY	●		● NICHOLAS			● WENTZ					
● BROKAW			● KENNELLY			● OLSON			● WESSMAN					
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER					
● CONMY		●	● KINGSBURY			● PELTIER								
● CRABTREE			● KLOUBEC		●	● PETERSON			MR. SPEAKER		●			
● DICK			● KNUDSON			● POWEROY								
● DIETZ			● KOSKI			● REED								
● DOTZENROD			● KRETSCHMAR			● RETZER								
● DUBORD			● KUCHER			● RICHARD								
● EAGLES			● LANG			● RICHIE								
● ERICKSON			● LANGLEY			● RIEHL								
● FLEMING		●	● LARDY			● RUED								
● FREBORG			● LARSON F # 24			● SCHINDLER								
● GACKLE			● LARSON G # 26			● SCOFIELD								
● GERL			● LARSON H # 7			● SOLBERG								
● GORDER			● LEE	●		● STENEHJEM								
● GUNDERSON			● LEIBHAN			● STRINDEN								
● GUNSCH			● LIPSIEA			● SWONTEK								
● HANSON			● MAIXNER			● THOMPSON								
● HAUGLAND			● MARSDEN			● THORSGARD								
● HAUSAUER A # 49			● MARTIN			● TIMM								
● HAUSAUER R # 25			● MARTINSON			● TINJUM								
● HEDSTROM			● MATHENY			● TWETEN								

So the bill passed and the title was agreed to.

**House Bill No. 1561.** — A Bill for an Act to create and enact a new subsection to section 11-10-06 of the North Dakota Century Code, relating to the amount of the bond required for clerks of the district court; and to amend and reenact subsections 1 and 4 of section 11-10-06 of the North Dakota Century Code, relating to separating the clerks of the district court from other county officials with respect to bonding, and increasing the amount of the bond required for state's attorneys.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 3; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● WERTENS	●		● WAGNER		
● BERGER			● HOVE			● WEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK	●		● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONNY		●	● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE		●			
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUED	●				
● FROBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE	●		● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHEJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**House Bill No. 1571.** — A Bill for an Act to create and enact a new section to chapter 30.1-20 of the North Dakota Century Code, relating to errors in a deed of distribution of assets.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● WERTENS	●		● WAGNER		
● BERGER			● HOVE			● WEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● NICHOLAS	●		● WEBER		
● BOYUM			● KELLY			● OLSON			● WENTZ		
● BROKAW			● KENNELLY			● OPEDAHL			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● PELTIER			● WINKJER		
● CONNY			● KINGSBURY			● PETERSON			● MR SPEAKER		
● CRABTREE			● KLOUBEC			● POMEROY					
● DICK			● KNUDSON			● REED					
● DIETZ			● KOSKI			● RETZER					
● DOTZENROD			● KRETSCHMAR			● RICHARD					
● DUBORD			● KUCHERA	●		● RICHIE					
● EAGLES			● LANG			● RIEHL					
● ERICKSON			● LANGLEY			● RUED	●				
● FLEMING	●		● LARDY			● SCHINDLER					
● FROBORG			● LARSON F # 24			● SCOFIELD					
● GACKLE	●		● LARSON G # 29			● SOLBERG					
● GERL			● LARSON H # 7			● STENEHEJEM					
● GORDER			● LEE	●		● STRINDEN					
● GUNDERSON			● LEIBHAN			● SWONTEK					
● GUNSCHE			● LIPSIEA			● THOMPSON					
● HANSON			● MAIXNER			● THORSgard					
● HAUGLAND			● MARSDEN			● TIMM					
● HAUSAUER A # 49			● MARTIN			● TINJUM					
● HAUSAUER R # 25			● MARTINSON			● TWETEN	●				
● HEDSTROM			● MATHENY								

So the bill passed and the title was agreed to.

**House Bill No. 1621.** — A Bill for an Act relating to adult abuse, protection orders, temporary protection orders, assistance of peace officers in service or execution of protection orders, the right to apply for relief, the exclusiveness of the remedy from other remedies, emergency relief; and providing a penalty for violation of a protection order.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 8; absent and not voting, 9.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG	●		● HOFFNER			● MELBY		● VIG
● BERGE			● HOUHANN			● MERTENS ●		● WAGNER
● BERGER			● HOVE	●		● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS ●		● WENTZ
● BROKAW			● KENNELLY			● OLSON	●	● WESSMAN
● CHRISTENSEN			● KERWOTT			● OPEDAH		● WINJER
● CONNY			● KINGSBURY	●		● PELTER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER	●	
● DuBORD			● KUCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED ●		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE ●			● LARSON, G. # 29			● SCOFIELD		
● GERL	●		● LARSON, H. # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH	●		● LIPSIEA			● SWONTEK		
● HANSON			● MAXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSgard		
● HAUSAUER, A. # 49			● MARTIN			● TIMM	●	
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN ●		

So the bill passed and the title was agreed to.

MOTIONS

Rep. Wessman moved that House Bill No. 1613 be returned to the House from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

Rep. Wessman requested permission to withdraw House Bill No. 1613. There being no objection, it was so ordered by the Speaker.

Rep. Kretschmar moved that 500 more copies be printed of engrossed House Bill Nos. 1309, 1395 and 1414, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Thursday, February 15, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1001, has had the same under consideration and recommends, by a vote of Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.                       do not pass.                       be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 21, delete the numerals "799,736" and insert in lieu thereof the numerals "860,053"
  - On page 1, line 22, delete the numerals "1,780,011" and insert in lieu thereof the numerals "2,342,881"
  - On page 2, line 12, delete the numerals "363,416" and insert in lieu thereof the numerals "469,389"
  - On page 2, line 14, delete the numerals "3,003,443" and insert in lieu thereof the numerals "3,732,603"
  - On page 1, delete lines 16 through 21
  - On page 1, line 24, delete the numerals "937,877" and insert in lieu thereof the numerals "992,844"
  - On page 2, line 27, delete the numerals "2,463,089" and insert in lieu thereof the numerals "2,518,056"
  - On page 2, line 28, delete the numerals "5,537,632" and insert in lieu thereof the numerals "6,250,659"
- And renumber the lines, sections and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment amends the Legislative Assembly budget to include funds appropriated in House Bill No. 1001 for the Legislative Organizational Session. In addition to the increases in the line items in the Legislative Assembly budget to include funds for the Organizational Session, salaries and wages for the 46th and 47th legislative assemblies were increased by \$50,512, fees and services were increased by \$499,825, and supplies and materials were increased by \$103,223. The increase in salaries and wages includes \$37,390 in additional funds required for the 46th Legislative Assembly salaries, and \$13,122 to fund the alternate family insurance plan for presently enrolled legislators. The increase in fees and services includes \$234,065 in additional funds required for the living expense reimbursement for the 46th Legislative Assembly and \$265,760 for the 46th and 47th legislative assemblies due to the increase in the living expense reimbursement from \$60 to \$70 per day. The increase of \$103,223 in supplies and materials is necessary for printing for the 46th Legislative Assembly.

This amendment also increases the Legislative Council budget by \$84,987 for fees and services. This increase includes \$19,267 to cover the increase in the per diem from \$45 to \$52 for legislators attending Legislative Council meetings during the 1979-81 biennium. An additional \$25,000 is included for performance reviews conducted by the Legislative Council's budget committees. The total general fund increase in House Bill No. 1001 is \$713,027.

And when so amended, recommends the same do pass.



Rep. James A. Peterson

Chairman

House Bill No. 1001 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1009, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 20, delete the numerals "10,511,522" and insert in lieu thereof the numerals "10,734,594"

On page 1, line 23, delete the numerals "13,012,075" and insert in lieu thereof the numerals "13,235,147"

On page 1, line 24, delete the numerals "8,471,464" and insert in lieu thereof the numerals "8,292,460"

On page 2, line 1, delete the numerals "4,540,611" and insert in lieu thereof the numerals "4,942,687"

On page 2, line 9, delete the numerals "14,978,993" and insert in lieu thereof the numerals "14,942,838"

On page 2, line 10, delete the numerals "3,490,494" and insert in lieu thereof the numerals "3,475,494"

On page 2, line 12, delete the numerals "19,746,622" and insert in lieu thereof the numerals "19,695,467"

On page 2, line 13, delete the numerals "8,165,383" and insert in lieu thereof the numerals "8,099,913"

On page 2, line 14, delete the numerals "11,581,239" and insert in lieu thereof the numerals "11,595,554"

On page 2, line 15, delete the numerals "1,000,000" and insert in lieu thereof the numerals "925,000"

On page 2, line 16, delete the numerals "12,581,239" and insert in lieu thereof the numerals "12,520,554"

On page 2, line 18, delete the numerals "418,587" and insert in lieu thereof the numerals "430,306"

On page 2, line 21, delete the numerals "723,138" and insert in lieu thereof the numerals "734,857"

On page 2, line 23, delete the numerals "573,138" and insert in lieu thereof the numerals "584,857"

On page 2, line 25, delete the numerals "605,871" and insert in lieu thereof the numerals "617,590"

On page 2, line 27, delete the numerals "130,586" and insert in lieu thereof the numerals "132,954"

On page 2, line 30, delete the numerals "260,789" and insert in lieu thereof the numerals "263,157"

On page 2, after line 31 insert the following new lines:

"Net operating budget \$ 188,157

Land, structures, and major improvements 75,000"

On page 2, line 32, delete the numerals "185,789" and insert in lieu thereof the numerals "263,157"

On page 2, line 34, delete the numerals "154,464" and insert in lieu thereof the numerals "158,443"

On page 3, line 2, delete the numerals "253,828" and insert in lieu thereof the numerals "257,807"

- On page 3, line 4, delete the numerals "213,828" and insert in lieu thereof the numerals "217,807"
- On page 3, line 6, delete the numerals "225,328" and insert in lieu thereof the numerals "229,307"
- On page 3, line 8, delete the numerals "224,817" and insert in lieu thereof the numerals "228,865"
- On page 3, line 11, delete the numerals "403,433" and insert in lieu thereof the numerals "407,481"
- On page 3, line 13, delete the numerals "223,433" and insert in lieu thereof the numerals "227,481"
- On page 3, line 15, delete the numerals "247,202" and insert in lieu thereof the numerals "254,235"
- On page 3, line 18, delete the numerals "382,604" and insert in lieu thereof the numerals "389,637"
- On page 3, line 20, delete the numerals "322,604" and insert in lieu thereof the numerals "329,637"
- On page 3, line 22, delete the numerals "398,049" and insert in lieu thereof the numerals "378,762"
- On page 3, line 24, delete the numerals "94,900" and insert in lieu thereof the numerals "79,900"
- On page 3, line 25, delete the numerals "721,672" and insert in lieu thereof the numerals "687,385"
- On page 3, line 27, delete the numerals "501,672" and insert in lieu thereof the numerals "467,385"
- On page 3, line 29, delete the numerals "137,046" and insert in lieu thereof the numerals "138,671"
- On page 3, line 33, delete the numerals "430,331" and insert in lieu thereof the numerals "431,956"
- On page 4, line 2, after the word "appropriation", insert the words "H.B. 1009" and delete the numerals "20,123,580" and insert in lieu thereof the numerals "20,534,831"
- On page 4, line 3, after the word "appropriated" insert the words "H.B. 1009" and delete the numerals "18,395,582" and insert in lieu thereof the numerals "18,232,733"
- On page 4, line 4, delete the numerals "38,519,162" and insert in lieu thereof the numerals "38,767,564"
- On page 5, line 1, delete the word "encumbered" and insert in lieu thereof the word "unencumbered"
- On page 5, after line 23, insert the following section:

"SECTION 4. APPROPRIATION.) In addition to the other appropriations and authorizations by this Act, there is hereby appropriated \$80,000 of any available private funds to the main experiment station of North Dakota state university of agriculture and applied science of the state of North Dakota, for the purpose of expansion of the sugar beet storage area during the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages for the Extension Division and experiment stations are increased by the following amounts to provide for




adequate fringe benefits, including full family medical insurance under the alternate plan: Extension Division \$249,859; Main Experiment Station \$12,457; Dickinson Experiment Station \$11,719; Hettinger Experiment Station \$2,368; Langdon Experiment Station \$3,979; North Central Experiment Station \$4,048; Williston Experiment Station \$7,033; and Carrington Experiment Station \$7,010.

The recommended increases are from the general fund. Also, salaries and wages of the Agronomy Seed Farm are increased \$1,625 to provide for adequate fringe benefits. Decrease salaries and wages of the Extension Division by \$26,787 from the general fund to delete funds for one programmer. Decrease salaries and wages of the Carrington Experiment Station by \$26,297 from the general fund to delete funds for one clerk position. Also, decrease the equipment line item by \$15,000 from the general fund for expenses related to the clerk position at the Carrington station. Decrease salaries and wages of the Main Experiment Station by \$48,612 from the general fund to delete funds for one professor in the insect control program. Also, decrease operating expenses of the main station by \$15,000 from the general fund to delete funds for operating expenses related to the new position.

The estimated income line item of the Extension Division is reduced by \$179,004. Of that amount, \$41,000 is a reduction due to a loss of revenue from county government when three home economists were deleted in the executive budget; and \$138,004 is a reduction due to a loss of revenue from county governments when the salary increase request of 12.1 percent and eight percent was denied. The revenue for salary increases for county staff was budgeted on the basis of one-half coming from county government. The estimated income line item of the Main Experiment Station is reduced by \$65,470 due to a loss of revenue from the coal impact fund when the salary and program requests were reduced. Decrease land, structures, and major improvements of the main station by \$75,000 from the general fund to delete funds for remodeling of the swine barn. Increase land, structures, and major improvements of the Hettinger station by \$75,000 from the general fund to provide for construction of a total confinement sheep barn. The new section is added to appropriate private funds for expansion of the sugar beet storage area at the Main Experiment Station.

It is the intent of the Legislature that if House Bill 1221 (Cross Ranch) is passed, the Central Grasslands Research Station may be located at the Cross Ranch pursuant to the approval of the 46th Legislative Assembly. The Parks and Recreation Department shall lease appropriate land suitable for the Central Grasslands Research Station.

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson Chairman

House Bill No. 1009 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1032, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete the numerals "828,675" and insert in lieu thereof the numerals "880,415"

On page 1, line 16, delete the numerals "577,799" and insert in lieu thereof the numerals "607,739"

On page 1, line 17, delete the numerals "187,016" and insert in lieu thereof the numerals "194,316"

On page 1, line 19, delete the numerals "11,000" and insert in lieu thereof the numerals "16,000"

On page 1, line 20, delete the numerals "4,000" and insert in lieu thereof the numerals "13,500"

On page 1, line 22, delete the numerals "828,675" and insert in lieu thereof the numerals "880,415"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages of the Commissioner of University and School Lands office by \$29,940.00. Of that amount, \$20,277.00 is a reduction necessary to delete funds for the existing position of land appraiser; \$53,549.00 is an increase necessary to provide funds for a new position of range management specialist; and \$3,332.00 is a decrease to reflect 6.5 percent annual average salary increases and to provide adequate fringe benefits, including health insurance under the alternate plan. Increase fees and services by \$7,300.00. Of that amount, \$9,000.00 is an increase for travel for the new position; \$4,000.00 is a decrease in travel for the deleted position; and \$2,300.00 is an increase for office rent. Other increases related to the new position are \$5,000.00 to supplies and materials, of which \$2,500.00 is for office supplies and \$2,500.00 is for operation of a vehicle; and \$9,500.00 to equipment, of which \$8,500.00 is for purchase of a vehicle and \$1,000.00 is for field equipment.

And when so amended, recommends the same do pass.

Chairman

Rep. James A. Peterson  
Bill No. 1032

House was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1033, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 1, delete the numerals "3,245,785" and insert in lieu thereof the numerals "3,286,533"

On page 2, line 3, delete the numerals "571,867" and insert in lieu thereof the numerals "610,867"

On page 2, line 10, delete the numerals "5,637,668" and insert in lieu thereof the numerals "5,717,416"

On page 2, line 13, delete the numerals "6,242,694" and insert in lieu thereof the numerals "6,162,694"

On page 2, line 14, delete the numerals "3,196,984" and insert in lieu thereof the numerals "3,126,984"

On page 2, after line 15, insert the following:

"Special agricultural research fund 180,000"

On page 2, line 17, delete the numerals "9,957,340" and insert in lieu thereof the numerals "9,987,340"

On page 2, line 19, delete the numerals "15,595,008" and insert in lieu thereof the numerals "15,704,756"

On page 2, line 20, delete the numerals "15,615,208" and insert in lieu thereof the numerals "15,724,956"


And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

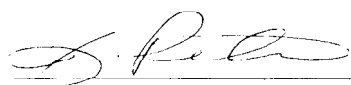
This amendment increases the salaries and wages for the Bank of North Dakota by \$40,748.00. Of this amount, \$24,748.00 is to provide adequate salary moneys for positions reclassified, \$16,000.00 is to fund part-time employees needed to meet the mail deadlines. The data processing line for the Bank of North Dakota is also increased by \$39,000.00.

This amendment reduces salaries and wages for the Mill and Elevator by \$80,000.00 and fees and services by \$70,000.00 which relate to an overseas marketing specialist. The intent is that the Mill and Elevator contract for an overseas marketing specialist on a fee basis. The amendment also appropriates \$180,000.00 from the special agricultural research fund to the North Dakota Mill and Elevator Association to be spent only upon Industrial Commission authorization for grants relating to agricultural research authorized by law in House Bill No. 1122.

And when so amended, recommends the same do pass.

  
\_\_\_\_\_ Chairman  
Rep. James A. Peterson  
House Bill No. 1033 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1046, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 3, that the same  
 do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

  
\_\_\_\_\_ Chairman  
Rep. James A. Peterson  
House Bill No. 1046 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1295, has had the same under consideration and recommends, by a vote of  
Ayes, 17; Nays, 0; Absent, 2, that the same

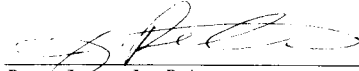
do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1295 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1300, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1300 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1465, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to the determination of true and full value for agricultural property.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 57-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

TRUE AND FULL VALUE FOR AGRICULTURAL PROPERTY.)

1. In determining the true and full value of land used for raising agricultural crops or grazing farm animals, a formula using the average cash rents within a township, or assessor district in the case of an unorganized township, shall be used to determine the highest value per acre within that township or assessing district.
2. The formula described in subsection 1 shall be determined as follows:
  - a. The average cash rent per acre within the township or assessor district shall be determined. No one-year leases shall be used if they do not reflect whole farm

- rentals. In the absence of a cash rent contract, the average rental return shall be used.
- b. The actual property taxes per acre in the township or assessor district shall be subtracted from the amount determined in subdivision a.
  - c. The difference determined in subdivision b shall be divided by the sum of the federal land bank loan rate for new loans stated as a percentage as of the assessment date of the current year.
3. The local governing body shall determine the value for agricultural land which is less productive than the highest value land in the township or assessor district by utilizing current soil capability information and other pertinent factors.
  4. The first year the formula is used an average of the two immediate preceding years rentals for the township or assessor district shall be determined as provided in subsection 2. Thereafter the average rentals for each succeeding year shall be added until a five-year average has been established, and for each year thereafter the five immediately preceding years shall be used.
  5. The true and full value of agricultural land as determined pursuant to this subsection shall not be increased nor decreased by more than ten percent for any year.
  6. It shall be the duty of each owner or tenant of agricultural land to furnish the assessor a certified copy of each rental contract. Failure to furnish such a copy will result in the agricultural land of the owner being assessed at the highest value as determined for that township or assessor district plus a ten percent penalty. The certified copies of rental contracts shall be confidential information and shall not be open to public inspection. The secrecy of these contracts shall be guarded, and, except when otherwise directed by judicial order, or as otherwise authorized by law, the local assessor, the local, county, and state boards of equalization, the county auditor, and other officers and employees, shall not divulge nor make known, in any manner, the amount of rent, or any particulars set forth or disclosed in any rental contract provided for under this chapter. Nor shall the foregoing persons divulge, if known, any information reflected in the taxpayer's federal or state income tax returns. This provision shall not be construed to prohibit: the publication of statistics, so classified as to prevent the identification of particular contracts or returns, or the inspection by the attorney general or other legal representatives of the state of the contract or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by chapter 57-38."

And renumber the lines and pages accordingly



On page 3, line 4 after the word "years" insert the following:  
"who has attained his sixteenth birthday and"

On page 3, line 6 delete the words "whether or not" and insert  
 in lieu thereof the words "providing that the marriage  
 has not been annulled or dissolved"

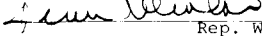
On page 3, line 7 delete the words "such marriage was terminated by  
 dissolution"

On page 4, line 22 delete the words "sixteen years of age or older  
 and is"

On page 4 line 28 delete the following: "under sixteen years of age  
 or is"

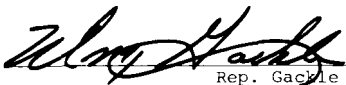
And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Rep. Winkjer \_\_\_\_\_ Chairman  
 \_\_\_\_\_ House \_\_\_\_\_ Bill No. 1598 \_\_\_\_\_ was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Finance and Taxation  
 to whom was referred House  
 Bill No. 1612 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
 Ayes, 11 \_\_\_\_\_; Nays, 3 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

  
 \_\_\_\_\_ Rep. Gackle \_\_\_\_\_ Chairman  
 \_\_\_\_\_ House \_\_\_\_\_ Bill No. 1612 \_\_\_\_\_ was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor  
 to whom was referred \_\_\_\_\_ House  
 Bill No. 1637 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of  
 Ayes, 12 \_\_\_\_\_; Nays, 2 \_\_\_\_\_; Absent, 2 \_\_\_\_\_, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

be amended as follows:

On page 2, delete lines 1 through 3

On page 2, line 4, delete the numeral "3" and insert in  
 lieu thereof the numeral "2"

On page 2, line 15, delete the numeral "2" and insert in  
 lieu thereof the numeral "1"

On page 3, delete the lines 3 through 5

On page 3, line 6, delete the numeral "3" and insert in  
 lieu thereof the numeral "2"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

House Bill No. 1637 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1657, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 3, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 1, line 16, after the word "waive" delete the words "twenty-five percent of the"
On page 1, line 17, after the word "guardsmen" insert "in an amount equal to twenty-five percent of the tuition for similar courses and credit hours at the University of North Dakota"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of this amendment is that the amount of tuition waived by the private schools is the amount waived by the University of North Dakota.

Chairman

Rep. James A. Peterson

House Bill No. 1657 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1658, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation.

Chairman

House Bill No. 1658 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House

Bill No. 1660, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same

- do pass. do not pass. be placed on calendar without recommendation.



Arthur Melby Chairman

House Bill No. 1660 Rep. Rued was placed on the 11th order of business on the calendar for the succeeding legislative day.

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on State and Federal Government

to whom was referred House Bill No. 1663, has had the same under consideration and recommends that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

~~and recommends that the same do pass~~

Rep. Martinson John Sanderson Rep. Melby Arthur Melby  
Rep. Gunderson Rep. Scogfield Rep. Scofield Rep. Scogfield  
Rep. Herman Rep. Scogfield  
Rep. Hove Rep. Scogfield  
Rep. Kermott Kermott  
Rep. Martinson Chairman

Mr. Speaker: A Minority of your Committee on State and Federal Government

to whom was referred House Bill No. 1663, has had the same under consideration and recommends that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

- On page 2, line 10, after the period insert the following: "In regard to employees of the board of higher education, negotiations shall be conducted with the board of higher education or its designated representative. The governor or the governor's designated representative shall also be allowed to participate in any negotiations conducted with the board of higher education."
- On page 2, line 30, before the word "Any" insert the letter "i."
- On page 3, line 7, delete the word "the" and insert in lieu thereof the word "with"
- On page 3, line 9, after the period insert the following: "It does not include any faculty senate or similar representative body or committee thereof in an institution of higher education."
- On page 4, line 12, after the period insert the following: "At institutions of higher education, "supervisor" also includes any individual serving as president, vice president, or dean, and any associate or assistant dean, director or chairperson whose primary duties are of a policymaking nature. But, it does not include any chairperson, director, or other leader of an academic unit or program who is primarily involved in duties other than policymaking for the particular unit or program."
- On page 4, line 18, after the word "PROHIBITED" and before the period insert the following: "- DISMISSAL"
- On page 4, line 21, after the period insert the following: "Any public employee striking in violation of this Act shall be immediately dismissed from employment."

On page 7, line 6, after the period insert the following: "At institutions of higher education, no unit shall include both faculty and nonfaculty members unless a majority of each group voting separately approves common representation for such a unit. Institutions of higher education having diverse educational missions or highly autonomous administrative structures shall not be placed in the same bargaining unit unless a majority of each group voting separately approves it."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Handwritten signatures of representatives: J. Brokaw, Bill Gordon, G. Hanson, G. Pomeroy, J. Mikel Walsh, and Rep. Wessman.

Rep. Martinson Chairman

Representative Wessman moved that the report of the Minority be substituted for the report of the Majority.

The Reports of the Majority and the report of the Minority with House Bill No. 1663 were placed on the 7th order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Joint Constitutional Revision to whom was referred House Concurrent Resolution

No. 3009 has had the same under consideration and recommends, by a vote of Ayes, 6; Nays, 3; Absent, 1, that the same

XX do pass. do not pass. be placed on calendar without recommendation.

Handwritten signatures of Rep. Conmy and Senator Wenstrom Chairman

House Concurrent Resolution BNK No. 3009 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2174 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

X do pass. do not pass. be placed on calendar without recommendation.

Handwritten signature of Rep. Rued Chairman

Senate Bill No. 2174 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2176, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Senate Bill No. 2176 Rep. Rued  
was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2223, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Senate Bill No. 2223 Rep. Rued  
was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2224, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Senate Bill No. 2224 Rep. Rued  
was placed on the 14th

order of business on the calendar for the succeeding legislative day.

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on Judiciary

to whom was referred House Bill No. 1215, has had the same under  
consideration and recommends that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 5 delete "blackjack" and insert in lieu thereof  
the word "twenty-one"

On page 1, line 12 delete "to repeal chapter 53-06.1 of the North Dakota"

- On page 1, line 13 delete "Century Code, relating to games of chance;"
- On page 1, line 14 delete the word "declare" and insert in lieu thereof the words "provide an expiration date."
- On page 1, delete all of line 15
- On page 4, line 16 delete the word "for"
- On page 4, line 17 after the word "branch" delete the word "or" and insert in lieu thereof a comma
- On page 5, line 28 after the period insert "Notwithstanding any other provision of this Act, an eligible organization, which has not been licensed by the attorney general, may use the net proceeds of such games of chance to directly benefit the eligible organization."
- On page 6, line 32 delete the words "each occasion" and insert in lieu thereof the words "commencement of the gaming activity"
- On page 6, line 33 delete the word "game" and insert in lieu thereof the word "games"
- On page 7, line 3 delete ", covering a" and insert in lieu thereof a period and the words ". Such licenses may, at the discretion of the governing body, be effective for the conduct of games of chance during a one-year period."
- On page 7, line 4 delete "period of one year."
- On page 7, line 15 delete the words "on the particular occasion"
- On page 7, after line 24 insert the following new sections:
- "SECTION 5. COLLEGE FRATERNITIES AND SORORITIES ALLOWED TO CONDUCT RAFFLES - USE OF PROCEEDS.) A college fraternity or sorority recognized by the administration of a North Dakota college or university shall be eligible to conduct raffles and bingo under the provisions of this Act. The entire net proceeds of such raffles shall be devoted to educational, charitable, patriotic, or other public-spirited uses as defined by this Act.
- SECTION 6. CITY APPROVAL FOR RAFFLES.) A college fraternity or sorority shall apply in writing to the governing body of the city in which it is located for permission to conduct a raffle at least thirty days prior to each occasion stating the time, place, and educational, charitable, patriotic or other public-spirited uses to which the proceeds will be devoted. The applicant fraternity or sorority shall include a signed acknowledgment by the administration of the college or university that the applicant is a recognized fraternity or sorority. The governing body may at its own discretion, and upon application by a fraternity or sorority, grant permission for raffles and bingo to be held at specifically designated times and places for specific uses covering a one-year period. The governing body may by ordinance or resolution establish authorization fees not to exceed ten dollars for an authorization for one occasion and not to exceed twenty-five dollars for an authorization covering more than one occasion. If the governing body, at its own discretion, chooses to authorize raffles or bingo pursuant to this Act, the governing body may do so by resolution."
- On page 8, line 31 after the word "organization" insert the words ", other than an organization conducting games of chance for its own use,"
- On page 9, line 13 delete "The following" and insert in lieu thereof "Eligible organizations shall be permitted to conduct the following games of chance:
1. Eligible organizations licensed by the attorney general shall be permitted to conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel,

## JOURNAL OF THE HOUSE

card games, twenty-one, and sports pools for professional sports only.

2. Eligible organizations authorized by the governing body of a city or county may conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, and sports pools for professional sports only.
3. College fraternities or sororities may conduct raffles and bingo."

On page 9, delete all of lines 14, 15, 16 and 17

On page 9, line 25 delete "BLACKJACK" and insert in lieu thereof "TWENTY-ONE"

On page 9, line 26 after "LIMIT" insert " - RULES OF PLAY"

On page 9, after line 35 insert the new paragraph:

"Twenty-one is a card game played by a maximum of seven players and one dealer. The dealer shall be a representative of the eligible organization sponsoring the game of chance. All players play their hand against the dealer's hand. In order to remain in the hand being dealt, neither a player nor the dealer may play a hand with a count greater than twenty-one. A count of twenty-one obtained with two cards is termed a natural twenty-one and is entitled to an automatic pay-out. In the case of a matching or tie count between a player and the dealer, no winner is declared and both persons keep their wager. No player may play more than one hand. The maximum limit per wager shall be two dollars. Only the person actually playing a hand may place a wager on any hand. Eligible organizations shall prevent wagering on a particular hand by any person other than the person playing a particular hand."

On page 10, line 10 delete "or other eligible organization"

On page 10, line 11 after the period insert "Sports pools shall be allowed for professional sports only."

On page 10, line 13 delete "or other eligible organization"

On page 10, line 26 delete "blackjack" and insert in lieu thereof the word "twenty-one"

On page 11, line 24 delete "forty-five percent" and insert in lieu thereof "one-third"

On page 11, line 25 after the period insert the following new sentence:  
"The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for taxes."

On page 12, delete all of line 7

On page 12, line 9 delete "ten" and insert in lieu thereof "five"

On page 12, line 14 after the period insert the following new sentence:  
"The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for expenses."

On page 13, line 12 after the period insert "No distributor may be a wholesaler or retailer of liquor or alcoholic beverages."

On page 14, after line 27 insert the following new section:  
"SECTION 21. EXPIRATION DATE.) The provisions of this Act shall expire at twelve midnight on June 30, 1981."

On page 14, delete all of lines 28 through 32

And renumber the lines, pages, sections accordingly

And when so amended recommends the same do pass.

Rep. Benedict <i>Rep. Benedict</i>	Rep. Thompson <i>Rep. Thompson</i>
Rep. Berge <i>Ber</i>	Rep. Wentz <i>Rep. Wentz</i>
Rep. Dotzenrod <i>Dotzenrod</i>	Rep. Winkjer <i>Winkjer</i>
Rep. Reed <i>Reed</i>	
Rep. Richie <i>Richie</i>	
<i>Winkjer</i> Chairman	
Rep. Winkjer	

Mr. Speaker: A Minority of your Committee on Judiciary

to whom was referred House Bill No. 1215 has had the same under consideration and recommends that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 5 delete "blackjack" and insert in lieu thereof the word "twenty-one"
- On page 1, line 6 after "pools;" insert "to provide an annual gambling occasion;"
- On page 1, line 12 delete "to repeal chapter 53-06.1 of the North Dakota"
- On page 1, line 13 delete "Century Code, relating to games of chance;"
- On page 1, line 14 delete the word "declare" and insert in lieu thereof the words "provide an expiration date."
- On page 1, delete all of line 15
- On page 4, line 16 delete the word "for"
- On page 4, line 17 after the word "branch" delete the word "or" and insert in lieu thereof a comma
- On page 5, line 28 after the period insert "Notwithstanding any other provision of this Act, an eligible organization, which has not been licensed by the attorney general, may use the net proceeds of such games of chance to directly benefit the eligible organization."
- On page 6, line 32 delete the words "each occasion" and insert in lieu thereof the words "commencement of the gaming activity"
- On page 6, line 33 delete the word "game" and insert in lieu thereof the word "games"
- On page 7, line 3 delete ", covering a" and insert in lieu thereof a period and the words ". Such licenses may, at the discretion of the governing body, be effective for the conduct of games of chance during a one-year period."
- On page 7, line 4 delete "period of one year."
- On page 7, line 15 delete the words "on the particular occasion"
- On page 7, after line 24 insert the following new sections:  
"SECTION 5. COLLEGE FRATERNITIES AND SORORITIES ALLOWED TO CONDUCT RAFFLES - USE OF PROCEEDS.) A college fraternity or sorority recognized by the administration of a North Dakota college or university shall be eligible to conduct raffles and bingo under the provisions of this Act. The entire net proceeds of such raffles shall be devoted to

educational, charitable, patriotic, or other public-spirited uses as defined by this Act.

SECTION 6. CITY APPROVAL FOR RAFFLES.) A college fraternity or sorority shall apply in writing to the governing body of the city in which it is located for permission to conduct a raffle at least thirty days prior to each occasion stating the time, place, and educational, charitable, patriotic or other public-spirited uses to which the proceeds will be devoted. The applicant fraternity or sorority shall include a signed acknowledgment by the administration of the college or university that the applicant is a recognized fraternity or sorority. The governing body may at its own discretion, and upon application by a fraternity or sorority, grant permission for raffles and bingo to be held at specifically designated times and places for specific uses covering a one-year period. The governing body may by ordinance or resolution establish authorization fees not to exceed ten dollars for an authorization for one occasion and not to exceed twenty-five dollars for an authorization covering more than one occasion. If the governing body, at its own discretion, chooses to authorize raffles or bingo pursuant to this Act, the governing body may do so by resolution."

On page 8, line 31 after the word "organization" insert the words  
 ", other than an organization conducting games of chance  
 for its own use,"

On page 9, line 13 delete "The following" and insert in lieu thereof  
 "Eligible organizations shall be permitted to conduct the  
 following games of chance:

1. Eligible organizations licensed by the attorney general shall be permitted to conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, card games, twenty-one, and sports pools for professional sports only.
2. Eligible organizations authorized by the governing body of a city or county may conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, and sports pools for professional sports only.
3. College fraternities or sororities may conduct raffles and bingo."

"SECTION 9. ANNUAL GAMBLING OCCASION FOR ELIGIBLE ORGANIZATION AUTHORIZED BY CITY OR COUNTY.) Notwithstanding the provisions of subsections 2 and 3 of section 6 of this Act, any eligible organization which is not licensed by the attorney general pursuant to this Act may, upon one occasion during the calendar year, conduct the following games of chance: bingo, raffles, pull tabs, jars, punchboards, paddle wheel, card games, twenty-one, and dice games with the exception of craps. The annual occasion authorized by this section shall be referred to as a "casino night". The time period for a "casino night" may not exceed twelve hours and the event must be conducted during consecutive hours. Eligible organizations desiring to hold a "casino night" shall apply to the governing body of a county or city pursuant to the provisions of section 4 or 6 of this Act for authorization to conduct a "casino night". The request for authorization to conduct a "casino night" shall be separate from and in addition to an authorization to conduct the games of chance delineated in subsection 2 and 3 of this Act."

On page 9, delete all of lines 14, 15, 16 and 17

On page 9, line 25 delete "BLACKJACK" and insert in lieu thereof  
 "TWENTY-ONE"

On page 9, line 26 after "LIMIT" insert " - RULES OF PLAY"

On page 9, after line 35 insert the new paragraph:

"Twenty-one is a card game played by a maximum of seven players and one dealer. The dealer shall be a representative of the eligible organization sponsoring the game of chance. All players play their hand against the dealer's hand. In order to remain in the hand being dealt, neither a player nor the dealer may play a hand with a count greater than twenty-one. A count of twenty-one obtained with two cards is termed a natural twenty-one and is entitled to an automatic pay-out. In the case of a matching or tie count between a player and the dealer, no winner is declared and both persons keep their wager. No player may play more than one hand. The maximum limit per wager shall be two dollars. Only the person actually playing a hand may place a wager on any hand. Eligible organizations shall prevent wagering on a particular hand by any person other than the person playing a particular hand."

On page 10, line 10 delete "or other eligible organization"

On page 10, line 11 after the period insert "Sports pools shall be allowed for professional sports only."

On page 10, line 13 delete "or other eligible organization"

On page 10, line 26 delete "blackjack" and insert in lieu thereof the word "twenty-one"

On page 11, line 24 delete "forty-five percent" and insert in lieu thereof "one-third"

On page 11, line 25 after the period insert the following new sentence: "The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for taxes."

On page 12, delete all of line 7

On page 12, line 9 delete "ten" and insert in lieu thereof "five"

On page 12, line 14 after the period insert the following new sentence: "The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for expenses."

On page 13, line 12 after the period insert "No distributor may be a wholesaler or retailer of liquor or alcoholic beverages."

On page 14, after line 27 insert the following new section: "SECTION 22. EXPIRATION DATE.) The provisions of this Act shall expire at twelve midnight on June 30, 1981."

On page 14, delete all of lines 28 through 32

And renumber the lines, pages, sections accordingly

And when so amended recommends the same do pass.

Rep. Boyum [Signature]

Rep. Kretschmar [Signature]

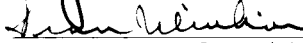
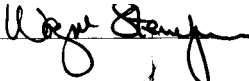
Rep. Conmy [Signature]

Rep. Houmann [Signature]

Rep. Meiers [Signature]



Rep. Stenehjem



Rep. Winkjer

Chairman

The Report of the Majority and the report of the Minority with \_\_\_\_\_ House \_\_\_\_\_ BillNo. 1215 were placed on the 6th order of business on the calendar for the succeeding legislative day.FIRST READING OF  
HOUSE CONCURRENT RESOLUTION

Reps. Winkjer, Berg and Dick introduced:

**House Concurrent Resolution No. 3057.** — A concurrent resolution directing the Legislative Council to study the issuance of game and fish licenses, particularly with respect to the role of county auditors in such issuance.

Was read the first time and referred to the committee on Natural Resources.

## FIRST READING OF SENATE BILLS

**Senate Bill No. 2009.** Grafton State School and San Haven State Hospital — A Bill for an Act making an appropriation for defraying the expenses of the Grafton state school and the San Haven state hospital of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2059.** — A Bill for an Act to create and enact a new section to chapter 25-01.1 of the North Dakota Century Code, relating to the duty of the heads of state institutions to provide for surrogate parents where necessary; and to create and enact a new section to chapter 25-09 of the North Dakota Century Code, relating to the duty of certain handicapped patients to pay for costs of education and related services; and declaring an emergency.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2249.** — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to licensing of wholesale motor vehicle dealers; and providing a penalty.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2252.** — A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of the school board; and to create and enact eleven new sections to the North Dakota Century Code, relating to the regulation of boarding home care for special education students; and providing a penalty.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2289.** — A Bill for an Act to amend and reenact section 15-45-01 of the North Dakota Century Code, to allow the electors of a school district to petition the school board to place the question of establishing a kindergarten on the ballot at the next annual or special school election.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2306.** — A Bill for an Act to provide for the inspection and grading of agricultural commodities by the North Dakota seed commission; to repeal section 4-25-05 of the North Dakota Century Code, relating to seed sales regulation by the North Dakota seed commission; and providing an appropriation.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2313.** — A Bill for an Act to amend and reenact subsection 8 of section 54-52-01 and section 54-52-05 of the North Dakota Century Code, relating to definition of terms and membership and assessments for the public employees retirement system.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2331.** — A Bill for an Act to create and enact two new subsections to section 10-24-05 of the North Dakota Century Code, relating to the general powers of a nonprofit corporation, and providing that a nonprofit corporation shall have power to act as a trustee of a trust and be a remainderman beneficiary of a trust for which it acts as a trustee.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2405.** — A Bill for an Act to amend and reenact subsection 3 of section 41-02-33 of the North Dakota Century Code, relating to the applicability of implied warranties in the sale of cattle, hogs, and sheep.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2406.** — A Bill for an Act to amend and reenact sections 39-27-08 and 39-27-22 of the North Dakota Century Code, relating to requiring motorcycle mufflers to meet standards for noise control, and requiring the motor vehicle department to approve muffler requirements.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2412.** — A Bill for an Act to provide for the appointment of interpreters to assist deaf persons in criminal and administrative proceedings.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2432.** — A Bill for an Act to amend and reenact section 57-55-01 of the North Dakota Century Code, relating to the definition of mobile home for the purpose of taxation.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2462.** — A Bill for an Act to create and enact a new section to chapter 57-15, relating to the authorization of a one-half mill levy by counties to establish and maintain youth programs.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2478.** — A Bill for an Act making an appropriation to the state historical society to renovate the museum at the Pembina state historic site.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Concurrent Resolution 4016.** — A concurrent resolution directing the Legislative Council to study and review the possibility of barge traffic on the Missouri River above Sioux City, Iowa, with emphasis on alternative means and economic and logistical effects of such navigation, and routes to be taken by extension of the Missouri River Navigation Project from its present head at Sioux City, Iowa.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Concurrent Resolution No. 4019.** — A concurrent resolution directing a Legislative Council study of the North Dakota state penitentiary, state farm, and the "sunny farm" in Mandan as integral parts of a total corrections master plan for the state.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Concurrent Resolution No. 4032.** — A concurrent resolution urging the Congress of the United States to review and amend the federal statute relating to the earned income exemption in the aid to families with dependent children program.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4035.** — A concurrent resolution directing the Legislative Council to conduct a study of the Administrative Agencies Practice Act.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4036.** — A concurrent resolution directing the Legislative Council to study land use policies for state-owned land and uniformity of transfer requirements for state-owned land.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4038.** — A concurrent resolution urging Congress to recognize the contribution of a spouse as homemaker for estate tax and social security purposes.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Concurrent Resolution No. 4039.** — A concurrent resolution opposing the Bureau of Alcohol, Tobacco, and Firearms' back door approach to a computerized firearms registration system.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4040.** — A concurrent resolution directing the Legislative Council to study the taxation of real property with emphasis upon the role of the state board of equalization.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Concurrent Resolution No. 4046.** — A concurrent resolution directing the legislative council to conduct an interim study to examine the effectiveness of the state's disaster mitigation, preparedness, response, and recovery programs and to determine the feasibility of future legislation to better enable the state and its political subdivisions to meet all types of disasters and emergencies.

Which was read the first time and referred to the Committee on State and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Thursday, February 15, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-SECOND DAY

Bismarck, February 15, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. James Butler, First Presbyterian Church, Bismarck, North Dakota. The roll was called, and all members were present except Reps. I. Jacobson, Kelly, Lee, Strinden and Winkjer. A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker, Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first Day and finds the same to be correct.

*Stan J. Swartz*  
Rep. Swartz, Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

OPINION  
STATE OF NORTH DAKOTA  
ALLEN I. OLSON  
Attorney General  
State Capitol  
Bismarck, North Dakota 58505  
February 14, 1979

The Honorable Vernon Wagner, Speaker  
House of Representatives  
Forty-sixth Legislative Assembly  
State Capitol  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is in reply to Representative Layton Freborg's letter of February 7, 1979, to me requesting, with your approval my opinion on the question of whether House Bill No. 1303 requires a vote of two-thirds of the members in both houses to be enacted because it provides a credit against the income tax liability of individuals and corporations imposed by Sections 57-38-29 and 57-38-30, NDCC.

As is noted in that letter, the question arises because of Section 8 of the new constitutional article on initiative, referendum, and recall that was approved as Measure No. 3 by the people at the general election in November, 1978, and because of approval by the people at the same election of Initiated Measure No. 2 which set new rates of state income tax on

individuals and corporations by amendment of Sections 57-38-29 and 57-38-30, NDCC.

As explained in the following paragraphs, it is our opinion that House Bill No. 1303 would require a two-thirds majority vote of approval by each house of the Legislature before it could become effective. We note, incidentally, that this conclusion is consistent with the ruling of the Speaker on final passage of House Bill 1303 that is lost for want of a two-thirds majority (Journal of the House for February 6, 1979, page 645). We also note that the House reconsidered its action on House Bill 1303 by placing the Bill on the calendar for second reading and final passage only after this opinion is received. (Journal of the House for February 7, 1979, page 671).

Measure No. 3 not only approved a new article to the North Dakota Constitution relating to the initiative, referendum, and recall but also repealed Section 25 of the North Dakota Constitution which reserved to the people the initiative and referendum powers that included in the next to last paragraph of Section 25 the following provision:

"...No measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a ye and nay vote upon roll call of two-thirds of all members elected to each house;"

This provision has been interpreted by the state Supreme Court and by this office a number of times, but since it has now been repealed it is necessary to compare it with the provision replacing it to determine whether those interpretations are still applicable.

The new constitutional article also reserves to the people, in Section 1, the initiative and referendum powers and includes in Section 8 the following provision:

"A measure approved by the electors may not be repealed or amended by the legislative assembly for seven years from its effective date, except by a two-thirds vote of the members elected to each house."

Except for the seven year limitation on the two-thirds vote requirement for the Legislature to amend or repeal an initiated or referred measure, this provision in Section 8 of the new article to the Constitution is substantially the same as the provision quoted above from repealed Section 25 of the Constitution. We therefore must be guided by the decisions of the state Supreme Court and by prior opinions from this office interpreting former Section 25 in our determination of whether an act of the Legislature amends or repeals an initiated or referred measure and therefore is subject to the requirement of a two-thirds vote of the Legislature to do so.

Initiated Measure No. 2 that was approved by the people at the general election last November expressly amended Sections 57-38-29 and 57-38-30 of the state income tax law so that they now read as follows:

"57-38-29. RATE OF TAX ON INDIVIDUALS. — A tax is hereby imposed upon every individual, to be levied, collected, and paid annually with respect to the taxable income of such individual as defined in this chapter, computed at the following rates:

1. On taxable income not in excess of three thousand dollars, a tax of one percent;
2. On taxable income in excess of three thousand dollars and not in excess of five thousand dollars, a tax of two percent;
3. On taxable income in excess of five thousand, and not in excess of eight thousand dollars, a tax of three percent;
4. On taxable income in excess of eight thousand dollars, and not in excess of twelve thousand dollars, a tax of four percent;
5. On taxable income in excess of twelve thousand dollars, and not in excess of thirty thousand dollars, a tax of five percent;

6. On taxable income in excess of thirty thousand dollars, a tax of seven and one-half percent.

“57-38-30. RATE OF TAX ON CORPORATIONS. — A tax is hereby imposed upon the taxable income of every domestic and foreign corporation received from the sources described in sections 57-38-12, 57-38-13, and 57-38-14, which shall be levied, collected, and paid annually is in this chapter provided, and which shall be computed at the following rates:

1. For the first three thousand dollars of taxable income, at the rate of three percent;

2. On the taxable income above three thousand dollars and not in excess of eight thousand dollars, at the rate of four percent;

3. On all taxable income above eight thousand dollars and not in excess of fifteen thousand dollars, at the rate of five percent;

4. On all taxable income above fifteen thousand dollars, and not in excess of twenty-five thousand dollars, at the rate of six percent;

5. On all taxable income above twenty-five thousand dollars, at the rate of eight and one-half percent.”

The title to House Bill No. 1303 provides that it is a bill “to provide credits against individual and corporate income taxes if the balance in the general fund exceeds the estimated balance.” The Bill then prescribes, in Subsection 1 of Section 1, a procedure for the Director of the Department of Accounts and Purchases to annually certify to the State Tax Commissioner the actual and projected state general fund balances on specified dates. The remainder of the Bill (Subsections 2 and 3 of Section 1) is as follows:

“2. If the actual balance in the state general fund as certified pursuant to subsection 1 exceeds the amount which has been estimated by five million dollars or more, there shall be allowed to individuals, estates, trusts, and corporations required to file an income tax return a credit against the amount of tax liability imposed by sections 57-38-29 and 57-38-30 for the taxable year for each taxpayer beginning on or after the preceding January 1. The credit to which any person or corporation may be entitled shall be determined according to the following schedule:

a. If the actual balance in the state general fund exceeds the amount estimated by at least five million dollars but by less than ten million dollars, the credit shall be ten percent of the tax liability imposed by sections 57-38-29 and 57-38-30, provided that the maximum credit for any taxpayer shall not exceed one hundred dollars.

b. If the actual balance in the state general fund exceeds the amount estimated by ten million dollars or more, the credit shall be twenty percent of the tax liability imposed by sections 57-38-29 and 57-38-30, provided that the maximum credit for any taxpayer shall not exceed one hundred dollars.

3. The credit provided by this Act shall be placed on the state income tax returns for individuals, estates, trusts, and corporations as a separate line item on each type of return which shall follow the computation of tax liability pursuant to the provisions of chapter 57-38. The liability of each taxpayer shall be reduced by the amount of this credit up to the maximum credit as provided in subsection 2.”

Although House Bill No. 1303 refers to Sections 57-38-29 and 57-38-30 that were amended by Initiated Measure No. 2 last November, it does not expressly amend either of those sections. The question is whether House Bill No. 1303 does nevertheless amend those two sections and therefore would have to be passed by a two-thirds vote in both houses in order to be effective.

We believe the answer to the question is controlled by *State ex rel. Strutz v. Baker*, 71 N.D. 153, 299 N.W. 574, a 1941 North Dakota Supreme Court case. In that case, the Court had to determine whether Chapter 147, S.L. 1939, amended a 1926 initiated measure that provided for a gasoline tax law to be administered by the State Auditor. Chapter 147 received a majority vote in each house but not a two-thirds majority vote. The Court said:

"Though this chapter 147 of the Session Laws of 1939 does not in express terms refer to the measure initiated in 1926, nevertheless, it is legislation on the same subject; changes the method of administration of the initiated law and some of its provisions; and to that extent amends certain portions of the initiated measure; ...." 71 N.D. at 159, 299 N.W. at 577.

In concluding that Chapter 147, S.L. 1939, did amend the prior initiated law and therefore was invalid because not enacted by the necessary two-thirds majority vote, the Court quoted with approval from an Illinois case as follows:

"... even though an act professes to be an independent act and does not purport to amend any prior act, still if, in fact, it makes changes in an existing act by adding new provisions and mingling the new with the old on the same subject so as to make of the old and the new a connected piece of legislation covering the same subject, the latter act must be considered an amendment of the former." 71 N.D. at 162, 199 N.W. at 578.

Even though House Bill No. 1303 professes to be an independent act and does not purport to amend Sections 57-38-29 and 57-38-30 of the income tax law, it does nevertheless provide that in certain circumstances the amount of income tax to be paid by a taxpayer on his taxable income shall be less than the amount imposed by applying the tax rates prescribed in Section 57-38-29 or Section 57-38-30. We therefore believe that House Bill 1303 would be regarded by the courts as an amendment to those two sections that could be valid only if it were passed by a two-thirds vote in each house.

Its effect is to amend the tax rates prescribed in Sections 57-38-29 and 57-38-30 as amended by Initiated Measure No. 2 last November by providing for a new credit that results in a lesser tax than that obtained by only applying the tax rates prescribed in those sections to taxable income.

We have previously said that a proposed enactment of the Legislature may effectively amend an initiated measure even though it professes to be a separate and independent act and that it therefore could be valid only if enacted by the required two-thirds majority vote. See, for example, the letter of January 25, 1977, from this office to the Honorable Oscar Solberg, Speaker, House of Representatives, Forty-fifth Legislative Assembly, a copy of which is enclosed.

We trust that this adequately answers the questions presented.

Sincerely,  
Allen I. Olson  
Attorney General

January 25, 1977

Honorable Oscar Solberg, Speaker  
House of Representatives  
Forty-fifth Legislative Assembly  
State Capitol  
Bismarck, ND 58505

Dear Speaker Solberg:

This is in reply to your letter of January 14th in which you ask the following question:



"If a bill were to propose a one cent sales tax, with the proceeds thereof to be deposited in a special fund for distribution to the political subdivisions of the State, and if such Bill did not specifically amend or repeal any of the statutes enacted by the Initiated Measure approved in the November general election, (sic) would such bill require a two-thirds vote for passage?"

Article II, Section 25 of the Constitution of North Dakota provides in part that:

"No measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a ye and nay vote upon roll call of two-thirds of all the members elected to each house."

Initiative Statute No. 1, approved at the general election in November, 1976 and effective January 1, 1977 specifically repealed those sections of the North Dakota Century Code which established the rates of sales, use, and vehicle excise taxes, and enacted new statutes to replace them. These new statutes provide for tax rates of three percent and two percent rather than the previous four percent rate, on sales at retail of specified property and services.

You do not indicate what form this proposed "one cent sales tax" would take. From the context of your letter we assume that the proposed legislation would create a new statute providing for an additional one percent tax, over and above the rates established by Initiative Statute No. 1, and the tax would be imposed on essentially the same items that are presently subject to the sales, use, and excise taxes.

If that is the case, then the question becomes whether the legislation proposing the one percent tax is to be considered as a new statute, or whether it is in effect an amendment to the existing initiated statute. In the Illinois case of Golpin v. City of Chicago, 109 N.E. 713 (1915) the court observed that:

"... even though an act professes to be an independent act and does not purport to amend any prior act, still if, in fact, it makes changes in an existing act by adding new provisions and mingling the new with the old on the same subject so as to make of the old and the new a connected piece of legislation covering the same subject, the latter act must be considered an amendment of the former..."

The Supreme Court of North Dakota agreed with the above-quoted language in the case of State v. Baker, 299 N.W. 574 (1941).

At 82 C.J.S., Statutes, Section 243, it is stated that when the legislature, passing on a subsequent act, has under consideration the subject matter contained in the former enactment and is working along the same legislative line, "the subsequent act can fairly be termed amendatory to the prior act." It is further observed that:

"Whether an act is an amendment of a prior act is to be determined by a comparison of their provisions, and its character is not determined by the fact that it does or does not profess to be an amendment."

In view of the above-quoted provisions it would be our opinion that a bill proposing a one percent sales tax over and above the existing sales tax rates on essentially the same items as are presently taxed would be an "amendment" to the initiated statute and, consequently, would require compliance with Section 25 of the North Dakota Constitution. The fact that the revenues raised therefrom would be distributed to political subdivisions of the state would not alter the nature of the tax.

Sincerely,

Robert P. Brady

Assistant Attorney General

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1003 \_\_\_\_\_
- HB NO. 1016 \_\_\_\_\_
- HB NO. 1027 \_\_\_\_\_
- HB NO. 1036 \_\_\_\_\_
- HB NO. 1130 \_\_\_\_\_
- HB NO. 1170 \_\_\_\_\_
- HB NO. 1222 \_\_\_\_\_
- HB NO. 1274 \_\_\_\_\_
- HB NO. 1302 \_\_\_\_\_
- HB NO. 1337 \_\_\_\_\_
- HB NO. 1385 \_\_\_\_\_
- HB NO. 1450 \_\_\_\_\_
- HB NO. 1484 \_\_\_\_\_
- HB NO. 1496 \_\_\_\_\_
- HB NO. 1519 \_\_\_\_\_
- HB NO. 1544 \_\_\_\_\_
- HB NO. 1545 \_\_\_\_\_
- HB NO. 1593 \_\_\_\_\_
- HB NO. 1611 \_\_\_\_\_
- HB NO. 1620 \_\_\_\_\_
- HB NO. 1691 \_\_\_\_\_

and find the same correctly } Engrossed

Representative Hanson motion prevailed, and the report was adopted.

Wagon Strong Chairman Rep. Stenejem moved that the report be adopted, which

SEVENTH ORDER OF BUSINESS

Rep. Wessman moved that the report of the Minority of the Committee on State and Federal Government on House Bill No. 1663 be substituted for the report of the Majority, as shown on pages 894 and 895 of the House Journal, which motion prevailed on a verification vote.

House Bill No. 1663 was placed on the Sixth Order of Business for the succeeding legislative day.

MOTION

Rep. Thompson moved that the House reconsider its action whereby House Bill No. 1455 failed to pass, which motion failed for want of a constitutional majority, on a verification vote.

Rep. Melby moved that the House reconsider its action whereby House Bill No. 1424 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILLS

House Bill No. 1424. — A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 of the North Dakota Century Code, relating to the duty of the state supervisor of assessments to make the

sales ratio study; and to repeal sections 57-01-06, 57-01-06.1, and 57-01-07 of the North Dakota Century Code, relating to the sales ratio study.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 69; nays, 24; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON			UNHJEM		
BENEDICT			HICKLE		•	MEIERS		•	VANDER VORST		
BERG	•		HOFFNER			MELBY		•	VIG		
BERGE			HOLMANN		•	MERTENS		•	WAGNER		
BERGER			HOVE			MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R			MURPHY		•	WALSH		•
BLACK			JACOBSON I			MUSHIK		•	WEBER		•
BOYUM			KELLY	•		NICHOLAS		•	WENTZ		•
BROKAW			KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN			KERMOTT		•	OPEDAH		•	WINKJER		•
CONMY			KINGSBURY			PELTIER		•			
CRABTREE			KLOUBEC			PETERSON	•		MR SPEAKER		
DICK			KNUDSON		•	POMEROY		•			
DIETZ			KOSKI		•	REED		•			
DOTZENROD			KRETSCHMAR		•	RETZER		•			
DUBORD			KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHE		•			
ERICKSON			LANGLEY			RIEHL		•			
FLEMING			LARDY		•	RUED		•			
FREBORG			LARSON F # 24			SCHINDLER		•			
GACKLE		•	LARSON G # 29			SCOFIELD		•			
GERL		•	LARSON H # 7			SOLBERG		•			
GORDER			LEE	•		STENEHJEM		•			
GUNDERSON			LEIBHAN		•	STRINDEN		•			
GUNSCH			LIPSIA			SWONTEK		•			
HANSON			MAIXNER		•	THOMPSON		•			
HAUGLAND			WARSDEN		•	THORSGARD		•			
HAUSAUER, A # 49			MARTIN		•	TIMM		•			
HAUSAUER, R # 25			MARTINSON		•	TINLIUM		•			
HESSTROM			MATHENY		•	TWETEN		•			

So the bill passed and the title was agreed to.

**House Bill No. 1295.** — A Bill for an Act to create and enact a new subsection to section 15-40.1-08 of the North Dakota Century Code, relating to foundation aid payments for kindergarten; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 51; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN			MATTSON			UNHJEM		
BENEDICT			HICKLE		•	MEIERS		•	VANDER VORST		
BERG		•	HOFFNER			MELBY		•	VIG		
BERGE			HOLMANN		•	MERTENS		•	WAGNER		
BERGER			HOVE			MEYER		•	WALD		•
BJORNSON			JACOBSEN R			MURPHY		•	WALSH		•
BLACK			JACOBSON I			MUSHIK		•	WEBER		•
BOYUM			KELLY	•		NICHOLAS	•		WENTZ		•
BROKAW			KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN			KERMOTT		•	OPEDAH		•	WINKJER		•
CONMY			KINGSBURY			PELTIER		•			
CRABTREE			KLOUBEC			PETERSON	•		MR SPEAKER		
DICK			KNUDSON		•	POMEROY		•			
DIETZ			KOSKI		•	REED		•			
DOTZENROD			KRETSCHMAR		•	RETZER		•			
DUBORD			KUCHERA		•	RICHARD		•			
EAGLES			LANG		•	RICHE		•			
ERICKSON			LANGLEY			RIEHL		•			
FLEMING			LARDY		•	RUED		•			
FREBORG			LARSON F # 24			SCHINDLER		•			
GACKLE		•	LARSON G # 29			SCOFIELD		•			
GERL			LARSON H # 7			SOLBERG		•			
GORDER			LEE	•		STENEHJEM		•			
GUNDERSON			LEIBHAN		•	STRINDEN		•			
GUNSCH			LIPSIA			SWONTEK		•			
HANSON			MAIXNER		•	THOMPSON		•			

• HAUGLAND	MARSDEN	•	THORSGARD	•
• HAUSAUER A #49	MARTIN	•	TIMM	•
• HAUSAUER R #25	• MARTINSON	•	• TINJUM	•
• HEDSTROM	MATHENY	•	• TWETEN	•

So the bill lost.

**House Bill No. 1300.** — A Bill for an Act to provide for the establishment of a parent deinstitutionalization aid program for the care, custody, and control of mentally ill individuals or mentally deficient persons who are deinstitutionalized or may be deinstitutionalized.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 71; nays, 23; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEW		
• BENEDICT			• HICKLE	•		• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• YG		
• BERGE	•		• HOUWMANN	•		• MERTENS			• WAGNER		
• BERGER			• HOVE	•		• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHK			• WEBER		
• BOYUM			• KELLY	•		• NICHOLAS	•		• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT	•		• OPEDAHL			• WINKJER	•	
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE	•		• KLOUBEC			• PETERSON		•	• MR SPEAKER		•
• DICK			• KNUDSON	•		• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD	•		• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES	•		• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED		•			
• FREBORG	•		• LARSON F #24	•		• SCHINDLER					
• GACKLE			• LARSON G #29	•		• SCOFIELD					
• GERL			• LARSON H #7	•		• SOLBERG					
• GORDER	•		• LEE			• STENEHJEM					
• GUNDERSON	•		• LEIHAN			• STRINDEN	•				
• GUNSON	•		• LUSKA			• SWONKEN					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN	•		• THORSGARD					
• HAUSAUER A #49			• MARTIN			• TIMM		•			
• HAUSAUER R #25	•		• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1516.** — A Bill for an Act to provide for a township severance tax on sand and gravel, to provide for the imposition, collection, and administration of the tax; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 54; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEW		
• BENEDICT			• HICKLE	•		• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• YG		
• BERGE	•		• HOUWMANN	•		• MERTENS			• WAGNER		
• BERGER			• HOVE	•		• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHK			• WEBER		
• BOYUM			• KELLY	•		• NICHOLAS	•		• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT	•		• OPEDAHL			• WINKJER	•	
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE	•		• KLOUBEC			• PETERSON		•	• MR SPEAKER		•
• DICK			• KNUDSON	•		• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD	•		• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					

• EAGLES	•	LANG	•	• RICHIE	
• ERICKSON	•	• LANGLEY	•	• RIEHL	
• FLEMING	•	• LARDY	•	• RUED	
• FREBORG	•	• LARSON, F # 24	•	• SCHINDLER	•
• GACKLE	•	• LARSON, G # 26	•	• SCOFIELD	•
• GERL	•	• LARSON, H # 7	•	• SOLBERG	•
• GORDER	•	• LEE	•	• STENEHJEM	•
• GUNDERSON	•	• LEIBHAN	•	• STRINDE	•
• GUNSCH	•	• LIPSIEA	•	• SWONTEK	•
• HANSON	•	• MAIXNER	•	• THOMPSON	•
• HAUGLAND	•	• MARSDEN	•	• THORSGARD	•
• HAUSAUER A # 49	•	• MARTIN	•	• TIMM	•
• HAUSAUER R # 25	•	• MARTINSON	•	• TINJUM	•
• HEDSTROM	•	• MATHENY	•	• TWETEN	•

So the bill lost.

**House Bill No. 1658.** — A Bill for an Act to amend and reenact sections 26-26-04, 26-27-05, 26-27.1-05, and 26-27.2-05 of the North Dakota Century Code, relating to the membership of the boards of directors of nonprofit hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were yeas, 32; nays, 62; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOEN			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJOHNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEADHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 26			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDE					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill lost.

**MOTIONS**

Rep. Peterson moved that the House reconsider its action whereby it accepted the committee report on House Bill No. 1009, which motion prevailed.

Rep. Peterson moved that House Bill No. 1009 be re-referred to the Committee on Appropriations, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1660.** — A Bill for an Act to create and enact a new subsection to section 43-17-31 of the North Dakota Century Code, relating to the grounds for revocation, suspension, or refusal to grant a physician's license.

Which has been read.



CHRISTENSEN	•	KERMOTT	•	OPEDAH	•	WINKJER	•
CONNY	•	KINGSBURY	•	PELTIER	•	MR SPEAKER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DuBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON F # 24	•	SCHINDLER	•		
GACKLE	•	LARSON G # 29	•	SCOFIELD	•		
GERL	•	LARSON H # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIA	•	SWONTEK	•		
HANSON	•	MAKNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER A # 49	•	MARTIN	•	TIMM	•		
HAUSAUER R # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1691.** — A Bill for an Act to create a governor's council on physical fitness and sports, and to provide for the membership, compensation, and powers and duties of the council.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 52; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON	•		•	UNHJEM	•
•			HICKLE	•		MEIERS	•		•	VANDER VORST	•
•			HOFFNER	•		MELBY	•		•	VIG	•
	•		HOUWMAN	•		MERTENS	•		•	WAGNER	•
•			HOVE	•		MEYER	•		•	WALD	•
•			JACOBSEN, R.	•		MURPHY	•		•	WALSH	•
•			JACOBSON, I.	•		MUSHIK	•		•	WEBER	•
	•		KELLY	•		NICHOLAS	•		•	WENZT	•
•			KENNELLY	•		OLSON	•		•	WESSMAN	•
•			KERMOTT	•		OPEDAH	•		•	WINKJER	•
•			KINGSBURY	•		PELTIER	•				
•			KLOUBEC	•		PETERSON	•				
•			KNUDSON	•		POMEROY	•				
	•		KOSKI	•		REED	•				
	•		KRETSCHMAR	•		RETZER	•				
•			KUCHERA	•		RICHARD	•				
	•		LANG	•		RICHIE	•				
	•		LANGLEY	•		RIEHL	•				
	•		LARDY	•		RUED	•				
	•		LARSON F # 24	•		SCHINDLER	•				
	•		LARSON G # 29	•		SCOFIELD	•				
•			LARSON H # 7	•		SOLBERG	•				
	•		LEE	•		STENEHJEM	•				
	•		LEIBHAN	•		STRINDEN	•				
	•		LIPSIA	•		SWONTEK	•				
•			MAKNER	•		THOMPSON	•				
•			MARSDEN	•		THORSGARD	•				
•			MARTIN	•		TIMM	•				
•			MARTINSON	•		TINJUM	•				
•			MATHENY	•		TWETEN	•				

So the bill lost.

**MESSAGE TO THE SENATE  
House Chamber**

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1031
- House Bill No. 1104
- House Bill No. 1203
- House Bill No. 1309
- House Bill No. 1332
- House Bill No. 1377
- House Bill No. 1380

House Bill No. 1381  
 House Bill No. 1400  
 House Bill No. 1434  
 House Bill No. 1444  
 House Bill No. 1447  
 House Bill No. 1458  
 House Bill No. 1466  
 House Bill No. 1507  
 House Bill No. 1542  
 House Bill No. 1548  
 House Bill No. 1601  
 House Bill No. 1603  
 House Bill No. 1604.

ROY GILBREATH, Chief Clerk  
 MESSAGE FROM THE SENATE  
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2201	Senate Bill No. 2383
Senate Bill No. 2256	Senate Bill No. 2415
Senate Bill No. 2336	Senate Bill No. 2430
Senate Bill No. 2354	Senate Bill No. 2449.

LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1001 as recommended by the Committee on Appropriations as printed on pages 882 and 883 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1032 as recommended by the Committee on Appropriations as printed on pages 886 and 887 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1033 as recommended by the Committee on Appropriations as printed on pages 887 and 888 of the House Journal be adopted, which motion prevailed.

MOTIONS

Rep. Kretschmar moved that the House reconsider its action whereby it accepted the committee report on House Bill No. 1215, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1215 be re-referred to the Committee on Judiciary, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Gackle moved that the amendments to House Bill No. 1465 as recommended by the Committee on Finance and Taxation as printed on pages 889, 890 and 891 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1585 as recommended by the Committee on Judiciary as printed on page 891 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1598 as recommended by the Committee on Judiciary as printed on pages 891 and 892 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1637 as recommended by the Committee on Industry, Business and Labor as printed on page 892 of the House Journal be adopted, which motion prevailed.





● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEJEM
● GUNDERSON	● LEIGHAN	● STRINDE
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1027.** Combined Law Enforcement Council — A Bill for an Act making an appropriation for defraying the expenses of the combined law enforcement council of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 2; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTSON		
●			● HICKLE			● MEIERS		● UNHEJEM
●			● HOFFNER			● MELBY		● VANDER VORST
●			● HOUMANN			● MERTENS		● VIG
●			● HOVE			● MEYER		● WAGNER
●			● JACOBSEN R			● MURPHY	●	● WALD
●			● JACOBSON I			● MUSNIK		● WALSH
●			● JELLY			● NICHOLAS		● WEBER
●			● KENNEL			● OLSON		● WENTZ
●			● KERMOTT			● OPEDAHL		● WESSMAN
●			● KINGSBURY			● PELTIER	●	● WINKJER
●			● KLOUBEC			● PETERSON		● MR SPEAKER
●			● KNUDSON			● POWEROY		
●			● KOSKI			● REED		
●			● KRETSCHMAR			● RETZER		
●			● KUCHERA			● RICHARD		
●			● LANG			● RICHIE		
●			● LANGLEY			● RIEHL		
●			● LARDY			● RUED	●	
●			● LARSON F # 24			● SCHINDLER		
●			● LARSON G # 29			● SCOFIELD		
●			● LARSON H # 7			● SOLBERG		
●			● LEE			● STENEHEJEM		
●			● LEIGHAN			● STRINDE	●	
●			● LIPSIA			● SWONTEK		
●			● MAXNER			● THOMPSON		
●			● MARSDEN			● THORSGARD		
●			● MARTIN			● TIMM		
●			● MARTINSON			● TINJUM		
●			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**MOTION**

Rep. Kretschmar moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1036.** Employment Security Bureau — A Bill for an Act making an appropriation for defraying the expenses of the employment security bureau and divisions thereof of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 1; absent and not voting, 15.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKLER ●		
CONNY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F #24 ●			SCHINDLER ●					
GACKLE ●			LARSON G #29 ●			SCOFIELD ●					
GERL ●			LARSON H #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEJEW ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A #49 ●			MARTIN ●			TIMM ●					
HAUSAUER R #25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the bill passed and the title was agreed to.

**House Bill No. 1046.** — A Bill for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to annual fire inspection of all state institutions and buildings by the state fire marshal or an authorized representative of a city.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKLER ●		
CONNY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F #24 ●			SCHINDLER ●					
GACKLE ●			LARSON G #29 ●			SCOFIELD ●					
GERL ●			LARSON H #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEJEW ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A #49 ●			MARTIN ●			TIMM ●					
HAUSAUER R #25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the bill passed and the title was agreed to.

**House Bill No. 1130.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 and subdivision d of



• GERL	• LARSON, H. #7	SOLBERG •
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCH	• LIPSIE	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER A. #49	• MARTIN	• TIMM
• HAUSAUER R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1222.** — A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code, relating to the powers, duties, and limitations of the director of the North Dakota parks and recreation department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 6; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #29			• SCOFIELD					
• GERL			• LARSON H #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCH			• LIPSIE			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER A. #49			• MARTIN			• TIMM					
• HAUSAUER R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1274.** — A Bill for an Act to amend and reenact section 61-16-15 of the North Dakota Century Code, relating to the authorization of dikes and dams.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					

• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RIED
• FREBORG	• LARSON # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDE
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1302.** — A Bill for an Act to amend and reenact subsection 4 of section 57-02-01 of the North Dakota Century Code, relating to the definition of “true and full value”.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 8; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST	•	
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN			• KERMOY			• OPEDAHL			• WINKJER	•	
• CONMY			• KINGSBURY	•		• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING	•		• LARDY			• RIED					
• FREBORG			• LARSON # 24			• SCHINDLER		•			
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDE	•				
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1337.** — A Bill for an Act to amend and reenact sections 1-03-02 and 1-03-04 of the North Dakota Century Code, relating to days following holidays as holidays and business days; and to repeal section 1-03-02.1 of the North Dakota Century Code, relating to bank holidays.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 13; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST	•	

• BERG	• HOFFNER	MELBY	• VIG
• BERGE	• HOUWMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON J	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	• MR SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUGSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1450.** — A Bill for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to indecent exposure; and to amend and reenact section 12.1-20-05 of the North Dakota Century Code, relating to the corruption or solicitation of minors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
• BACKES			• HERMAN		• WATTSON			• UNHJEM			
• BENEDICT			• HICKLE		• WEIERS			• VANDER VORST			
• BERG			• HOFFNER		• MELBY			• VIG			
• BERGE			• HOUWMANN		• MERTENS			• WAGNER			
• BERGER			• HOVE		• MEYER			• WALD			
• BJORNSON			• JACOBSEN R		• MURPHY			• WALSH			
• BLACK			• JACOBSON J		• MUSHIK			• WEBER			
• BOYUM			• KELLY		• NICHOLAS			• WENTZ			
• BROKAW			• KENNELLY		• OLSON			• WESSMAN			
• CHRISTENSEN			• KERMOTT		• OPEDAHL			• WINKLER			
• CONMY			• KINGSBURY		• PELTIER			• MR SPEAKER			
• CRABTREE			• KLOUBEC		• PETERSON						
• DICK			• KNUGSON		• POMEROY						
• DIETZ			• KOSKI		• REED						
• DOTZENROD			• KRETSCHMAR		• RETZER						
• DUBORD			• KUCHERA		• RICHARD						
• EAGLES			• LANG		• RICHE						
• ERICKSON			• LANGLEY		• RIEHL						
• FLEMING			• LARDY		• RUED						
• FREBORG			• LARSON F # 24		• SCHINDLER						
• GACKLE			• LARSON G # 29		• SCOFIELD						
• GERL			• LARSON H # 7		• SOLBERG						
• GORDER			• LEE		• STENEHJEM						
• GUNDERSON			• LEIBHAN		• STRINDEN						
• GUNSCH			• LIPSIA		• SWIONTEK						
• HANSON			• MAIXNER		• THOMPSON						
• HAUGLAND			• MARSDEN		• THORSGARD						
• HAUSAUER A # 49			• MARTIN		• TIMM						
• HAUSAUER R # 25			• MARTINSON		• TINJUM						
• HEDSTROM			• MATHENY		• TWETEN						

So the bill passed and the title was agreed to.

MOTION

Rep. Gackle moved that House Bill No. 1484 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1519.** — A Bill for an Act to amend and reenact section

54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 70; nays, 24; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	●	HERMAN		●	MATTSON		●	UNHJEM	
BENEDICT		●	●	HICKLE		●	MEIERS	●	●	VANDER VORST	
BERG		●	●	HOFFNER	●	●	MELBY		●	VIG	
BERGE		●	●	HOUWMANN		●	MERTENS	●	●	WAGNER	
BERGER		●	●	HOVE		●	MEYER		●	WALD	
BJORNSON		●	●	JACOBSEN R		●	MURPHY		●	WALSH	●
BLACK		●	●	JACOBSON I	●	●	MUSHIK	●	●	WEBER	●
BOYUM		●	●	KELLY		●	NICHOLAS		●	WENTZ	●
BROKAW		●	●	KENNELLY		●	OLSON		●	WESSMAN	●
CHRISTENSEN		●	●	KERMOTT		●	OPEDAH		●	WINKJER	●
CONMY		●	●	KINGSBURY		●	PELTIER		●		
CRABTREE		●	●	KLOUBEC		●	PETERSON	●	●	MR SPEAKER	
DICK		●	●	KNUDSON		●	POMEROY		●		
DIETZ		●	●	KOSKI	●	●	REED		●		
DOTZENROD		●	●	KRETSCHMAR		●	RETZER	●	●		
DUBORD		●	●	KUCHERA		●	RICHARD		●		
EAGLES		●	●	LANG		●	RICHIE		●		
ERICKSON		●	●	LANGLEY		●	RIEHL		●		
FLEMING		●	●	LARDY	●	●	RUED		●		
FREBORG		●	●	LARSON F # 24		●	SCHINDLER		●		
GACKLE		●	●	LARSON G # 29		●	SCOFIELD		●		
GERL		●	●	LARSON H # 7		●	SOLBERG		●		
GORDER		●	●	LEE	●	●	STENEHJEM		●		
GUNDERSON		●	●	LEIBHAN		●	STRINDEN		●		
GUNSCH		●	●	LIPSIA		●	SWONTEK		●		
HANSON		●	●	MAIKNER	●	●	THOMPSON		●		
HAUGLAND		●	●	MARSDEN		●	THORSGARD		●		
HAUSAUER A # 49		●	●	MARTIN		●	TIMM		●		
HAUSAUER R # 25		●	●	MARTINSON		●	TINJUM		●		
HEADSTROM		●	●	MATHENY		●	TWETEN		●		

So the bill passed and the title was agreed to.

**House Bill No. 1544.** — A Bill for an Act to create and enact two new sections to chapter 51-15 of the North Dakota Century Code, relating to assurance of discontinuance and civil penalties in cases of consumer fraud; and to amend and reenact section 51-15-10 of the North Dakota Century Code, relating to costs recoverable in cases of consumer fraud.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS	●	●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUWMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	●
●			●	JACOBSEN R		●	MURPHY		●	WALSH	●
●			●	JACOBSON I		●	MUSHIK		●	WEBER	●
●			●	KELLY		●	NICHOLAS	●	●	WENTZ	●
●			●	KENNELLY		●	OLSON		●	WESSMAN	●
●			●	KERMOTT		●	OPEDAH		●	WINKJER	●
●			●	KINGSBURY		●	PELTIER		●		
●			●	KLOUBEC		●	PETERSON		●	MR SPEAKER	
●			●	KNUDSON		●	POMEROY		●		
●			●	KOSKI		●	REED		●		
●			●	KRETSCHMAR		●	RETZER		●		
●			●	KUCHERA		●	RICHARD		●		
●			●	LANG		●	RICHIE		●		
●			●	LANGLEY		●	RIEHL		●		
●			●	LARDY	●	●	RUED		●		
●			●	LARSON F # 24		●	SCHINDLER		●		
●			●	LARSON G # 29		●	SCOFIELD		●		
●			●	LARSON H # 7		●	SOLBERG		●		





NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON		● UNHJEM
● BENEDICT			● HICKLE		●	● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HULMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY	●		● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON	●	● WESSMAN
● CHRISTENSEN			● KERMOOT	●		● OPEDAHL		● WINKJER
● CONNY		●	● KINGSBURY			● PELTIER		
● CRABTREE		●	● KLOUBEC			● PETERSON	●	● MR. SPEAKER
● DICK		●	● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR		●	● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL	●	
● FLEMING			● LADY			● RUED		●
● FREBORG			● LARSON F # 74			● SCHINDLER		●
● GACKLE			● LARSON G # 79			● SCOFIELD		●
● GERL			● LARSON H # 7			● SOLBERG		●
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON		●	● LEIBHAN			● STRINDEN	●	
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGAR	●	
● HAUSAUER A # 49		●	● MARTIN			● TIMM		●
● HAUSAUER R # 25			● MARTINSON		●	● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1611.** — A Bill for an Act providing for appropriations to study the state accounting and financial reporting system; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HULMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY	●		● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOOT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK		●	● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER	●	
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LADY			● RUED		
● FREBORG			● LARSON F # 74			● SCHINDLER		
● GACKLE			● LARSON G # 79			● SCOFIELD	●	
● GERL			● LARSON H # 7			● SOLBERG	●	
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN	●	
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGAR	●	
● HAUSAUER A # 49			● MARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE FROM THE SENATE  
Senate Chamber



● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A #49 ●	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1620.** — A Bill for an Act to create and enact a new section to chapter 60-06 of the North Dakota Century Code, relating to the determination of the fair rental terms of existing leaseholds on railroad rights of way.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY ●			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY ●			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOYT			● OPEDAHL			● WINKJER ●		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEWING			● LARDY			● RUDY					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #29			● SCOFIELD					
● GERL			● LARSON H #7			● SOLBERG					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A #49			● MARTIN			● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1629.** — A Bill for an Act authorizing the board of university and school lands to invest permanent funds of the common schools in add-alternates for the judicial wing and state office building; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 66; nays, 29; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY ●			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOYT			● OPEDAHL			● WINKJER ●		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					

• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHEJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

MOTION

Rep. Strinden moved that the House reconsider its action on House Bill No. 1629 whereby the bill passed but the emergency clause failed, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1629.** — A Bill for an Act authorizing the board of university and school lands to invest permanent funds of the common schools in add-alternates for the judicial wing and state office building; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 17; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTHEWSON		• UNHEIM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• YIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOYE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWITT			• OPEDAHL		• WINKLER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETZSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHEJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCHE			• LIPSIEA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

EXPLANATION OF VOTE

Rep. Gerl: "Mr. Speaker:

"I would like to explain my vote on House Bill No. 1629. I did vote 'No' the first time. Then for the reasons Rep. Strinden stated so the emergency clause would pass and thereby cut down the additional inflationary costs, I did change my vote to 'Yes' the second time we voted on House Bill No. 1629."

## MOTION

Rep. Erickson moved that the House do concur in the Senate amendments to House Bill No. 1103, which motion prevailed.

House Bill No. 1103 was placed on the Eleventh Order for the succeeding legislative day.

## ANNOUNCEMENT

Rep. Mushik requested that the record show that Rep. Kelly has been absent both February 14 and February 15 because of illness, and will be present tomorrow.

## MOTIONS

Rep. Kretschmar moved that 500 additional copies be printed of engrossed House Bill Nos. 1046, 1170, 1222, 1274, 1545 and 1620, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 12:30 p.m., Friday, February 16, 1979, which motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1008, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 1; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete the numerals "1,508,515" and insert in lieu thereof the numerals "1,618,193"

On page 1, line 16, delete the numerals "901,816" and insert in lieu thereof the numerals "948,476"

On page 1, line 17, delete the numerals "285,671" and insert in lieu thereof the numerals "290,812"

On page 1, delete line 18

On page 1, line 20, delete the numerals "164,850" and insert in lieu thereof the numerals "227,868"

On page 1, line 22, delete the numerals "1,508,515" and insert in lieu thereof the numerals "1,618,193"

On page 1, line 23, delete the numerals "704,952" and insert in lieu thereof the numerals "741,386"

On page 1, line 24, delete the numerals "803,563" and insert in lieu thereof the numerals "876,807"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases salaries and wages for the Division of Independent Study by \$46,660. Of this increase in salaries, \$10,226 in general fund moneys is necessary to provide adequate fringe

benefits including the alternate plan for family medical insurance for employees for the Division of Independent Study. The remaining increase of \$36,434 is to provide salaries and fringe benefits for two additional film clerks which are to be funded from estimated income.

The amendment also increases fees and services by \$5,141 to include the data processing line item which is deleted by these amendments. The amendment also increases equipment by \$63,018 to provide for the purchase of additional films.

This amendment in total increases the general fund appropriation by \$73,244 and increases the estimated income line by \$36,434.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House Bill No. 1008 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1015, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 4, that the same

do pass  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 12, delete the numerals "5,249,480" and insert in lieu thereof the numerals "5,257,292"

On page 1, line 17, delete the numerals "411,801" and insert in lieu thereof the numerals "419,613"

On page 1, line 23, delete the numerals "5,249,480" and insert in lieu thereof the numerals "5,257,292"

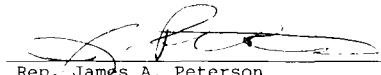
On page 1, line 24, delete the numerals "5,115,480" and insert in lieu thereof the numerals "5,123,292"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment adds \$7,812 to salaries and wages for adequate funds for family medical insurance.



Chairman

Rep. James A. Peterson

House Bill No. 1015 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1142, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same





On page 2, line 11, delete the words "any taxes are due"

On page 5, line 30, delete the numeral "15" and insert in lieu thereof the numeral "13", and after the word "Act" and before the comma insert the words "and in any other legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program"

On page 9, delete lines 21 through 35

On page 10, delete lines 1 through 18

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Rep. Gackle	<i>[Signature]</i>	Rep. Lipsica	<i>[Signature]</i>
Rep. Hausauer	<i>[Signature]</i>	Rep. Matheny	<i>[Signature]</i>
Rep. Bjornson	<i>[Signature]</i>	Rep. Murphy	<i>[Signature]</i>
Rep. Castree	<i>[Signature]</i>	Rep. Nichols	<i>[Signature]</i>
Rep. Kennelly	<i>[Signature]</i>	Rep. Timm	<i>[Signature]</i>
	<i>[Signature]</i>	Rep. Gackle	Chairman

Mr. Speaker: A Minority of your Committee on Finance and Taxation

to whom was referred House Bill No. 1257, has had the same under consideration and recommends that the same

- do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 18, delete the words "Eighty-five" and insert in lieu thereof the word "Eighty-eight"

On page 1, line 19, delete the word "three" and insert in lieu thereof the word "one"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Rep. Berg	<i>[Signature]</i>	_____
Rep. Richard	<i>[Signature]</i>	_____
Rep. Riehl	<i>[Signature]</i>	_____
Rep. Weber	<i>[Signature]</i>	_____
Rep. Martin (refused to sign)		_____

*[Signature]* Chairman  
Rep. Gackle

The Reports of the Majority and the Report of the Minority with House Bill

No. 1257 were placed on the 6th order of business on the calendar for the succeeding legislative day.

JOURNAL OF THE HOUSE

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Agriculture  
to whom was referred House

Bill No. 1260, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 0; Absent, 4, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 14 of the engrossed bill after the colon insert the following words "a maximum of"

On page 1, line 18 after the word "day" insert a period

On page 1, delete all of lines 19 and 20

On page 1, line 21 delete "of one cent per net hundredweight."  
and renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Hoffer Chairman  
House Rep. Nicholas Bill No. 1260 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1297, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

Rep. Gackle Chairman  
House Rep. Gackle Bill No. 1297 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1306, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

Rep. Gackle Chairman  
House Rep. Gackle Bill No. 1306 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred House

Bill No. 1326, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 6; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

Rep. Kloubec Chairman

House Bill No. 1326 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred House

Bill No. 1352, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

- On page 1, line 4, delete the word "onc" and insert in lieu thereof the word "two"
On page 1, line 16, delete the word "one" and insert in lieu thereof the word "two"
On page 1, line 18, delete the word "one" and insert in lieu thereof the word "two" and also on line 18 after the word "the" insert the words "violation and"
On page 1, line 22, delete the word "one" and insert in lieu thereof the word "two"
On page 2, line 1, after the word "record" insert the word "only"
On page 2, line 2, delete the words and comma ", but shall" and insert in lieu thereof the word "and"
On page 2, line 3, delete the word "not be considered as part of the driving record"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Erickson Chairman

House Bill No. 1352 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred House

Bill No. 1373, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 3; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

*Rep. Knudson* Chairman

House Rep. Knudson Bill No. 1373 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Agriculture to whom was referred House Bill No. 1384, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

but be re-referred to the Committee on Appropriations

*Rep. Nicholas* Chairman

House Rep. Nicholas Bill No. 1384 was re-referred to the Committee on Appropriations.

**Mr. Speaker:** Your Committee on Finance and Taxation to whom was referred House Bill No. 1402, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

*Rep. Hackle* Chairman

House Rep. Hackle Bill No. 1402 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Transportation to whom was referred House Bill No. 1430, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4 after the word "vehicles" delete the words "on which taxes have been paid on materials used"

On page 1, line 13 after the first word "use" delete the words "and upon which either the sales or use tax"

On page 1, delete all of lines 14 through 17

On page 1, line 18 delete the words "value of the completed vehicle"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Erickson*  
Rep. Erickson

Chairman

House Bill No. 1430 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House

Bill No. 1489, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 2; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 18, delete the words "a majority" and insert in lieu thereof "sixty percent"

And when so amended, recommends the same do pass.

*Rep. Black*  
Rep. Black

Vice Chairman

House Bill No. 1489 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1492, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Hackle*  
Rep. Hackle

Chairman

House Bill No. 1492 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1502, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2 delete "the cost of an appeal" and insert in lieu thereof "costs of appeal, attorney's fees and providing a statement of legislative intent."

On page 1, delete all of line 3

On page 1, line 9 strike "INCLUDING" and insert in lieu thereof "AND" and delete the strike through over the words "ATTORNEYS' FEES"

On page 1, line 10 delete "ATTORNEY'S FEE" and after the word "appeal" strike the comma

On page 1, line 11 strike "including" and insert in lieu thereof the word "and" and also after the word "attorney" strike the comma

On page 1, line 12 delete "district court" and strike "judge" and insert in lieu thereof the words "appellate court"

On page 1, line 13 delete all the underlined material and insert in lieu thereof "unless the appeal is determined to be frivolous"

On page 1, line 14 delete all the underlined material

On page 1, line 17 strike "rule of"

On page 1, line 18 strike "adopted pursuant to this title,"

On page 2, after line 3 insert the following new section: "SECTION 2. INTENT.) It is the intent of the legislative assembly that the workmen's compensation bureau be allowed to pay the fees of all attorneys who performed work on behalf of claimants at the appellate level pursuant to the bureau's practice prior to these amendments."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

*Wm. E. Kretschmar* Vice Chairman  
House Rep. Kretschmar  
Bill No. 1502 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1534, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Wm. E. Kretschmar* Vice Chairman  
House Rep. Kretschmar

House Bill No. 1534 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1552, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas* Chairman  
House Rep. Nicholas

House Bill No. 1552 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1556, has had the same under consideration and recommends, by a vote of

Ayes, 10 ; Nays, 4 ; Absent, 2 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1556 was placed on the 11<sup>th</sup> order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1562 has had the same under consideration and recommends, by a vote of Ayes, 14 ; Nays, 0 ; Absent, 2 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1562 was placed on the 11<sup>th</sup> order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1563 has had the same under consideration and recommends, by a vote of Ayes, 14 ; Nays, 2 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle* Chairman  
Rep. Gackle

House Bill No. 1563 was placed on the 11<sup>th</sup> order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred House

Bill No. 1564 has had the same under consideration and recommends, by a vote of Ayes, 11 ; Nays, 2 ; Absent, 3 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, delete all the new language on lines 19 through 21

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

*Rep. Erickson* Chairman  
Rep. Erickson

House Bill No. 1564 was placed on the 6<sup>th</sup> order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred House

Bill No. 1569, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 5 after the word "senator" insert "; and providing an effective date"
  - On page 1, line 14 after the word "election" insert the following:  
". The person appointed to fill the vacancy shall not be eligible to be a candidate for the office at the election. Should the noneligibility provided for in this section be declared unconstitutional, the secretary of state, in preparing the ballot for use at the election at which the vacancy is to be filled, shall not place the name of the person temporarily appointed to fill the vacancy upon the ballot, even if the person is otherwise entitled to have his name placed upon the ballot. The election to fill the vacancy shall be held"
  - On page 1, line 17 delete the word "thirty" and insert in lieu thereof the word "ninety"
  - On page 1, line 19 after the word "election" and before the comma insert "; however" and also after the word "is" insert the word "not" and also delete the word "thirty" and insert in lieu thereof the word "ninety"
  - On page 1, line 21 delete the word "otherwise" and insert in lieu thereof the words "the vacancy shall be filled"
  - On page 2, line 4 delete the word "thirty" and insert in lieu thereof the word "ninety"
  - On page 2, after line 11 insert the following new section:  
"SECTION 3. EFFECTIVE DATE.) The provision of this Act shall be effective for vacancies occurring on or after January 1, 1981."
- And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Vice Chairman  
Rep. Kretschmar

House Bill No. 1569 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1588, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Rep. Handberg

House Bill No. 1588 was placed on the 11th order of business on the calendar for the succeeding legislative day.



Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1595, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Bill No. 1595 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1609, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Bill No. 1609 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1610, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, after the word "census" insert the following:  
", and declaring an emergency"

On page 1, line 16, after the second word "names" insert the following:  
"and post office addresses"

On page 2, after line 21 insert the following new section:  
"SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.



Chairman

House Rep. Knudson Bill No. 1610 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1624 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

But be re-referred to the Committee on Appropriations

House \_\_\_\_\_ Bill No. 1624 was \_\_\_\_\_ Haugland Rep. Haugland Chairman

re-referred to the Committee on Appropriations

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on Finance and Taxation

to whom was referred House Bill No. 1625 has had the same under consideration and recommends that the same

[ ] do pass. [X] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Gackle, Rep. Hausauer, Rep. Bjornson, Rep. Crabtree, Rep. Kennelly, Rep. Lipsien, Rep. Murphy, Rep. Nicholas, Rep. Timm, Rep. Gackle Chairman

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Minority of your Committee on Finance and Taxation

to whom was referred House Bill No. 1625 has had the same under consideration and recommends that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [ ] be amended as follows:

Rep. Berg, Rep. Marth, Rep. Richard, Rep. Riehl, Rep. Weber, Rep. Gackle Chairman

The Reports of the Majority and the ~~Report of the~~ Minority with House Bill No. 1625 were placed on the 11th order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Transportation to whom was referred House

Bill No. 1636, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 1, line 11 after the word "AGREEMENT" and before the period insert the following: "- EFFECTIVE DATE"

On page 1, line 16 after the period insert the following: "Application shall be appropriately made in 1980 and if accepted the effective date of membership shall be January 1, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

Rep. Erickson Chairman  
House Bill No. 1636 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1638, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Gackle Chairman  
House Bill No. 1638 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred House

Bill No. 1650, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 1, line 12 of the engrossed bill, delete the strike through over the words "~~practical-surveyor-and~~" and delete the words "registered professional"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Vice Chairman

Rep. Black was placed on the 6th

House Bill No. 1650 order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House

Bill No. 1681 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact section 39-08-10.1 of the North Dakota Century Code, relating to requiring notification of the next of kin following an accident involving death or serious injury.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Section 39-08- 10.1 of the North Dakota Century Code is hereby created and enacted to read as follows: 39-08-10.1 INVESTIGATING AGENCY RESPONSIBLE TO NOTIFY NEXT OF KIN.) In the event of serious injury to, or death of any person, under circumstances leading to the notification of a law enforcement agency, the investigating law enforcement agency shall, upon positive identification of the person or persons involved, be responsible for immediately notifying the next of kin of the person or persons seriously injured or deceased, or make arrangements to have next of kin notified by clergy or other suitable person.

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

Vice Chairman Rep. Black

was placed on the 6th

House Bill No. 1681 order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Transportation

to whom was referred House Concurrent Resolution

No. 3023 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

X do pass. do not pass. be placed on calendar without recommendation.

Chairman Rep. Erickson

House Concurrent Resolution No. 3023 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2255 has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 6, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

 Vice Chairman  
Rep. Black

Senate Bill No. 2255 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2352, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 6, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

 Vice Chairman  
Rep. Black

Senate Bill No. 2352 was placed on the 14th order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE RESOLUTIONS

Reps. Swiontek, Knudson, Schindler and Berger introduced:

**House Concurrent Resolution No. 3058.** — A concurrent resolution directing the Legislative Council to conduct a study of the financing of elementary and secondary schools in the continuing effort toward the goal of providing the best possible education for the students of North Dakota.

Was read the first time and referred to the committee on Education.

Reps. Martin, Knudson and Nicholas and Senator Krauter introduced:

**House Concurrent Resolution No. 3059.** A concurrent resolution directing the Legislative Council to study alternative methods of providing equitable and effective means of financing eradication and control of leafy spurge, Canada thistle, and other noxious weeds.

Was read the first time and referred to the committee on Agriculture.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2007.** Industrial School — A Bill for an Act making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2039.** — A Bill for an Act making an appropriation for defraying the expenses of the coal development impact office of the state of North Dakota; and setting forth legislative intent and guidelines; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2186.** — A Bill for an Act to create the political subdivision liability fund, to provide for limitations on payments from such fund, providing an appropriation and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2340.** — A Bill for an Act to provide for presidential preference primary elections in presidential election years; and to amend and reenact sections 16-04-01, 16-04-11, and 16-04-20, relating to the primary election date, notice to county auditors of the offices to be

filled at the primary, and filing petitions to obtain a separate column on the primary election ballot; or, in the alternative, to create and enact sections 16.1-11-01, 16.1-11-02, and 16.1-11-25 of the North Dakota Century Code, relating to the primary election date, notifying the county auditors of the offices to be filled at the primary, and filing petitions to obtain a separate column on the primary ballot; and to repeal sections 16-04-01, 16-04-11, and 16-04-20 of the North Dakota Century Code, as described above, if House Bill No. 1138 is approved by the forty-sixth legislative assembly.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2363.** — A Bill for an Act to create and enact subsection 12 of section 6-06-06 of the North Dakota Century Code, relating to authority of state credit unions to exercise federal powers; to amend and reenact section 6-06-04 of the North Dakota Century Code, relating to amendments to bylaws and certificate of organization; to amend and reenact subsection 7 of section 6-06-12 of the North Dakota Century Code, relating to loan limits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2410.** — A Bill for an Act to create and enact section 4-30-38.1; and to amend and reenact sections 4-30-02, 4-30-12, 4-30-13, 4-30-14, 4-30-16, 4-30-17, 4-30-18, 4-30-19, 4-30-20, 4-30-27, 4-30-33, 4-30-38, 4-30-39, and 4-30-56; and to repeal chapter 19-06 and section 4-30-36.1 of the North Dakota Century Code, all relating to dairy products production and regulation.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2445.** — A Bill for an Act to amend and reenact section 26-27-01 of the North Dakota Century Code, relating to participation by doctors of podiatric medicine in nonprofit medical service corporations.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p.m., Friday, February 16, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-THIRD DAY

Bismarck, February 16, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Stanley Knudson, American Lutheran Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Christensen, Eagles, Fleming, Gerl, Gunsch, R. Hausauer, R. Jacobsen, Kuchera, F. Larson, Lee, Marsden, Mertens, Meyer, Mushik, Opedahl, Peterson, Solberg, Thorsgard, Tweten, Unhjem, Wald, Wentz and Winkjer.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-second

day and recommends that the same be corrected as follows:

On page 919, line 47, delete the word "lost" and insert in lieu thereof the word "carried"

On page 932, line 5, delete the word "Sixth" and insert in lieu thereof "Eleventh"

On page 935, delete lines 46 and 47

On page 944, delete lines 46 and 47

And when so corrected recommends that the same be approved.

Steven J. Swintek Chairman Rep. Swintek

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1001
HB NO. 1032
HB NO. 1033
HB NO. 1465

HB NO. 1585 \_\_\_\_\_

HB NO. 1598 \_\_\_\_\_

HB NO. 1637 \_\_\_\_\_

and find the same correctly } Engrossed

Representative Hanson Rep. Strinden Chairman moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

HB NO. 1657 \_\_\_\_\_

and find the same correctly } Engrossed

Representative Hanson Rep. Strinden Chairman moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker : Your Procedural Committee on Delayed Bills

recommends that HCR 3060 be introduced.

Earl Strinden Chairman

Rep. Kretschmar moved that the report be adopted, which motion

prevailed and the report was adopted.

ANNOUNCEMENT

Rep. Strinden requested that the record show that the Appropriations Committee was in session when the roll call was taken, and now have returned to the chamber.

MESSAGE TO THE SENATE House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1017
House Bill No. 1169
House Bill No. 1304
House Bill No. 1368
House Bill No. 1395
House Bill No. 1407
House Bill No. 1414
House Bill No. 1446
House Bill No. 1456
House Bill No. 1469
House Bill No. 1508
House Bill No. 1513
House Bill No. 1550



House Bill No. 1561  
 House Bill No. 1571  
 House Bill No. 1621.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1103.** — A Bill for an Act to authorize the state highway department, upon approval by the public service commission, to apply for rail service assistance under the Railroad Revitalization and Regulatory Reform Act of 1976, to authorize the highway department to act as the designated state agency to receive rail service assistance, and to authorize cooperation between the highway department and the public service commission to take steps necessary to improve transportation utilization; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 2; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN	•	•	MATTSON	•	UNHJEW
•			•	HICKLE	•	•	MEIERS	•	VANDER VORST
•			•	HOFFNER	•	•	MELBY	•	VIG
•			•	HOUMANN	•	•	MERTENS	•	WAGNER
•			•	HOVE	•	•	MEYER	•	WALD
•			•	JACOBSEN, R.	•	•	MURPHY	•	WALSH
•			•	JACOBSON, I.	•	•	MUSHIK	•	WEBER
•			•	KELLY	•	•	NICHOLAS	•	WENTZ
•			•	KENNELLY	•	•	OLSON	•	WESSMAN
•			•	KERMOTT	•	•	OPEDAHL	•	WINKLER
•			•	KINGSBURY	•	•	PELTIER	•	MR. SPEAKER
•			•	KLOUBEC	•	•	PETERSON		
•			•	KNUDSON	•	•	POWEROY		
•			•	KOSKI	•	•	REED		
•			•	KRETSCHMAR	•	•	REITZER		
•			•	KUCHERA	•	•	RICHARD		
•			•	LANG	•	•	RICHIE		
•			•	LANGLEY	•	•	RIEHL		
•			•	LARDY	•	•	RUED		
•			•	LARSON, F # 24	•	•	SCHINDLER		
•			•	LARSON, G # 29	•	•	SCOFIELD		
•			•	LARSON, H # 7	•	•	SOLBERG		
•			•	LEE	•	•	STENEHJEM		
•			•	LEIBAN	•	•	STRINDEN		
•			•	LIPSIEA	•	•	SWONTEK		
•			•	MAINKNER	•	•	THOMPSON		
•			•	MARSDEN	•	•	THORSGARD		
•			•	MARTIN	•	•	TIMM		
•			•	MARTINSON	•	•	TINJUM		
•			•	MATHENY	•	•	TWETEN		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1193** — A Bill for an Act making an appropriation to the North Dakota state university agricultural experiment station for construction of a total confinement experimental sheep barn at the Hettinger branch experiment station.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 11; nays, 81; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN	•	•	MATTSON	•	UNHJEW
•			•	HICKLE	•	•	MEIERS	•	VANDER VORST
•			•	HOFFNER	•	•	MELBY	•	VIG
•			•	HOUMANN	•	•	MERTENS	•	WAGNER
•			•	HOVE	•	•	MEYER	•	WALD

BJORNSON	•	JACOBSEN, R	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON, I.	•	WUSHIK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKJER	•
CONMY	•	KINGSBURY	•	PELTIER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•	MR SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DuBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F. # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G. # 29	•	SCOFIELD	•		
GERL	•	LARSON, H. # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEW	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIA	•	SWONTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGAR	•		
HAUSAUER, A. # 49	•	MARTIN	•	TIMM	•		
HAUSAUER, R. # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**House Bill No. 1297.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact office in the office of the governor; to provide for a trust fund to be administered by the board of university and school lands; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 85; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOPFNER	•		WELBY	•		VIG	•	
BERGE	•		HOUWMANN	•		WERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		WEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		WUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DuBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEW	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGAR	•				
HAUSAUER, A. # 49	•		MARTIN	•		TIMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1303.** — A Bill for an Act to provide credits against individual and corporate income taxes if the balance in the general fund exceeds the estimated balance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 54; nays, 42; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON			UNHJEM		
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUHMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON I	•		MUSHK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHN	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON F #24	•		SCHINDLER	•				
GACKLE	•		LARSON G #29	•		SCOFIELD	•				
GERL	•		LARSON H #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCHE	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER A #49	•		MARTIN	•		TIMM	•				
HAUSAUER R #25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost for want of the required two-thirds majority.

**House Bill No. 1373.** — A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century code, relating to definitions of the word "teacher."

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 91; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON			UNHJEM		
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUHMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON I	•		MUSHK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHN	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON F #24	•		SCHINDLER	•				
GACKLE	•		LARSON G #29	•		SCOFIELD	•				
GERL	•		LARSON H #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCHE	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER A #49	•		MARTIN	•		TIMM	•				
HAUSAUER R #25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**House Bill No. 1465.** — A Bill for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to the determination of true and full value for agricultural property.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 36; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES •			• HERMAN			• MATTSOON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG		•	• HOFFNER			• MELBY		• VG
• BERGE			• HOUMANN	•		• WERTENS		• WAGNER
• BERGER		•	• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.		•	• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ •
• BROKAW			• KENNELLY	•		• OLSON		• WESSMAN
• CHRISTENSEN		•	• KERMOTT	•		• OPEDAHL		• WINKJER •
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE		•	• KLUBBEC			• PETERSON		MR. SPEAKER •
• DICK			• KNUDSON	•		• POMEROY		
• DIETZ			• KOSKI	•		• REED		
• DOTZENROD			• KRETSCHMAR	•		• RETZER		
• DUBORD			• KUCHERA	•		• RICHARD		
• EAGLES			• LANG	•		• RICHIE		
• ERICKSON			• LANGLEY	•		• RIEHL		
• FLEMING	•		• LARDY			• RUED		
• FREBORG			• LARSON, F. #24			• SCHINDLER		
• GACKLE			• LARSON, G. #29			• SCOFIELD		
• GERL			• LARSON, H. #7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN	•		• STRINDEN		
• GUNSCH			• LIPSIA			• SWONTEK		
• HANSON		•	• MAIXNER			• THOMPSON		
• HAUGLAND		•	• MARSDEN			• THORSGAARD		
• HAUSAUER, A. #49			• MARTIN	•		• TIMM		
• HAUSAUER, R. #25			• MARTINSON	•		• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that House Bill No. 1552 be moved to the foot of the calendar, which motion prevailed.

**MESSAGE FROM THE SENATE  
Senate Chamber**

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2006
- Senate Bill No. 2033
- Senate Bill No. 2054
- Senate Bill No. 2202
- Senate Bill No. 2204
- Senate Bill No. 2232
- Senate Bill No. 2264
- Senate Bill No. 2300
- Senate Bill No. 2322
- Senate Bill No. 2338
- Senate Bill No. 2346
- Senate Bill No. 2355
- Senate Bill No. 2356
- Senate Bill No. 2438
- Senate Bill No. 2446
- Senate Bill No. 2454
- Senate Bill No. 2455

Senate Bill No. 2468  
 Senate Bill No. 2475  
 Senate Bill No. 2479  
 Senate Concurrent Resolution No. 4018  
 Senate Concurrent Resolution No. 4021  
 Senate Concurrent Resolution No. 4029.

LEOLEIDHOLM, Secretary

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1103.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1492.** — A Bill for an Act to amend and reenact section 40-38-02 of the North Dakota Century Code, relating to the amount of the library fund mill levy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 56; absent and not voting, 8.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON		● UNHJEM
● BENEDICT		●	● HICKLE		●	● MEIERS		● VANDER VORST
● BERG		●	● HOFFNER			● MELBY		● VIG
● BERGE		●	● HOLMANN		●	● MERTENS		● WAGNER
● BERGER			● HOVE		●	● MEYER		● WALD
● BJORNSON			● JACOBSEN	●		● MURPHY		● WALSH
● BLACK		●	● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY		●	● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY		●	● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT		●	● OPEDAHL		● WINKJER
● CONNY		●	● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC		●	● PETERSON		● MR. SPEAK, R
● DICK			● KNUDSON		●	● POWEROY		
● DIETZ			● KOSKI			● REED		●
● DOTZENROD		●	● KRETSCHMAR		●	● RETZER		●
● DUBORD			● KUCHERA		●	● RICHARD		●
● EAGLES			● LANG		●	● RICHIE		●
● ERICKSON		●	● LANGLEY		●	● RIEHL		●
● FLEMING			● LARDY		●	● RUED		●
● FREBORG			● LARSON F # 24		●	● SCHINDLER		●
● GACKLE		●	● LARSON G # 20		●	● SCOFIELD		●
● GERL			● LARSON H # 7		●	● SOLBERG		●
● GORDER		●	● LEE		●	● STENEHJEM		●
● GUNDERSON			● LEIBMAN		●	● STRINDEN		●
● GUNSCH		●	● LIPSIEA		●	● SWIONTEK		●
● HANSON			● MAIXNER		●	● THOMPSON		●
● HAUGLAND			● MARSDEN		●	● THORSGAR		●
● HAUSAUER A # 49		●	● MARTIN		●	● TIMM		●
● HAUSAUER R # 25		●	● MARTINSON		●	● TINJUM		●
● HEDSTROM			● MATHENY		●	● TWETEN		●

So the bill lost.

**House Bill No. 1534.** — A Bill for an Act to create and enact sections 16-18-14.1 and 16-18-15.1 of the North Dakota Century Code, relating to the creation of a special election board and the canvassing of absent voters' ballots in congressional, state, or county elections and in city or school district elections; to amend and reenact section 16-18-02 of the North Dakota Century Code, relating to voting in person by an elector who has voted by absentee voters' ballot; or, in the alternative, to amend and reenact sections 16.1-07-09 and 16.1-07-10 of the North Dakota Century Code as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the creation of a special election board and the canvassing of absent voters' ballots in congressional, state, or county elections and in city or school district elections; to repeal sections 16-18-14, 16-18-15, 16-18-16,

16-18-17, and 16-18-20 of the North Dakota Century Code, relating to the canvassing of absent voters' ballots; or, in the alternative, to repeal sections 16.1-07-11, 16.1-07-12, and 16.1-07-13 of the North Dakota Century Code as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the canvassing of absent voters' ballots.

Which has been read.

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1534, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 76; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•				HERMAN	•		MATTSON	•
•				HICKLE	•	•	WEIERS	•
•			•	HOFFNER	•	•	WELBY	•
•			•	HOUANN	•	•	MERTENS	•
•			•	HOVE	•	•	MEYER	•
•			•	JACOBSEN R.	•	•	MURPHY	•
•			•	JACOBSON I.	•	•	MUSHIK	•
•			•	KELLY	•	•	NICHOLAS	•
•			•	KENNELLY	•	•	OLSON	•
•			•	KERMOTT	•	•	OPEDAHL	•
•			•	KINGSBURY	•	•	FELTIER	•
•			•	KLOUBEC	•	•	PETERSON	•
•			•	KNUDSON	•	•	POMEROY	•
•			•	KOSKI	•	•	REED	•
•			•	KRETSCHMAR	•	•	RETZER	•
•			•	KUCHERA	•	•	RICHARD	•
•			•	LANG	•	•	RICHIE	•
•			•	LANGLEY	•	•	RIEHL	•
•			•	LARDY	•	•	RUED	•
•			•	LARSON F. #24	•	•	SCHINDLER	•
•			•	LARSON G. #29	•	•	SCOFIELD	•
•			•	LARSON H. #7	•	•	SOLBERG	•
•			•	LEE	•	•	STENEJEW	•
•			•	LEIBHAN	•	•	STRINDEN	•
•			•	LIPSIEA	•	•	SWIONTEK	•
•			•	MAIXNER	•	•	THOMPSON	•
•			•	MARSDEN	•	•	THORSGARD	•
•			•	MARTIN	•	•	TIMM	•
•			•	MARTINSON	•	•	TINJUM	•
•			•	MATHENY	•	•	TWETEN	•
								MR. SPEAKER

So the bill lost.

**House Bill No. 1556.** — A Bill for an Act to amend and reenact section 57-39.2-26 of the North Dakota Century Code, returning the sales tax collected from activities on property under the control of any fair association; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 11; nays, 85; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•		MATTSON	•
•			•	HICKLE	•	•	WEIERS	•
•			•	HOFFNER	•	•	WELBY	•
•			•	HOUANN	•	•	MERTENS	•
•			•	HOVE	•	•	MEYER	•
•			•	JACOBSEN R.	•	•	MURPHY	•
•			•	JACOBSON I.	•	•	MUSHIK	•
•			•	KELLY	•	•	NICHOLAS	•
•			•	KENNELLY	•	•	OLSON	•
•			•	KERMOTT	•	•	OPEDAHL	•
•			•	KINGSBURY	•	•	FELTIER	•
•			•	KLOUBEC	•	•	PETERSON	•
•			•	KNUDSON	•	•	POMEROY	•
•			•	KOSKI	•	•	REED	•
•			•	KRETSCHMAR	•	•	RETZER	•
								MR. SPEAKER

DUBORD	•	KUCHERA	•	RICHARD	•
EAGLES	•	LANG	•	RICHIE	•
ERICKSON	•	LANGLEY	•	RIEHL	•
FLEMING	•	LARDY	•	RUED	•
FREBORG	•	LARSON, F # 24	•	SCHINDLER	•
GACKLE	•	LARSON, G # 29	•	SCOFIELD	•
GERL	•	LARSON, H # 7	•	SOLBERG	•
GORDER	•	LEE	•	STENEHJEM	•
GUNDERSON	•	LEIBHAN	•	STRINDEN	•
GUNSCH	•	LIPSIE	•	SWIONTEK	•
HANSON	•	MAIXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSGARD	•
HAUSAUER, A # 49	•	MARTIN	•	TIMM	•
HAUSAUER, R # 25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHENY	•	TWETEN	•

So the bill lost.

**House Bill No. 1595.** — A Bill for an Act to provide for a severance tax upon all coal mines; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact commission; to provide for impact loans to be administered by the board of university and school lands and to provide a penalty; and to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to privilege tax on coal conversion facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 81; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		• UNHJEM		
BENEDICT	•		HICKLE	•		MEIERS	•		• VANDER VORST		
BERG	•		HOPFNER	•		MELBY	•		VIG		•
BERGE	•		HOLMANN	•		MERTENS	•		WAGNER		•
BERGER	•	•	HOVE	•		MEYER	•		WALSH	•	
BJOHNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	•
BLACK	•		JACOBSON, I	•		MUSHK	•		WEBER	•	•
BOYUM	•		KELLY	•		MUCHOLAS	•		WENTZ	•	•
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	•
CHRISTENSEN	•		KERMOTT	•		ORSHAH	•		WINKLER	•	•
CONNY	•		KINGSBURY	•		PELTIER	•				
CRAFTREE	•	•	KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	•
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
• DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
• GERL	•		LARSON, H # 7	•		SOLBERG	•				
• GORDER	•		LEE	•		• STENEHJEM	•				
• GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
• GUNSCH	•	•	LIPSIE	•		• SWIONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		• THORSGARD	•				
HAUSAUER, A # 49	•		MARTIN	•		TIMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		• TINJUM	•				
HEDSTROM	•		MATHENY	•		• TWETEN	•				

So the bill lost.

**House Bill No. 1609.** — A Bill for an Act to require inclusion of chiropractic service under group accident and sickness policies, hospital service contracts, and medical service contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 65; absent and not voting, 9.





So the bill lost.

**House Bill No. 1638.** — A Bill for an Act to create and enact three new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, providing definitions to be used, relating to allocation of moneys in the coal development fund, and allowing money to go to state agencies to study derivative impacts in all parts of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 53; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
●			HERMAN		●	WATTSON					UNHJEW
●			MICKLE		●	WIEBERS		●	●		VANDER VORST
●			HOFFNER			MELBY		●			VIG
●		●	HOLMANN		●	MERTENS					WAGNER
●			HOVE		●	MEYER					WALD
●		●	JACOBSEN, R			MURPHY		●			WALSH
●		●	JACOBSON, I		●	MUSHIK		●			WEBER
●		●	KELLY			NICHOLAS					WENTZ
●			KENNELLY		●	OLSON		●			WESSMAN
●		●	KERMOTT		●	OPEDAHL					WINKLER
●		●	KINGSBURY		●	PELTIER					
●		●	KLOUBEC		●	PETERSON		●			MR. SPEAKER
●		●	KNUDSON		●	POWEROY					
●		●	KOSKI			REED		●			
●			KRETSCHMAR		●	RETZER		●			
●			KUCHERA		●	RICHARD		●			
●			LANG		●	RICHIE		●			
●		●	LANGLEY		●	RIEHL		●			
●		●	LARDY			RUD		●			
●			LARSON, F # 24			SCHINDLER		●			
●			LARSON, G # 29			SCOFIELD		●			
●			LARSON, H # 7		●	SOLBERG		●			
●		●	LEE		●	STENEMJEM		●			
●		●	LEIBHAN		●	STRINDEN		●			
●		●	LIPSIEA		●	SWIONTEK		●			
●		●	MAXNER		●	THOMPSON		●			
●		●	MARSDEN		●	THORSgard		●			
●		●	MARTIN		●	TIMM		●			
●		●	MARTINSON		●	TINJUM		●			
●		●	MATHENY		●	TWETEN		●			

So the bill lost.

**MESSAGE FROM THE SENATE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Concurrent Resolution No. 4023.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**MOTIONS**

Rep. Strinden moved that House Bill No. 1008 be moved to the foot of the Sixth Order on the calendar, which motion prevailed.

Rep. Strinden moved that House Bill No. 1569 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that House Bill No. 1663 be laid over one legislative day, which motion prevailed.

Rep. Erickson moved that House Bill No. 1634 be re-referred to the Committee on Transportation, which motion prevailed.

Rep. Knudson moved that Senate Bill No. 2463 be returned to the House from the Committee on Education and be re-referred to the Committee on Social Services and Veterans Affairs, which motion prevailed.





mended by the Committee on Political Subdivisions as printed on page 946 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1008 as recommended by the Committee on Appropriations as printed on pages 932 and 933 of the House Journal be adopted, which motion prevailed.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign: Senate Concurrent Resolution No. 4023.

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE
House Chamber

Mr. President: I have the honor to return herewith the following: Senate Concurrent Resolution No. 4023. Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MOTION

Rep. Gackle moved that House Bill No. 1692 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Gackle requested permission to withdraw House Bill No. 1692. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

House Bill No. 1001. Legislative Branch - A Bill for an Act to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 14; absent and not voting, 22.

Table with columns: REGULAR SESSION, ROLL CALL, 1979 LEGISLATURE. Rows list names and their voting status (YEAS, N-V, NAYS).

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 1032. Commissioner of University and School Lands - A Bill for an Act making an appropriation for defraying the expenses



● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A #49	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1306.** — A Bill for an Act to create a new subsection to section 57-38-01.2 of the North Dakota Century Code, relating to a reduction in the taxable income for interest received on certain contracts for deed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 5; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN	●		● MATTSON			● UNHEM		
●			● HICKLE			● MEERS			● VANDER VORST		
●			● HOFFNER			● MELBY			● VIG		
●			● HOUMANN			● MERTENS	●		● WAGNER		
●			● HOVE			● MEYER			● WALD		●
●			● JACOBSEN R			● MURPHY	●		● WALSH		
●			● JACOBSON I			● MUSHIK			● WEBER		
●			● KELLY	●		● NICHOLAS			● WENTZ	●	
●			● KENNELLY			● OLSON	●		● WESSMAN		
●			● KERMOY			● OPEDAHN			● WINKLER	●	
●			● KINGSBURY			● PELTIER					
●			● KLOBUC			● PETERSON	●		● MR SPEAKER		
●			● KOWDSON			● POWEROY					
●			● KOSKI			● REED					
●			● KRETSCHMAR			● RETZER					
●			● KUCHERA	●		● RICHARD					
●			● LANG			● RICHIE					
●			● LANGLEY			● RIEHL	●				
●			● LARDY			● RUED					
●			● LARSON, F #24			● SCHINDLER					
●			● LARSON, G #29			● SCOFIELD					
●			● LARSON, H #7			● SOLBERG					
●			● LEE	●		● STENEHJEM					
●			● LEIBHAN			● STRINDEN					
●			● LIPSIE			● SWONTEK					
●			● MAIXNER			● THOMPSON					
●			● MARSDEN			● THORSGARD					
●			● MARTIN			● TIMM					
●			● MARTINSON			● TINJUM					
●			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1484 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1326.** — A Bill for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to authorization for nonresidents to hunt waterfowl in specified hunting zones.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 54; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN	●		● MATTSON			● UNHEM		
●			● HICKLE			● MEERS			● VANDER VORST		
●			● HOFFNER			● MELBY			● VIG		
●			● HOUMANN			● MERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD		●
●			● JACOBSEN R			● MURPHY			● WALSH		
●			● JACOBSON I			● MUSHIK			● WEBER		
●			● KELLY			● NICHOLAS			● WENTZ	●	
●			● KENNELLY			● OLSON	●		● WESSMAN		

CHRISTENSEN ●	● KERMOTT	OPEDAHL ●	WINKJER ●
CONNY ●	● KINGSBURY	● PELTIER	● MR. SPEAKER
CRABTREE ●	● KLOUBEC	● PETERSON ●	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
DUBORD ●	● KUCHERA	● RICHARD	
EAGLES ●	● LANG	● RICHIE	
ERICKSON ●	● LANGLEY	● RIEHL ●	
FLEMING ●	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
GACKLE ●	● LARSON G # 29	● SCOFIELD	
GERL ●	● LARSON H # 7	● SOLBERG	
GORDER ●	● LEE ●	● STENEHJEM	
● GUNDERSON	● LEIBHAN ●	● STRINDEN	
GUNSCH ●	● LIPSIA	● SWONTEK	
HANSON ●	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
HAUSAUER A # 49 ●	● MARTIN	● TIMM	
HAUSAUER R # 25 ●	● MARTINSON	● TINJUM	
HEDSTROM ●	● MATHENY	● TWETEN	

So the bill lost.

**House Bill No. 1402.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide for the allocation of coal severance tax moneys to coal-producing and non-coal-producing counties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN ●			● WATTSON			● UNHJEM		
● BENEDCT			● HICKLE			● WEERS			● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOLMANN			● WERTENS			● WAGNER		
● BERGER ●			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN ●			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ ●		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER ●		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES ●			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBHAN ●			● STRINDEN					
● GUNSCH ●			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1562.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the taxation of the gain or loss resulting from the sale of a principal residence by a taxpayer moving out of North Dakota; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN	•	•	WATTS	•	UNHJEM
•			•	HICKLE	•	•	WEIERS	•	VANDER VORST
•			•	HOPFNER	•	•	WELBY	•	VG
•			•	HOUIMANN	•	•	MERTENS	•	WAGNER
•			•	HOVE	•	•	MEYER	•	WALD
•			•	JACOBSEN R	•	•	MURPHY	•	WALSH
•			•	JACOBSON I	•	•	MUSHIK	•	WEBER
•			•	KELLY	•	•	NICHOLAS	•	WENTZ
•			•	KENNELLY	•	•	OLSON	•	WESSMAN
•			•	KERMOTT	•	•	OPEDAHL	•	WINKJER
•			•	KINGSBURY	•	•	PELTIER		
•			•	KLOUBEC	•	•	PETERSON	•	MR. SPEAKER
•			•	KNUDSON	•	•	POMEROY		
•			•	KOSKI	•	•	REED		
•			•	KRETSCHMAR	•	•	RETZER		
•			•	KUCHERA	•	•	RICHARD		
•			•	LANG	•	•	RICHIE		
•			•	LANGLEY	•	•	RIEHL		
•			•	LARDY	•	•	RUED		
•			•	LARSON F # 24	•	•	SCHINDLER		
•			•	LARSON G # 29	•	•	SCOFIELD		
•			•	LARSON H # 7	•	•	SOLBERG		
•			•	LEE	•	•	STENEHJEM		
•			•	LEIBHAN	•	•	STRINDEN		
•			•	LIPSIEA	•	•	SWONTEK		
•			•	MAIKNER	•	•	THOMPSON		
•			•	MARSDEN	•	•	THORSGARD		
•			•	MARTIN	•	•	TIMM		
•			•	MARTINSON	•	•	TINJUM		
•			•	MATHENY	•	•	TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1563.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, providing for the exemption from taxation of proceeds realized from a forced sale due to eminent domain proceedings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 5; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN	•	•	WATTS	•	UNHJEM
•			•	HICKLE	•	•	WEIERS	•	VANDER VORST
•			•	HOPFNER	•	•	WELBY	•	VG
•			•	HOUIMANN	•	•	MERTENS	•	WAGNER
•			•	HOVE	•	•	MEYER	•	WALD
•			•	JACOBSEN R	•	•	MURPHY	•	WALSH
•			•	JACOBSON I	•	•	MUSHIK	•	WEBER
•			•	KELLY	•	•	NICHOLAS	•	WENTZ
•			•	KENNELLY	•	•	OLSON	•	WESSMAN
•			•	KERMOTT	•	•	OPEDAHL	•	WINKJER
•			•	KINGSBURY	•	•	PELTIER		
•			•	KLOUBEC	•	•	PETERSON	•	MR. SPEAKER
•			•	KNUDSON	•	•	POMEROY		
•			•	KOSKI	•	•	REED		
•			•	KRETSCHMAR	•	•	RETZER		
•			•	KUCHERA	•	•	RICHARD		
•			•	LANG	•	•	RICHIE		
•			•	LANGLEY	•	•	RIEHL		
•			•	LARDY	•	•	RUED		
•			•	LARSON F # 24	•	•	SCHINDLER		
•			•	LARSON G # 29	•	•	SCOFIELD		
•			•	LARSON H # 7	•	•	SOLBERG		
•			•	LEE	•	•	STENEHJEM		
•			•	LEIBHAN	•	•	STRINDEN		
•			•	LIPSIEA	•	•	SWONTEK		
•			•	MAIKNER	•	•	THOMPSON		
•			•	MARSDEN	•	•	THORSGARD		
•			•	MARTIN	•	•	TIMM		
•			•	MARTINSON	•	•	TINJUM		
•			•	MATHENY	•	•	TWETEN		

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that 500 copies be printed of the following bills:



Engrossed House Bill No. 1138  
Engrossed House Bill No. 1465  
House Bill No. 1060  
House Concurrent Resolution No. 3026.  
Which motion prevailed.

ANNOUNCEMENT

Rep. Kretschmar requested that the record show that Rep. Winkjer has been absent from the House February 15 and 16 for medical reasons.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

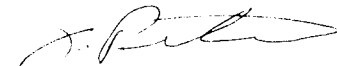
Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Ninth Order of Business, and at the conclusion of the Ninth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Tuesday, February, 20, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1030, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1030 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1175, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 6; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1175 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1198, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 7; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 1 delete "two and one-half percent"

On page 2, line 30, delete "rights" and insert in lieu thereof "estate"

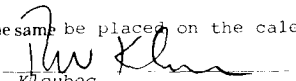
On page 4, line 16, delete "two and one-half percent" and insert in lieu thereof "negotiated" and also on line 16 after the word "royalty" insert the word "payment"

On page 4, line 17, delete "If the mineral developer"

On page 4, delete lines 18 through 23

And renumber the lines and pages accordingly

And when so amended, recommends the same be placed on the calendar without recommendation.

  
Rep. Kloubec Chairman

House \_\_\_\_\_ Bill No. 1198 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House \_\_\_\_\_

Bill No. 1199, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 8; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 14, delete the numerals "1,619,500.00" and insert in lieu thereof the numerals "800,000.00"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

The estimated amount required to implement the provisions of the bill was reduced by \$819,500.00

  
Rep. James A. Peterson Chairman

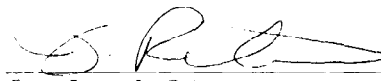
House \_\_\_\_\_ Bill No. 1199 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House \_\_\_\_\_

Bill No. 1225, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

  
Rep. James A. Peterson Chairman

House \_\_\_\_\_ Bill No. 1225 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred House \_\_\_\_\_

Bill No. 1226, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Haugland Chairman  
House Bill No. 1226 Rep. Haugland  
was placed on the 11th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs  
to whom was referred House

Bill No. 1232, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 7; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Haugland Chairman  
House Bill No. 1232 Rep. Haugland  
was placed on the 11th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs  
to whom was referred House

Bill No. 1236, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 2, line 15, delete "american"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Haugland Chairman  
House Bill No. 1236 Rep. Haugland  
was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred House

Bill No. 1239, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

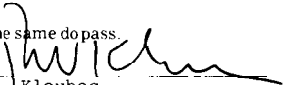
be amended as follows:

On page 2, after line 33 insert the following new subsection:

"6. "Non-coal mining" means the mining of metalliferous and nonmetalliferous ores, clay, stone, sand, gravel, scoria, uranium, and other solid materials or substances of commercial value and which have been extracted in solid form from natural deposits on or in the earth, exclusive of coal and those minerals which occur naturally in liquid or gaseous form."

And renumber the lines, subsections, and pages accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Kloubec

House Bill No. 1239 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1254 has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 1; Absent, 5 that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, after line 21 insert the following:

"c. Cooperation by North Dakota state university in providing input in the establishment of policies relating to curriculum, academic standards, student admissions, and other matters.

3. Within the limits of legislative appropriations, any agreements entered pursuant to subsection 1 may provide for the payment by the state board of higher education of North Dakota's share of the cost of facility construction in Nebraska based upon the proportion of North Dakota students in the program, provided any such payment is based upon a per student annual facilities use charge.

4. Within the limits of legislative appropriations, any agreements entered pursuant to subsection 1 may provide for the payment by the state board of higher education of North Dakota's share of the operating costs during the planning, start-up, and full operational phases, based upon the proportion of North Dakota students in the program."

and renumber the lines and pages accordingly.

And when so amended, recommends the same do pass.

 Chairman  
Rep. Nicholas

House Bill No. 1254 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1262 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3 that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

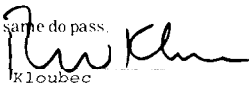
On page 2, line 27 delete "location of the exploration site,"

On page 3, line 20 delete the word "ten" and insert in lieu thereof the word "five"

On page 3, line 27 delete the word "fifteen" and insert in lieu thereof the word "ten"

And renumber the lines accordingly

And when so amended recommends the same do pass.

  
Rep. Kloubec

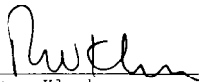
Chairman

House Bill No. 1262 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Natural Resources to whom was referred House

Bill No. 1296 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Kloubec

Chairman

House Bill No. 1296 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Political Subdivisions to whom was referred House

Bill No. 1312 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 13, after the word "~~from~~" insert the words "shall consist of" and delete the strike-through over the words "forty-eight to"

On page 1, line 14, delete the strike-through over the words "~~fifty-two members~~" and after the word "members" insert the words "and the house shall consist of ninety-six to one hundred four members"

On page 2, delete the underscored words on lines 10 and 11

On page 2, line 18, delete the words "and shall be elected at" and insert in lieu thereof the following: "Representatives may be elected at large or from subdistricts. Subdistricts are authorized only upon two-thirds vote by the elected members of the senate and house when adopting an apportionment plan."

On page 2, delete line 19

On page 3, line 14, delete the words "upon two-thirds vote" and insert in lieu thereof the following: "when a proposed single member senatorial district includes a federal facility or federal installation, containing over three-fourths of the population of the proposed single member senatorial district. No subdistricts may be included in any multimember senate district."

On page 3, delete lines 15 through 21

On page 7, line 4, after the word "territory" and before the period insert the words "except where impracticable in multimember senatorial districts"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Lang was placed on the 6th

House Bill No. 1312 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House

Bill No. 1324, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. Roubec

House Bill No. 1324 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1328, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. James A. Peterson

House Bill No. 1328 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1331, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 7; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4, after the word "schools" insert the following new language: "; and to provide an effective date"

On page 4, line 7, after the word "within" delete the word "twenty" and insert in lieu thereof the word "forty"

On page 4, line 23, after the period insert the following new sentence: "Provided, however, that only matters pertaining to monetary compensation may be submitted to binding arbitration."

On page 5, after line 16 insert the following new section: "SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be in effect for the biennium beginning July 1, 1979 and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same be placed on calendar without recommendation.

Rep. Knudson Chairman

House Bill No. 1331 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1335, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 5; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

Rep. Gackle Chairman

House Rep. Gackle Bill No. 1335 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1353, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 0, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 4, delete the following: "which has a population of ten thousand"

On page 1, line 5, delete "or more"

On page 1, line 6, after the word "state" insert "or national"

On page 2, line 11, delete the following: "which has a population of ten thousand or"

Delete all of line 12

On page 2, line 13, delete "federal census"

On page 2, line 18, after the word "state" insert "or national"

On page 2, line 30, delete "sold and"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

*Haugland*

Chairman

House Bill No. 1353 Rep. Haugland was placed on the 6th.  
order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1360 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1 that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 5, delete the following: "; and to" and insert  
in lieu thereof a period

On page 1, delete all of lines 6 through 8

On page 6, line 33, delete the words "reasonably necessary  
to the" and insert in lieu thereof the words "when  
reasonable accommodations have been made by"

On page 6, line 34, delete the words "normal operation of"

On page 7, line 8, delete the words and comma ", provided that"

On page 7, delete lines 9 through 11

On page 7, line 12, delete the words "or status with regard to  
public assistance"

On page 7, line 14, after the word "any" insert the word  
"validated"

On page 7, line 31, delete the words "a person" and insert  
in lieu thereof the word "applicant's"

On page 7, line 32, delete the word "person's" and insert in  
lieu thereof the word "applicant's"

On page 7, line 34, delete the word "person's" and insert in  
lieu thereof the word "applicant's"

On page 8, line 1, delete the word "person's" and insert in  
lieu thereof the word "applicant's"

On page 11, line 30, after the period insert the following  
sections:

"SECTION 22. ATTORNEY FEES.) In any action or  
proceeding to enforce or charge a violation of sections  
1 through 23 of this Act, the court in its discretion  
may allow the prevailing party, other than the state  
of North Dakota, a reasonable attorney's fee as part  
of the costs.

SECTION 23. LIMITATION OF ACTIONS.) Notwith-  
standing the provisions of chapter 28-01, any action  
or proceeding under the provisions of sections 1 through  
23 of this Act must be commenced within two years after  
the act of alleged discrimination occurs unless dis-  
covery of the alleged act of discrimination was prevented  
by the fraudulent conduct of the person who allegedly  
perpetrated the discrimination."



On page 12, line 3, after the word "offense" insert the words "punishable as a class B misdemeanor"

On page 12, delete all of lines 10 and 11

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*Haugland*

Chairman

House

Bill No. 1360

Rep. Haugland was placed on the

6th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1362, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, delete all of lines 19 through 35 and insert in lieu thereof the following: "For a person born in a foreign country whose adoptive parents are residents of the state of North Dakota at the time of the adoption, the state registrar of vital statistics shall prepare a new certificate of birth:

- a. In the case of a foreign-born person adopted in North Dakota, upon presentation of a report of adoption as required by section 23-02.1-17.
- b. In the case of a foreign-born person adopted outside the state of North Dakota or outside the United States, or in the state of North Dakota prior to the effective date of this section, upon presentation of a certified copy of the adoption decree, and:
  - (1) A certified copy of the certificate of birth of the adopted person; or
  - (2) An affidavit of an adoptive parent setting forth the true or probable date and place of birth and parentage of the adopted person.

Any certificate of birth issued under this subsection shall be in the same form as other certificates of birth issued in this state except that it shall state that it does not purport to be evidence of United States citizenship."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Haugland*

Chairman

House

Bill No. 1362

Rep. Haugland

was placed on the 6th.

order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1475, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 1, that the same

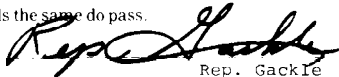
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 2, delete lines 5 through 11
- On page 2, line 26, delete the following: "; provided, however," and insert in lieu thereof a period
- On page 2, delete lines 27 through 30
- On page 2, line 33, delete the following: "; provided, however that if the land is" and insert in lieu thereof a period
- On page 2, delete lines 34 and 35
- On page 3, delete lines 1 and 2
- On page 3, line 3, delete the following: "whichever is less."
- On page 3, line 8, following the numeral "3." delete the following: "INTEREST AND"
- On page 3, delete lines 10 through 17
- On page 3, line 18, delete the numeral "2." and also delete the word "ten" and insert in lieu thereof the word "five"
- On page 3, line 24, delete the word "fifty" and insert in lieu thereof the word "twenty-five"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

House Bill No. 1475 Rep. Gackie was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Agriculture

to whom was referred House

Bill No. 1530, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Bill No. 1530 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred House

Bill No. 1565, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 6; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 30, delete the numerals "2,990,000.00" and insert in lieu thereof the numerals "1,200,000.00"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

The estimated amount required to implement the provisions of this bill was reduced by \$1,790,000.00.



Rep. James A. Peterson

Chairman

House Bill No. 1565 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1566 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to establish a program of financial assistance for victims of hemophilia and other similar blood disorders, granting rulemaking authority; and providing an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITIONS.) As used in this Act, unless the context or subject matter otherwise requires:

- 1. "State health officer" means the state health officer as defined in title 23.
2. "Hemophilia" means a bleeding tendency resulting from a genetically determined deficiency or abnormality of a blood plasma factor or component.

SECTION 2. ASSISTANCE PROGRAM.) The state health officer shall establish a program of financial assistance to persons suffering from hemophilia and other related congenital bleeding disorders. The program shall assist those persons to purchase the blood derivatives and supplies necessary for home care.

SECTION 3. RECOVERY FROM OTHER SOURCES.) The state health officer may enter into agreements with third parties, including any insurer, for recovery of payments for blood products and supplies used in home care by persons participating in the program.

SECTION 4. RULEMAKING AUTHORITY.) The state health officer shall:

- 1. Establish a reasonable cost for blood products and supplies used in home care as a basis of reimbursement under this Act.
2. Determine when reimbursement shall not be made under this Act for any blood products or supplies which are not purchased in compliance with regulations promulgated pursuant to this Act. Reimbursement shall not be made under this Act for any portion of the costs of blood products or supplies which are payable under any other state or federal program or under any grant, contract, or any other contractual arrangement.

## JOURNAL OF THE HOUSE

3. Define what constitutes "home care".
4. Define what constitutes "income", "net worth", and "patient eligibility" for assistance.
5. Provide guidelines to determine individual liability.
6. Adopt all rules necessary to implement subsections 1 through 5 of this Act pursuant to chapter 28-32.

SECTION 5. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from any available federal, private, or other funds, the sum of \$25,000.00, or so much thereof as may be necessary, to the North Dakota state department of health for the purposes of carrying out the provisions of this Act for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations \_\_\_\_\_ *Haugland* \_\_\_\_\_ Chairman

House \_\_\_\_\_ Bill No. 1566 Rep. Haugland \_\_\_\_\_ 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1576 \_\_\_\_\_ has had the same under consideration and recommends, by a vote of

Ayes. 13 : Nays. 1 : Absent. 1 that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

be amended as follows:

On page 1, line 1, after the word "board" insert the words  
"and the state department of health"

On page 1, line 2, delete the words "and guidelines to" and  
insert in lieu thereof the words "which would", and after  
the word "ensure" insert the words "nongeriatric patients  
and residents the full benefits of care and the screening  
process for"

On page 1, line 3, delete the words "to nongeriatric persons  
receiving"

On page 1, line 4, delete the words "medical assistance" and  
after the first comma insert the word "and"

On page 1, line 7, after the word "patients" insert a period  
and delete the words and commas ", and to allow nursing  
homes,"

On page 1, delete lines 8 through 11

On page 1, line 14, after the word "RULES" delete the words  
"AND GUIDELINES"

On page 1, line 15, after the word "board" insert the words  
and commas ", under chapter 50-18, and the state department  
of health, under chapter 23-16,", and delete the words "and  
guidelines"

On page 1, line 16, after the word "patient" insert the words  
"and resident"

On page 1, line 19, after the word "persons" delete the words "receiving medical assistance and"

On page 2, delete lines 11 through 19

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

*Haugland*

Chairman

Rep. Haugland

House

Bill No. 1576

was placed on the

6th

order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1581 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 3, before the period add the comma and words ", as compared to the dangers in carrying the pregnancy to term"

On page 3, line 14, delete the words and comma "That, in" and insert in lieu thereof the word "In"

On page 3, line 17, after the word "physician" insert the words "shall inform the woman of the extent to which he" and delete the word "take"

On page 3, line 18, delete the words "all reasonable steps to"

On page 4, delete lines 29 through 35

On page 5, delete lines 1 through 12

On page 6, line 14, strike the word "maing" and insert in lieu thereof the word "making"

On page 9, line 32, delete the words "The purpose of this report and its"

On page 9, delete lines 33 through 35

On page 10, delete lines 1 through 3

On page 10, line 4, delete the following: "unborn as provided by North Dakota law."

On page 10, line 5, delete the word "following" and also on line 5 delete the word "plus"

On page 10, line 6, delete the words "any other items"

On page 10, line 9, delete the colon and insert in lieu thereof a period

On page 10, delete lines 10 through 35

On page 11, delete lines 1 through 34

On page 12, delete lines 1 through 6

And renumber the lines and subsections and pages accordingly

And when so amended, recommends the same do pass.

*Haugland* Chairman  
Rep. Haugland

House Bill No. 1581 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred House

Bill No. 1597, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Erickson* Chairman  
Rep. Erickson

House Bill No. 1597 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred House

Bill No. 1616, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 4; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15 after the word "crosswalk" insert the words "marked with an upright sign"

And renumber the lines accordingly

And when so amended, recommends the same do not pass.

*Rep. Erickson* Chairman  
Rep. Erickson

House Bill No. 1616 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred House

Bill No. 1617, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 4; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 22, delete the first word "quarter-"

On page 2, line 16, delete the first word "quarter-"

On page 2, line 35, delete "quarter-"

On page 3, line 3, delete "quarter-"

On page 3, line 11, delete the first word "quarter-"

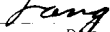
On page 3, line 17, delete the word "October" and insert in lieu thereof the word "July" and also on line 17, delete the words "to allow those" and insert in lieu thereof "and shall be prospective only"

On page 3, delete all of line 18

On page 3, line 19, delete the words "locations up to date"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



House Bill No. 1617 was placed on the 6th order of business on the calendar for the succeeding legislative day. Chairman Rep. Lang

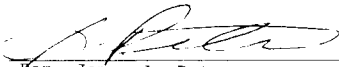
Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1619, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 8; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



House Rep. James A. Peterson Chairman Bill No. 1619 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1622, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, after the word "homemakers" insert the following: ", and providing a termination date"

On page 2, line 22, after the word "employed" insert the following: ", or is underemployed"

On page 4, line 4, delete the words "work with local" and insert in lieu thereof the following: "contract or enter into cooperative agreements, or both, with the state board for vocational education, other"

On page 4, line 5, after the word "agencies" insert a comma

On page 4, line 6, after the word "sectors" insert the words "for the purpose of promoting self-sufficiency"

On page 4, line 10, delete the word "shall" and insert in lieu thereof the word "may"

On page 5, line 6, after the word "nontraditional" insert the words "and traditional"

On page 5, line 25, after the second comma insert the following:  
 "providing and coordinating with other existing service programs,"

On page 5, line 27, delete the quotation marks and the words and hyphen "well-woman"

On page 6, line 5, delete the word and comma "menopause,"

On page 6, line 10, delete the words "and other middle-aged women"

On page 7, after line 9, insert the following section:

"SECTION 2. DURATION OF CHAPTER - FUNDING.) This Act shall remain in effect until June 30, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Haugland* Chairman

House \_\_\_\_\_ Bill No. 1622 Rep. Haugland was placed on the 6th. order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1642, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 12 delete the word "investigatory" and insert in lieu thereof ": a. Investigatory"
- On page 1, line 17 delete the period and insert in lieu thereof "; and"
- On page 1, after line 17 insert the following new subdivision:  
 "b. Criminal history records containing the chronological history of an individual's arrests, detentions, indictments or other formal criminal charges and any sentencing, correctional supervision, release, or other dispositions arising therefrom."
- On page 1, line 18 delete the word "These" and insert in lieu thereof the word "Investigatory" and after the word "records" insert the words "and criminal history records"
- On page 2, after line 6 insert the following new subdivision:  
 "g. Disclose incomplete or inaccurate criminal history records or arrest and disposition information."
- On page 2, line 7 after the word "variety" insert the words "are open records"
- On page 2, line 8 after the word "them" delete the comma and insert in lieu thereof the following: ". These are records"
- On page 2, line 29 delete ", shall be open records," and insert in lieu thereof a period
- On page 2, delete all of lines 30 and 31
- On page 2, after line 35 insert the following new subsection:  
 "5. Law enforcement officials shall, in cases where



records contain both confidential and nonconfidential information, make the nonconfidential information available."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*H. E. Kretschmar*

Rep. Kretschmar Vice Chairman

House Bill No. 1642 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred House

Bill No. 1648 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 17 after the word "separation" and before the period insert the following: "however, consumption is not authorized while the house car is in motion"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Erickson*

Chairman

House Bill No. 1648 was placed on the 6th

order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1661 has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 9 delete "irretrievable breakdown of the" and insert in lieu thereof the words "irreconcilable differences"

On page 1, line 10 delete the words "marriage relationship"

On page 2, line 17 delete the word "irretrievable" and insert in lieu thereof the words "irreconcilable differences between the parties"

On page 2, line 18 delete the words "breakdown of the marriage relationship"

On page 2, line 28 delete the words "health officer" and insert in lieu thereof the words "registrar of vital statistics"

On page 3, line 13 delete the words "health officer" and insert in lieu thereof the words "registrar of vital statistics"

- On page 11, line 12 delete the words "was domiciled" and insert in lieu thereof the words "has resided"
- On page 11, line 15 delete the word "domicile" and insert in lieu thereof the word "residence" and also delete the words "been maintained" and insert in lieu thereof the word "continued"
- On page 11, line 16 delete the words "ninety days" and insert in lieu thereof the words "one year"
- On page 11, line 18 delete the words "the marriage is" and insert in lieu thereof the words "irreconcilable differences exist between the parties"
- On page 11, line 19 delete the words "irretrievably broken"
- On page 12, line 13 delete the word "the" and insert in lieu thereof the words "irreconcilable differences exist between the parties"
- On page 12, line 14 delete the words "marriage is irretrievably broken"
- On page 12, line 21 delete the words "the marriage is irretrievably broken" and insert in lieu thereof the words "that irreconcilable differences exist between the parties"
- On page 13, line 8 delete the word "verified"
- On page 15, line 4 delete "IRRETRIEVABLE BREAKDOWN" and insert in lieu thereof the words "IRRECONCILABLE DIFFERENCES"
- On page 15, line 6 delete the words "the marriage is" and insert in lieu thereof the words "irreconcilable differences exist between the parties"
- On page 15, line 7 delete the words "irretrievably broken"
- On page 15, line 9 delete the word "the" and insert in lieu thereof the words "irreconcilable differences exist between the parties."
- On page 15, delete all of line 10
- On page 15, line 12 delete the words "the marriage is irretrievably" and insert in lieu thereof the words "irreconcilable differences exist between the parties"
- On page 15, line 13 delete the word "broken"
- On page 15, line 17 delete the words "the marriage is" and insert in lieu thereof the words "irreconcilable differences exist between the parties"
- On page 15, line 18 delete the words "irretrievably broken"
- On page 15, line 27 delete the words "the marriage is irretrievably" and insert in lieu thereof the words "irreconcilable differences exist between the parties."
- On page 15, delete all of line 28
- On page 15, line 29 delete the words "irretrievable breakdown" and insert in lieu thereof the words "irreconcilable differences"
- On page 15, line 33 delete the word "may" and insert in lieu thereof the word "shall" and also delete the words "to serve at its pleasure"
- On page 20, line 23 after the word "appoint" insert the words "a guardian ad litem or"
- On page 20, line 27 delete the word "attorney" and insert in lieu thereof the word "representative"

On page 22, line 25 delete the second word "that" and insert in lieu thereof the words "of irreconcilable differences"

On page 22, line 26 delete the words "the marriage is irretrievably broken"

On page 30, line 22 delete the words "irretrievable breakdown" and insert in lieu thereof the words "irreconcilable differences"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

*W. E. Kretschmar*

Vice Chairman

Rep. Kretschmar

House

Bill No. 1661

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House

Bill No. 1669, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, delete all of lines 30 through 32

On page 2, line 33, delete "b." and insert in lieu thereof "a."

On page 2, line 34, delete "exceeding four thousand but"

On page 3, line 1, delete "c." and insert in lieu thereof "b."

And renumber the lines, pages and subdivisions accordingly

And when so amended, recommends the same do pass.

*Lang*

Chairman

Rep. Lang

was placed on the 6th

House

Bill No. 1669

order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House

Bill No. 1689, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 5, delete the word "and"

On page 1, line 6, after the word "penalties" insert the following: "; and providing an effective date"

On page 1, line 11, delete the first word "Licensed" and insert in lieu thereof the words "Specially licensed"

- On page 1, line 12, delete the words "alcoholic beverages" and insert in lieu thereof the words "tobacco products"
- On page 1, line 15, after the word "ENTERING" insert the word "SPECIALLY"
- On page 1, line 16, after the ending parenthesis insert the following: "All persons under eighteen years of age are prohibited from entering specially licensed premises."
- On page 1, line 17, after the word "entering" insert the word "specially"
- On page 2, line 29, after the word "entering" insert the word "specially"
- On page 3, line 8, delete the word "corporate" and insert in lieu thereof the words "a corporation"
- On page 3, line 21, delete the word "is" and insert in lieu thereof the words "must be"
- On page 3, line 22, delete the words "determined not to be"
- On page 3, line 33 delete the word "two" and insert in lieu thereof the word "one"
- On page 3, line 34 delete the word "five" and insert in lieu thereof the word "two" and also on line 34 after the word "hundred" insert the word "fifty"
- On page 4, line 5, after the word "ENTERING" insert the word "SPECIALLY"
- On page 4, line 7, after the word "entering" insert the word "specially"
- On page 4, line 8, after the word "the" insert the word "specially"
- On page 5, after line 13 insert the following new sections:  
 "SECTION 14. EXEMPTION FROM ACT.) Notwithstanding the provisi  
 of this Act a retailer may sell cigarettes by the carton.  
 SECTION 15. EFFECTIVE DATE.) The provisions of this Act  
 shall be effective from and after July 1, 1980."
- And renumber the lines and pages and sections accordingly
- And when so amended, recommends the same do not pass.

*Haugland*  
 Rep. Haugland

Chairman

House Bill No. 1689 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation  
 to whom was referred House Concurrent Resolution

No. 3031, has had the same under consideration and recommends, by a vote of  
 Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

On page 2, line 10 before the word "and" insert the following:  
 "the Interstate Commerce Commission, the North Dakota Public  
 Service Commission,"

And renumber the lines accordingly

And when so amended, recommends the same do pass

*Rep. Erickson*

Rep. Erickson

Chairman

House Concurrent Resolution No. 3031 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Social Services and Veterans Affairs to whom was referred House Concurrent Resolution

No. 3044, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Haugland*

Chairman

Rep. Haugland

House Concurrent Resolution No. 3044 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Social Services and Veterans Affairs to whom was referred House Concurrent Resolution

No. 3048, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Haugland*

Chairman

Rep. Haugland

House Concurrent Resolution No. 3048 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate

Bill No. 2042, has had the same under consideration and recommends, by a vote of Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*J. Peterson*

Chairman

Rep. James A. Peterson

Senate Bill No. 2042 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2076, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Lang*

Chairman

Senate Bill No. 2076 Rep. Lang was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2087, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Lang*

Chairman

Senate Bill No. 2087 Rep. Lang was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2088, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Lang*

Chairman

Senate Bill No. 2088 Rep. Lang was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate

Bill No. 2091, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*By Nicholas*

Chairman

Senate Rep. Nicholas Bill No. 2091 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2093, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Erickson*

Chairman

Rep. Erickson

Senate Bill No. 2093 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2155 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*

Chairman

Rep. Nicholas

Senate Bill No. 2155 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2168 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Kloubec*

Chairman

Rep. Kloubec

Senate Bill No. 2168 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2290 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*

Chairman

Rep. Nicholas

Senate Bill No. 2290 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2315 has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 1; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate Bill No. 2315 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2366 has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 6, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 1, line 1, delete everything after the word "to" and insert in lieu thereof the following: "eliminate requirements for a bid bond in certain bids submitted to the state and its political subdivisions by eliminating"
  - On page 1, line 2, delete "North Dakota Century Code, dropping"
  - On page 1, line 7, delete everything after the numeral "1." and insert in lieu thereof the following: "WHEN BID BONDS NOT REQUIRED IN BIDS TO STATE OR POLITICAL SUBDIVISIONS.) Any person who submits a bid to the state or any of its agencies or any of its political subdivisions to sell any type of motor vehicle shall not be required to submit a bidder's bond or a certified check if that person is already bonded pursuant to section 39-22-05. The successful bidder shall submit a performance bond to the appropriate state agency or political subdivision in an amount equal to the contract price within ten days of the awarding of the contract."
  - On page 1, delete all of lines 8 and 9
  - On page 1, strike all of lines 10 through 22
  - On page 2, strike all of line 1
  - On page 2, delete all of lines 2 through 7
- And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Black*

Vice Chairman

Senate Bill No. 2366 Rep. Black was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate

Bill No. 2386 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate Bill No. 2386 was placed on the 14th order of business on the calendar for the succeeding legislative day.



FIRST READING OF HOUSE  
CONCURRENT RESOLUTIONS

Rep. Reed and Senator Vosper introduced:

**House Concurrent Resolution No. 3060.** — A concurrent resolution to appoint an official photographer for the Forty-sixth Legislative Assembly, to set forth the photography order, and to authorize payment.

Was read the first time and referred to the Committee on State and Federal Government.

Rep. Unhjem and Senator Lips introduced:

**House Concurrent Resolution No. 3061.** — A concurrent resolution directing the Legislative Council to conduct a study of deinstitutionalization programs for residents of the State Hospital, Grafton State School, and San Haven State Hospital.

Was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Reps. Backes and Strinden introduced:

**House Concurrent Resolution No. 3062.** — A concurrent resolution for the amendment of section 176 of the Constitution of the State of North Dakota, relating to the taxation of property.

Was read the first time and referred to the Committee on Constitutional Revision.

Reps. Swiontek, Koski, Stenehjem, Kingsbury and Unhjem introduced:

**House Concurrent Resolution No. 3063.** — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility of granting salary adjustments based on fluctuations in the cost of living.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. Wentz, Wessman, Meiers and Gerl introduced:

**House Concurrent Resolution No. 3064.** — A concurrent resolution directing the Legislative Council to study the membership of occupational and professional regulatory agencies, boards, and commissions.

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

Reps. Koski, Lardy, Hedstrom, Black and Wessman introduced:

**House Concurrent Resolution No. 3065.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing legislators with ready access to legislative data processing systems during the legislative session.

Was read the first time and referred to the Committee on State and Federal Government.

Rep. Pomeroy introduced:

**House Concurrent Resolution No. 3066.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota State Legislature enacting legislation which would provide a limited adjustment to the taxable income of renters which represents that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise receive benefits pursuant to the provisions of subsection 2 of section 57-02-08.1.

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

Rep. G. Larson introduced:

**House Concurrent Resolution No. 3067.** — A concurrent resolution directing the Legislative Council to study the possibility of merging the administration of the various state-level public employees retirement programs.

Was read the first time and referred to the Committee on State and Federal Government.

Rep. Strinden introduced:

**House Concurrent Resolution No. 3068.** — A concurrent resolution directing the Legislative Council to study the energy tax structure of the state.

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

Rep. Unhjem introduced:

**House Concurrent Resolution No. 3069.** — A concurrent resolution directing the Legislative Council to study the needs of local public libraries, including the financing of such facilities.

Was read the first time and referred to the Committee on Education.

Rep. Richard introduced:

**House Concurrent Resolution No. 3070.** — A concurrent resolution directing the Legislative Council to conduct a study of the possibility of implementing a system whereby the sales, use, and motor vehicle excise taxes could be adjusted based upon the balance in the state general fund.

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

Rep. Strinden introduced:

**House Concurrent Resolution No. 3071.** — A concurrent resolution directing the Legislative Council to conduct a study of the effects of energy development on state and local government.

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

Reps. Mushik and Koski introduced:

**House Concurrent Resolution No. 3072.** — A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees and the personnel policies currently governing state employees.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. Unhjem, G. Larson and Retzer introduced:

**House Concurrent Resolution No. 3073.** — A concurrent resolution directing the Legislative Council to conduct a study of the property tax exemption for farm homes.

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

Reps. Lipsiea and Houmann introduced:

**House Concurrent Resolution No. 3074.** — A concurrent resolution directing the Legislative Council to study the reporting of agricultural research carried out by the Agricultural Experiment Station and Cooperative Extension Service, emphasizing the possibility of annually reporting information directly to an appropriate committee of the North Dakota Legislative Council.

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

Reps. Unhjem and Mushik introduced:

**House Concurrent Resolution No. 3075.** — A concurrent resolution directing a Legislative Council study of methods of providing assistance to private institutions of higher education in North Dakota.

Was read the first time and referred to the Committee on Education.

Reps. Hoffner, Meiers, Swiontek, Richie and Stenehjtem introduced:

**House Concurrent Resolution No. 3076.** — A concurrent resolution directing the Legislative Council to conduct a study of the problems related to persons driving while under the influence of alcohol or drugs.

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

Reps. Mushik, Gerl and Rued introduced:

**House Concurrent Resolution No. 3077.** — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of providing supplementary benefits to workmen's compensation claimants.

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

Reps. Murphy, A. Hausauer, and Maixner, and Senators Jacobson, Redlin and Roen introduced:

**House Concurrent Resolution No. 3078.** — A concurrent resolution directing the Legislative Council to conduct a study of the relative rights of the owners of the surface and mineral estates.

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

Reps. Stenehjtem and Swiontek introduced:

**House Concurrent Resolution No. 3079.** — A concurrent resolution for the amendment of subdivision a of subsection 2 of article 54 of the Constitution of the State of North Dakota, relating to appointing a student member to the board of higher education.

Was read the first time and referred to the Committee on Education.

Rep. Pomeroy introduced:

**House Concurrent Resolution No. 3080.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota Legislative Assembly enacting legislation which would provide renters on fixed or low income an income tax credit for that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise qualify for the renter's refund as provided by subsection 2 of section 57-02-08.1 of the North Dakota Century Code.

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

Reps. Swiontek, Knudson, Mattson, Black and Berger introduced:

**House Concurrent Resolution No. 3081.** — A concurrent resolution directing the Legislative Council to conduct a study of the education and role of the teacher.

Was read the first time and referred to the Committee on Education.

Reps. Meiers, Maixner, Boyum and Stenehjtem introduced:

**House Concurrent Resolution No. 3082.** — A concurrent resolution directing the Legislative Council to study the personal liability of officers and members of boards and commissions of the state and political subdivisions.

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

## FIRST READING OF SENATE BILLS

**Senate Bill No. 2201.** — A Bill for an Act to amend and reenact section 52-09-03 of the North Dakota Century Code, relating to the administration of the old-age and survivors insurance system and to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old-age and survivor insurance system.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2256.** — A Bill for an Act to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to sales and use tax collection agreements with home rule cities, and containing an appropriation.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2336.** — A Bill for an Act to amend and reenact section 47-18-01, subsection 4 of section 47-18-04, and section 47-18-14 of the North Dakota Century Code, relating to the value of a homestead exempt from execution, the value of a homestead subject to execution, and the disposition of the proceeds from the execution.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2354.** — A Bill for an Act to amend and reenact section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2383.** — A Bill for an Act to amend and reenact sections 25-15-01, 25-15-02, 25-15-03, 25-15-04, 25-15-05, 25-15-06, and 25-15-07 of the North Dakota Century Code, relating to vocational rehabilitation facilities for the handicapped.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2415.** — A Bill for an Act to amend and reenact section 13-04-01 of the North Dakota Century Code, relating to charges on installment bank loans.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2430.** — A Bill for an Act to amend and reenact section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2449.** — A Bill for an Act to create and enact a new section to chapter 57-15 and a new subsection to section 58-03-07 of the North Dakota Century Code, relating to a township tax levy for airport purpose and to the powers of townships concerning airports; and declaring an emergency.

Which was read the first time and referred to the Committee on Political Subdivisions.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Tuesday, February 20, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-FOURTH DAY

Bismarck, February 20, 1979

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

The prayer was offered by Rev. Charles Ostlie, Christian Mission Alliance Church, Bismarck.

The roll was called, and all members were present except Rep. Vander Vorst.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-third Day and finds the same to be correct.

Signature of Steven J. Houmann, Chairman, Rep. Houmann

Rep. Houmann moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1008
HB NO. 1015
HB NO. 1142
HB NO. 1257
HB NO. 1352
HB NO. 1430
HB NO. 1489
HB NO. 1502
HB NO. 1564
HB NO. 1610
HB NO. 1636
HB NO. 1681

and find the same correctly } Engrossed

Signature of Wayne Stenejem, Chairman, Rep. Stenejem

Representative Meyer moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1103

and find the same correctly } Enrolled

*Wase Stenjem* Chairman  
 Rep. Stenjem moved that the report be adopted, which

Representative Meyer motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1260

HB NO. 1650

and find the same correctly Re } Engrossed

*Wase Stenjem* Chairman  
 Rep. Stenjem moved that the report be adopted, which

Representative Meyer motion prevailed, and the report was adopted.

MESSAGE TO THE SENATE  
 House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1003
- House Bill No. 1016
- House Bill No. 1027
- House Bill No. 1036
- House Bill No. 1046
- House Bill No. 1130
- House Bill No. 1170
- House Bill No. 1222
- House Bill No. 1274
- House Bill No. 1300
- House Bill No. 1302
- House Bill No. 1337
- House Bill No. 1424
- House Bill No. 1450
- House Bill No. 1519
- House Bill No. 1544
- House Bill No. 1545
- House Bill No. 1593
- House Bill No. 1611
- House Bill No. 1612
- House Bill No. 1620
- House Bill No. 1629

ROY GILBREATH, Chief Clerk

MOTION

Rep. Strinden moved that House Bill No. 1030 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1030.** Upper Great Plains Transportation Institute — A Bill for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
•			•	HERMAN		•	MATTSON		•	UNHJEM
•			•	HICKLE		•	MEIERS		•	VANDER VORST
•			•	HOFFNER		•	MELBY		•	VIG
•			•	HOUJMAN		•	MERTENS		•	WAGNER
•			•	HOVE		•	MEYER		•	WALD
•			•	JACOBSEN, R		•	MURPHY	•	•	WALSH
•			•	JACOBSON, I		•	MUSHIK		•	WEBER
•			•	KELLY		•	NICHOLAS		•	WENTZ
•			•	KENNELLY		•	OLSON		•	WESSMAN
•			•	KERMOTT		•	OPEDahl		•	WINKJER
•			•	KINGSBURY		•	PELTER			
•			•	KLOUBEC		•	PETERSON	•	•	MR SPEAKER
•			•	KNUDSON	•	•	POMEROY			
•			•	KOSKI		•	REED			
•			•	KRETSCHMAR		•	RETZER			
•			•	KUCHERA		•	RICHARD			
•			•	LANG		•	RICHIE			
•			•	LANGLEY		•	RIEHL			
•			•	LARDY		•	RUED			
•			•	LARSON, F # 24		•	SCHINDLER			
•			•	LARSON, G # 29		•	SCOFIELD			
•			•	LARSON, H # 7		•	SOLBERG			
•			•	LEE		•	STENEHJEM			
•			•	LEIBHAN		•	STRINDEN	•		
•			•	LIPSIA		•	SWIRTER			
•			•	MAIXNER		•	THOMPSON			
•			•	MARSDEN		•	THORSGARD			
•			•	MARTH		•	TMM			
•			•	MARTINSON		•	TINJUM			
•			•	MATHENY		•	THETEN			

So the bill passed and the title was agreed to.

MOTION

Rep. Freborg moved that House Bill No. 1175 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1225.** — A Bill for an Act to amend and reenact section 4-18.1-04 of the North Dakota Century Code relating to the membership of the milk stabilization board, and an appropriation for additional board members.

Which has been read.

Rep. Mertens requested he be excused from voting on House Bill No. 1225 because of a conflict of interest.

Rep. Brokaw requested he be excused from voting on House Bill No. 1225 because of a conflict of interest.

Rep. Backes moved that Reps. Mertens and Brokaw be allowed to vote on House Bill No. 1225, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 55; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
•			•	HERMAN		•	MATTSON		•	UNHJEM
•			•	HICKLE		•	MEIERS		•	VANDER VORST
•			•	HOFFNER		•	MELBY		•	VIG
•			•	HOUJMAN		•	MERTENS		•	WAGNER

• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON, I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill lost.

**House Bill No. 1232.** — A Bill for an Act to provide for licensing of marriage and family counselors by the social service board of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 51; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•			•		•
•			HERMAN			•			MATTSON		•
•			HICKLE			•			MEIERS		•
•			•	HOFFNER					MELBY		•
•			•	HOUMANN					•	MERTENS	•
•			•	HOVE					•	MAYER	•
•			•	JACOBSEN, R.					•	MURPHY	•
•			•	JACOBSON, I.					•	MUSHIK	•
•			•	KELLY					•	NICHOLAS	•
•			•	KENNELLY					•	OLSON	•
•			•	KERMOTT					•	OPEDAHL	•
•			•	KINGSBURY					•	PELTIER	•
•			•	KLOUBEC					•	PETERSON	•
•			•	KNUDSON					•	POMEROY	•
•			•	KOSKI					•	REED	•
•			•	KRETSCHMAR					•	RETZER	•
•			•	KUCHERA					•	RICHARD	•
•			•	LANG					•	RICHIE	•
•			•	LANGLEY					•	RIEHL	•
•			•	LARDY					•	RUED	•
•			•	LARSON, F. # 24					•	SCHINDLER	•
•			•	LARSON, G. # 29					•	SCOFIELD	•
•			•	LARSON, H. # 7					•	SOLBERG	•
•			•	LEE					•	STENEHJEM	•
•			•	LEIBHAN					•	STRINDEN	•
•			•	LIPSIEA					•	SWONTEK	•
•			•	MAIXNER					•	THOMPSON	•
•			•	MARSDEN					•	THORSgard	•
•			•	MARTIN					•	TIMM	•
•			•	MARTINSON					•	TINJUM	•
•			•	MATHENY					•	TWETEN	•

So the bill lost.

**House Bill No. 1324.** — A Bill for an Act to create and enact Chapter 38-14.2 of the North Dakota Century Code, relating to the development of a reclamation program for abandoned surface coal mine areas.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 93; absent and not voting, 3.



NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	•	•	HERMAN	•		MATTSON	•	UNHJEM	•
BENEDICT	•		HICKLE	•		WEIERS	•	VANDERVOEST	•
BERG	•	•	HOFFNER	•		MELBY	•	VIG	•
BERGE	•		HOUJANN	•		MERTENS	•	WAGNER	•
BERGER	•		HOVE	•		MEYER	•	WALD	•
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH	•
BLACK	•		JACOBSON, I.	•		MUSHIK	•	WEBER	•
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ	•
BROKAW	•	•	KENNELLY	•		OLSON	•	WESSMAN	•
CHRISTENSEN	•		KENMOTT	•		OPEDAHL	•	WINKJER	•
CONNY	•		KINGSBURY	•		PELTIER	•		
CRABTREE	•	•	KLOUBEC	•		PETERSON	•	MR. SPEAKER	•
DICK	•		KNUDSON	•		POMEROY	•		
DIETZ	•		KOSKI	•		REED	•		
DOTZENROD	•		KRETSCHMAR	•		RETZER	•		
DUBORD	•		KUCHERA	•		RICHARD	•		
EAGLES	•		LANG	•		RICHIE	•		
ERICKSON	•		LANGLEY	•		RIEHL	•		
FLEMING	•		LARDY	•		RUED	•		
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•		
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•		
GERL	•		LARSON, H. # 7	•		SOLBERG	•		
GORDER	•		LEE	•		STENEHJEM	•		
GUNDERSON	•		LEIBHAN	•		STRINDEN	•		
GUNSCH	•		LIPSIEA	•		SWONTEK	•		
HANSON	•		MAIXNER	•		THOMPSON	•		
HAUGLAND	•		MARSDEN	•		THORSGARD	•		
HAUSAUER, A. # 49	•		MARTIN	•		TIMM	•		
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•		
HEDSTROM	•		MATHENY	•		TWETEN	•		

So the bill lost.

**House Bill No. 1328.** — A Bill for an Act to provide for distribution of insurance tax proceeds to cities for police department pension systems or other police purposes; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 14; nays, 83; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	•	•	HERMAN	•		MATTSON	•	UNHJEM	•
BENEDICT	•		HICKLE	•		WEIERS	•	VANDERVOEST	•
BERG	•	•	HOFFNER	•		MELBY	•	VIG	•
BERGE	•		HOUJANN	•		MERTENS	•	WAGNER	•
BERGER	•		HOVE	•		MEYER	•	WALD	•
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•	WALSH	•
BLACK	•		JACOBSON, I.	•		MUSHIK	•	WEBER	•
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ	•
BROKAW	•	•	KENNELLY	•		OLSON	•	WESSMAN	•
CHRISTENSEN	•		KENMOTT	•		OPEDAHL	•	WINKJER	•
CONNY	•		KINGSBURY	•		PELTIER	•		
CRABTREE	•	•	KLOUBEC	•		PETERSON	•	MR. SPEAKER	•
DICK	•		KNUDSON	•		POMEROY	•		
DIETZ	•		KOSKI	•		REED	•		
DOTZENROD	•		KRETSCHMAR	•		RETZER	•		
DUBORD	•		KUCHERA	•		RICHARD	•		
EAGLES	•		LANG	•		RICHIE	•		
ERICKSON	•		LANGLEY	•		RIEHL	•		
FLEMING	•		LARDY	•		RUED	•		
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•		
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•		
GERL	•		LARSON, H. # 7	•		SOLBERG	•		
GORDER	•		LEE	•		STENEHJEM	•		
GUNDERSON	•		LEIBHAN	•		STRINDEN	•		
GUNSCH	•		LIPSIEA	•		SWONTEK	•		
HANSON	•		MAIXNER	•		THOMPSON	•		
HAUGLAND	•		MARSDEN	•		THORSGARD	•		
HAUSAUER, A. # 49	•		MARTIN	•		TIMM	•		
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•		
HEDSTROM	•		MATHENY	•		TWETEN	•		

So the bill lost.

MOTIONS

Rep. Strinden moved that the rules be suspended, and that the cross-over date for study resolutions be moved from February 26th, the 38th

legislative day, to March 5th, the 43rd legislative day, which motion prevailed.

Rep. Strinden moved that the rules be suspended, and that the following new dates be set for study resolutions to be reported out from committee, from February 23rd, the 37th legislative day, to March 2nd, the 42nd legislative day, which motion prevailed.

Rep. Strinden moved that the rules be suspended, and that the deadline for constitutional amendments to be reported out from committee be moved from Tuesday, March 6th, the 44th legislative day, to Thursday, March 8th, the 46th legislative day, which motion prevailed.

Rep. Knudson moved that House Concurrent Resolution No. 3079 be returned to the House from the Committee on Education, and be re-referred to the Committee on Constitutional Revision, which motion prevailed.

Rep. Conmy moved that House Concurrent Resolution No. 3034 be returned to the House from the Committee on Constitutional Revision and be re-referred to the Committee on State and Federal Government, which motion prevailed.

Rep. Swiontek moved that House Bill No. 1674 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. Swiontek requested permission to withdraw House Bill No. 1674. There being no objection, it was so ordered by the Speaker.

Rep. R. Hausauer moved that the House reconsider its action whereby House Bill No. 1326 failed to pass, which motion prevailed, on a verification vote.

Rep. R. Hausauer moved that House Bill No. 1326 be re-referred to the Committee on Natural Resources, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1530.** — A Bill for an Act to amend and reenact section 10-06-06 of the North Dakota Century Code, relating to a civil penalty for a violation of the corporate farming law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 68; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN		•	MATTSON		•	UNHJEM		•
•			HICKLE		•	MEIERS		•	VANDER VORST		•
		•	HOFFNER		•	MELBY		•	VIG		•
		•	HOLMANN		•	MERTENS		•	WAGNER		•
		•	HOVE		•	MURPHY		•	WALD		•
•			JACOBSEN R		•	MUSHK		•	WALSH		•
		•	JACOBSON I		•	NICHOLAS		•	WEBER		•
•			KELLY		•	OLSON		•	WENTZ		•
•			KENNELLY		•	OPEDAH		•	WESSMAN		•
		•	KERMOTT		•	PELTIER		•	WINKJER		•
		•	KINGSBURY		•	PETERSON		•			
		•	KLOUBEC		•	POMEROY		•	MR. SPEAKER		•
		•	KNUDSON		•	REED		•			
		•	KOSKI		•	RETZER		•			
		•	KRETSCHMAR		•	RICHARD		•			
		•	KUCHERA		•	RIEHL		•			
		•	LANG		•	RUED		•			
		•	LANGLEY		•	SCHINDLER		•			
•			LARDY		•	SCOFIELD		•			
		•	LARSON F # 24		•	SOLBERG		•			
		•	LARSON G # 29		•	STENEHJEM		•			
		•	LARSON H # 7		•	STRINDEN		•			
		•	LEE		•	SWIONTEK		•			
		•	LEIBMAN		•	THOMPSON		•			
		•	LIPSEA		•	THORSGARD		•			
•			MAKNER		•						
		•	MARSDEN		•						

HAUSAUER, A. #49	●	MARTIN	●	TIMM	●
HAUSAUER, R. #25	●	MARTINSON	●	TINJUM	●
HEDSTROM	●	MATHENY	●	TWETEN	●

So the bill lost.

**House Bill No. 1552.** — A Bill for an Act to provide for farm family association and farm family joint stock companies; to create and enact a new section to chapter 10-06 of the North Dakota Century Code, to provide for incorporation of farm family corporations; to create and enact a new section to chapter 57-02 of the North Dakota Century Code, to provide for a system of graduated real estate taxation of agricultural lands; and to provide an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 76; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		MATTSON	●		UNHJEM	●	
●			HICKLE	●		MEIERS	●		VANDER VORST	●	
●		●	HOFFNER	●		MELBY	●		VIG	●	
●		●	HOUIMANN	●		MERTENS	●		WAGNER	●	
●			HOVE	●		MEYER	●		WALD	●	
●			JACOBSEN, R.	●		MURPHY	●		WALSH	●	
●		●	JACOBSON, I.	●		MUSHIK	●		WEBER	●	
●			KELLY	●		NICHOLAS	●		WENTZ	●	
●			KENNELLY	●		OLSON	●		WESSMAN	●	
●			KERMOTT	●		OPEDAHL	●		WINKLER	●	
●			KINGSBURY	●		PELTIER	●				
●			KLOUBEC	●		PETERSON	●		MR. SPEAKER	●	
●			KNUDSON	●		POMEROY	●				
●		●	KOSKI	●		REED	●				
●			KRETSCHMAR	●		RETZER	●				
●			KUCHERA	●		RICHARD	●				
●			LANG	●		RICHIE	●				
●			LANGLEY	●		RIEHL	●				
●		●	LARDY	●		RUED	●				
●			LARSON, F. #24	●		SCHINDLER	●				
●			LARSON, G. #20	●		SCOFIELD	●				
●			LARSON, H. #17	●		SOLBERG	●				
●			LEE	●		STENEHJEM	●				
●			LEIBHAN	●		STRINDEN	●				
●			LIPSIE	●		SWIONTEK	●				
●		●	MAIXNER	●		THOMPSON	●				
●			MARSDEN	●		THORSgard	●				
●			MARTIN	●		TIMM	●				
●			MARTINSON	●		TINJUM	●				
●			MATHENY	●		TWETEN	●				

So the bill lost.

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1103

And the Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1103

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1597.** — A Bill for an Act to amend and reenact sections 39-20-04 and 39-20-05 of the North Dakota Century Code, relating to the revocation of a person's driver's license upon refusal to submit to a test for intoxication unless the person subsequently pleads guilty to the offense charged, and the right of a driver to an administrative hearing before the revocation of the driver's license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 76; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDERVORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BUDRISON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSEN I ●			MUSHK ●			WEBER ●		
BOYLUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONNY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DuBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEWING ●			LARDY ●			RUED ●					
FREBOHG ●			LARSON F # 24 ●			SCHINDLER ●					
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●					
GERL ●			LARSON H # 7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHJEM ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					
GUNSCH ●			LIPSIA ●			SWINTEK ●					
HANSON ●			MAXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A # 49 ●			MARTIN ●			TIMM ●					
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the bill lost.

MOTION

Rep. Kretschmar moved that House Bill No. 1175 be moved to the head of the calendar and that Senate Bills Nos. 2088 and 2091 be moved to the foot of the calendar, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2003
- Senate Bill No. 2008
- Senate Bill No. 2040
- Senate Bill No. 2056
- Senate Bill No. 2208
- Senate Bill No. 2217
- Senate Bill No. 2219
- Senate Bill No. 2227
- Senate Bill No. 2229
- Senate Bill No. 2231
- Senate Bill No. 2265
- Senate Bill No. 2278

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1175.** — A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the contingency fund of the Emergency Commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 83; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	●		HERMAN	●		MATTSON	●		UNHJEM	●	
●			HICKLE	●		MEIERS	●		VANDER VORST	●	
●			HOFFNER	●		MELBY	●		VIG	●	
	●		HOLMANN	●		MERTENS	●		WAGNER	●	
		●	HOVE	●		Meyer	●		WALSH	●	
		●	JACOBSEN, R.	●		MURPHY	●		WEBER	●	
		●	JACOBSON, I.	●		MUSHIK	●		WENTZ	●	
		●	KELLY	●		NICHOLAS	●		WESSMAN	●	
		●	KENNELLY	●		OLSON	●		WINKLER	●	
		●	KERMOTT	●		OPEDAHL	●				
		●	KINGSBURY	●		PELTIER	●				
		●	KLOUBEC	●		PETERSON	●		MR SPEAKER	●	
		●	KNUDSON	●		POMEROY	●				
		●	KOSKI	●		REED	●				
		●	KRETSCHWAR	●		RETZER	●				
		●	KUCHERA	●		RICHARD	●				
		●	LANG	●		RICHIE	●				
		●	LANGLEY	●		RIEHL	●				
		●	LARDY	●		RUED	●				
		●	LARSON, F. # 24	●		SCHINDLER	●				
		●	LARSON, G. # 29	●		SCOFIELD	●				
		●	LARSON, H. # 7	●		SOLBERG	●				
		●	LEE	●		STENEHJEM	●				
		●	LEIBMAN	●		STRINDEN	●				
		●	LIPSIE	●		SWIONTEK	●				
		●	MAINKNER	●		THOMPSON	●				
		●	MARSDEN	●		THORSGARD	●				
		●	MARTIN	●		TIMM	●				
		●	MARTINSON	●		TINJUM	●				
		●	MATHENY	●		TWETEN	●				

So the bill lost.

SIXTH ORDER OF BUSINESS

Rep. Kloubec moved that the amendments to House Bill No. 1198 as recommended by the Committee on Natural Resources as printed on pages 967 and 968 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1199 as recommended by the Committee on Appropriations as printed on page 968 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1236 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 969 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1239 as recommended by the Committee on Natural Resources as printed on pages 969 and 970 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1254 as recommended by the Committee on Agriculture as printed on page 970 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1262 as recommended by the Committee on Natural Resources as printed on pages 970 and 971 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1312 as recommended by the Committee on Political Subdivisions as printed on pages 971 and 972 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1331 as recommended by the Committee on Education as printed on pages 972 and 973 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1353 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 973 and 974 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1360 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 974 and 975 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1362 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 975 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1475 as recommended by the Committee on Finance and Taxation as printed on pages 975 and 976 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1565 as recommended by the Committee on Appropriations as printed on pages 976 and 977 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1566 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 977 and 978 of the House Journal be adopted, which motion prevailed.

House Bill No. 1566 was re-referred to the Committee on Appropriations.

Rep. Winkjer moved that the amendments to House Bill No. 1569 as recommended by the Committee on Judiciary as printed on page 942 of the House Journal be adopted.

Rep. Conmy requested that the question of the adoption of the amendments to House Bill No. 1569 be divided as follows:

Division A:

On page 1, line 5 after the word "senator" insert "; and providing an effective date"

On page 2, after line 11 insert the following new section:

"SECTION 3. EFFECTIVE DATE.) The provision of this Act shall be effective for vacancies occurring on or after January 1, 1981."

Division B:

On page 1, line 14 after the word "election" insert the following: ". The person appointed to fill the vacancy shall not be eligible to be a candidate for the office at the election. Should the noneligibility provided for in this section be declared unconstitutional, the secretary of state, in preparing the ballot for use at the election at which the vacancy is to be filled, shall not place the name of the person temporarily appointed to fill the vacancy upon the ballot, even if the person is otherwise entitled to have his name placed upon the ballot. The election to fill the vacancy shall be held"

Division C:

On page 1, line 17 delete the word "thirty" and insert in lieu thereof the word "ninety"

On page 1, line 19 after the word "election" and before the comma insert "; however" and also after the word "is" insert the word "not" and also delete the word "thirty" and insert in lieu thereof the word "ninety"

On page 1, line 21 delete the word "otherwise" and insert in lieu thereof the words "the vacancy shall be filled"

On page 2, line 4 delete the word "thirty" and insert in lieu thereof the word "ninety"

And renumber the lines and pages accordingly.

Speaker Wagner granted the request to divide the question, and explained that the House will vote according to the division as stated. Thereafter, the House will vote on the final passage of the amendments to

House Bill No. 1569, excluding or including those portions which did or did not pass on the division of the question.

The question then was on the adoption of Division A of the amendments to House Bill No. 1569, which was adopted on a voice vote.

The question then was on the adoption of Division B of the amendments to House Bill No. 1569.

Rep. Backes requested a recorded roll call vote, which request was granted.

The question then was on the adoption of Division B of the amendments to House Bill No. 1569.

ROLL CALL

The roll was called and there were ayes, 24; nays, 73; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		
BENEDICT		●	HICKLE		●	MEIERS		●	VANDERVORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		
BERGE		●	HOLMANN		●	WERTENS		●	WAGNER		
BERGER		●	HOVE		●	WEYER		●	WALD		
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKJER		
COMMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHIE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBORG		●	LARSON F #24		●	SCHINDLER		●			
GACKLE		●	LARSON G #28		●	SCOFFIELD		●			
GERL		●	LARSON H #7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBHAN		●	STRINDEN		●			
GUNSCH		●	LIPSIEA		●	SWONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSGARD		●			
HAUSAUER A #49		●	MARTIN		●	TIMM		●			
HAUSAUER R #25		●	MARTINSON		●	TINJUM		●			
HEGSTROM		●	MATHENY		●	TWETEN		●			

Division B was declared lost.

The question then was on the adoption of Division C of the amendments to House Bill No. 1569, which amendments were adopted on a voice vote.

The question then was on the adoption of the amendments to House Bill No. 1569, including Divisions A and C, and excluding Division B, which amendments were adopted on a voice vote.

House Bill No. 1569 was placed on the Eleventh Order of Business including Divisions A and C of the amendments and excluding Division B.

SIXTH ORDER OF BUSINESS

Rep. Haugland moved that the amendments to House Bill No. 1576 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 978 and 979 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1581 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 979 and 980 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1616 as recommended by the Committee on Transportation as printed on page 980 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1617 as recom-

mended by the Committee on Political Subdivisions as printed on pages 980 and 981 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1622 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 981 and 982 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1642 as recommended by the Committee on Judiciary as printed on pages 982 and 983 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1648 as recommended by the Committee on Transportation as printed on page 983 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1661 as recommended by the Committee on Judiciary as printed on pages 983, 984 and 985 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1663 as recommended by the Committee on State and Federal Government as printed on pages 894 and 895 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1669 as recommended by the Committee on Political Subdivisions as printed on page 985 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1689 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 985 and 986 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Concurrent Resolution No. 3031 as recommended by the Committee on Transportation as printed on page 986 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2366 as recommended by the Committee on Political Subdivisions as printed on page 990 of the House Journal be adopted, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
House Bill No. 1103.

Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1008.** Division of Independent Study — A Bill for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 12; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEW	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	
•			•	HOFFNER		•	MELBY	•	•	VIG	
•			•	HOLMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	•
•			•	JACOBSEN, R		•	MURPHY	•	•	WALSH	
•			•	JACOBSON, I		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	



• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSOP	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDE	
• GUNSON	• LIPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1015.** — Office of Economic Opportunity — A Bill for an Act making an appropriation for defraying the expenses of the office of economic opportunity of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 18; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM	•	
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• WIG		
• BERGE			• HOLMANN		•	• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSOP					
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDE					
• GUNSON			• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1142.** — A Bill for an Act to amend and reenact sections 16-20-01, 16-20-01.1, 39-01-03, 39-01-04, 39-01-05, and 44-08-19 of the North Dakota Century Code, relating to what constitutes corrupt practice, use of state services or property for political purposes, state-owned motor vehicles not to be used for private use or in political activities, the definition of "political activity", expenses not to be collected by state officers or employees engaged in political activity, and the prohibition of political activities by public employees while on duty; and extending the various prohibitions to political subdivision employees and officers.

Which has been read.



So the bill passed and the title was agreed to.

**House Bill No. 1257.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide for impact loans to be administered by the board of university and school lands; and to provide a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 35; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	HERMAN		•	WATSON		•	UNHJEM	
		•	•	HICKLE		•	WEIERS		•	VANDER VORST	
		•		HOFFNER	•		•	WELBY		•	VIG
•		•	•	HOLMANN		•	•	WERTENS		•	WAGNER
•		•	•	HOVE		•	•	MEYER		•	WALD
•			•	JACOBSEN R		•	•	MURPHY		•	WALSH
•			•	JACOBSON I		•	•	MUSHIK		•	WEBER
•			•	KELLY		•	•	NICHOLAS		•	WENTZ
•		•	•	KENNELLY		•	•	OLSON		•	WESSMAN
•		•	•	KERMOTT		•	•	OPEDAH		•	WINKLER
•			•	KINGSBURY		•	•	PELTIER			•
•		•	•	KLOUBEC		•	•	PETERSON			•
•			•	KNUDSON		•		POMEROY			•
•			•	KOSKI		•	•	REED			•
•		•	•	KRETSCHMAR		•	•	RETZER			•
•		•	•	KUCHERA		•	•	RICHARD			•
•			•	LANG		•	•	RICHIE			•
•			•	LANGLEY		•	•	RIEH			•
•		•	•	LARDY		•	•	RUED			•
•			•	LARSON F. # 24		•	•	SCHINDLER			•
•			•	LARSON G. # 29		•	•	SCOFIELD			•
•			•	LARSON H. # 7		•	•	SOLBERG			•
•		•	•	LEE		•	•	STENEHJEM			•
•			•	LEIBMAN		•	•	STRINDEN			•
•			•	LIPSIEA		•	•	SWINTEK			•
•		•	•	MAIXNER		•	•	THOMPSON			•
•			•	MARSDEN		•	•	THORSGARD			•
•		# 48	•	MARTIN		•	•	TIMM			•
•		# 25	•	MARTINSON		•	•	TINJUM			•
•			•	MATHENY		•	•	TWETEN			•

So the bill passed and the title was agreed to.

**ANNOUNCEMENT**

Rep. Strinden requested that the record show that the Committee on Appropriations had been excused to go into committee meeting session.

Rep. Strinden moved that the House stand in recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken, with Speaker Wagner presiding.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1103 was delivered to the Governor for his approval at the hour of 2:56 o'clock P.M., February 20, 1979.

REP. WAYNE STENEHJEM, Chairman

**MOTION**

Rep. Strinden moved that House Bill Nos. 1335, 1598, 1619, 1653 and 1657 be moved to the foot of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1260.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to raising storage rates for warehouse and storage contracts.

Which has been read.

Reps. Peltier and Langley requested they be excused from voting on House Bill No. 1260 because of a conflict of interest.

Rep. Kretschmar moved that Reps. Peltier and Langley be allowed to vote on House Bill No. 1260, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 43; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	HERMAN		•	MATTSON		•	UNHJEM	•
•	BENEDICT		•	HICKLE		•	WEIERS		•	VANDER VORST	•
•	BERG		•	HOFFNER		•	WELBY		•	VIG	
•	BERGE		•	HOUWMANN		•	WERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	WEYER		•	WALO	
•	BJORNSON		•	JACOBSE R		•	MURPHY		•	WALSH	•
•	BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	•
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONMY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON # 24		•	SCHINDLER				
•	GACKLE		•	LARSON G # 29		•	SCOFIELD				
•	GERL		•	LARSON H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBMAN		•	STRINDEN				
•	GUNSCHE		•	LIPSEA		•	SWONTEK				
•	HANSON		•	MADNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSCHAD				
•	HAUSAUER A # 49		•	MARTIN		•	TIMM				
•	HAUSAUER R # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill lost.

**House Bill No. 1352.** — A Bill for an Act to amend and reenact subsection 1 of section 39-06.1-10 of the North Dakota Century Code, providing that traffic offenses, when the assigned number of points for violation are two or less, shall not be recorded on the driving record.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 0; absent and not voting, 19.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BACKES		•	HERMAN		•	MATTSON		•	UNHJEM	•
•	BENEDICT		•	HICKLE		•	WEIERS		•	VANDER VORST	•
•	BERG		•	HOFFNER		•	WELBY		•	VIG	
•	BERGE		•	HOUWMANN		•	WERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	WEYER		•	WALO	
•	BJORNSON		•	JACOBSE R		•	MURPHY		•	WALSH	•
•	BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	•
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONMY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON # 24		•	SCHINDLER				
•	GACKLE		•	LARSON G # 29		•	SCOFIELD				
•	GERL		•	LARSON H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBMAN		•	STRINDEN				
•	GUNSCHE		•	LIPSEA		•	SWONTEK				

● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1430.** — A Bill for an Act to create and enact a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to an exemption from the motor vehicle excise tax for assembled motor vehicles.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 0; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM	●	
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK	●		● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAH	●		● WINKLER	●	
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● PIEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHER			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RIJED					
● FREBOR			● LARSON, #24			● SCHINDLER					
● GACKLE			● LARSON, #29			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG	●				
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**RECOGNITION**

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Jim Connolly, and Rep. Connolly was thereupon introduced to the House.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1489.** — A Bill for an Act to provide for television booster stations to be created by petition and election in the counties, providing a two-mill tax levy for the establishment of a booster station, and providing for exemption for townships not served by the station.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 6; absent and not voting, 22.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSON			● UNHJEM	●	
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		

● BLACK	● JACOBSON I	MUSHIK ●	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKLER ●
● CONNY	● KINGSBURG	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON ●	● MR. SPEAKER
● DICK	● KNUDSON	● POWEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	●
● DUBORD	● KUCHERA ●	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG ●	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	●
● GERL	● LARSON H # 7	● SOLBERG ●	
● GORDER	● LEE	● STENEHEJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH ●	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN ●	● THORSGAARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY ●	● TWETEN ●	

So the bill passed and the title was agreed to.

**House Bill No. 1502.** — A Bill for an Act to amend and reenact section 65-10-03 of the North Dakota Century Code, relating to cost of appeal, attorney's fees; and providing a statement of legislative intent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 0; absent and not voting, 22.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATSON				● UNHEM	●
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS ●			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURG			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA ●			● RICHARD					
● EAGLES ●			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING ●			● LARDY			● RUED					
● FREBORG ●			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG ●					
● GORDER			● LEE			● STENEHEJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH ●			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN ●			● THORSGAARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN ●					

So the bill passed and the title was agreed to.

**House Bill No. 1564.** — A Bill for an Act to amend and reenact sections 39-24-02 and 39-24-04 of the North Dakota Century Code, relating to snowmobile registration and exemptions from registration.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 10; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• WATTSOON		• UNHJEM
• BENEDICT			• HICKLE		•	• WEIERS		• VANDER VORST
• BERG			• HOFFNER			• WELBY		• VIG
• BERGE			• HOUMANN		•	• WERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAH		• WINKJER
• CONMY			• KINGSBUR			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIED		
• FLEMING			• LARDY			• RUES		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 25			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCHE			• LIPSEA			• SWIONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1585.** — A Bill for an Act to create and enact three new sections to chapter 14-09 of the North Dakota Century Code, relating to investigations to be conducted before awarding custody, and the test and factors to be used in making an award of custody; and to amend and reenact sections 14-05-22 and 14-09-07 of the North Dakota Century Code, relating to awards of custody issued in connection with a decree of divorce, and the right of a noncustodial parent to change the residence of the child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 0; absent and not voting, 20.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSOON		• UNHJEM
• BENEDICT			• HICKLE			• WEIERS		• VANDER VORST
• BERG			• HOFFNER			• WELBY		• VIG
• BERGE			• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAH		• WINKJER
• CONMY			• KINGSBUR			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIED		
• FLEMING			• LARDY			• RUES		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 25			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCHE			• LIPSEA			• SWIONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1610.** — A Bill for an Act to amend and reenact section 15-47-13 of the North Dakota Century Code, relating to the school census; and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 0; absent and not voting, 20.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN		●	MATTSON	●	UNHJEM
●			●	HICKLE		●	MEIERS	●	VANDER VORST
●			●	HOFFNER		●	MELBY	●	VIG
●			●	HOUWMANN		●	MERTENS	●	WAGNER
●			●	MOVE		●	MEYER	●	WALD
●			●	JACOBSEN R		●	MURPHY	●	WALSH
●			●	JACOBSON I		●	MUSHIK	●	WEBER
●			●	KELLY		●	NICHOLAS	●	WENTZ
●			●	KENNELLY		●	OLSON	●	WESSMAN
●			●	KERMOTT		●	OPEDAH	●	WINKJER
●			●	KINGSBURY		●	PELTIER		
●			●	KLOUBEC		●	PETERSON	●	MR SPEAKER
●			●	KNUDSON		●	POMEROY		
●			●	KOSKI		●	REED		
●			●	KRETSCHMAR		●	RETZER		
●			●	KUCHER		●	RICHARD		
●			●	LANG		●	RICHIE		
●			●	LANGLEY		●	RIEHL		
●			●	LARDY		●	RUED		
●			●	LARSON # 24		●	SCHINDLER		
●			●	LARSON G # 29		●	SCOFIELD		
●			●	LARSON H # 7		●	SOLBERG		
●			●	LEE		●	STENEHJEM		
●			●	LIPSIE		●	STRINDEN		
●			●	MARXER		●	THOMPSON		
●			●	MARSDEN		●	THORSGARD		
●			●	MARTIN		●	TIMM		
●			●	MARTINSON		●	TINJUM		
●			●	MATHENY		●	TWETEN		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1636.** — A Bill for an Act to create and enact a new section to chapter 39-19 of the North Dakota Century Code, relating to requiring the state highway department to join the international registration plan and the multistate reciprocal agreement.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 2; absent and not voting, 20.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN		●	MATTSON	●	UNHJEM
●			●	HICKLE		●	MEIERS	●	VANDER VORST
●			●	HOFFNER		●	MELBY	●	VIG
●			●	HOUWMANN		●	MERTENS	●	WAGNER
●			●	MOVE		●	MEYER	●	WALD
●			●	JACOBSEN R		●	MURPHY	●	WALSH
●			●	JACOBSON I		●	MUSHIK	●	WEBER
●			●	KELLY		●	NICHOLAS	●	WENTZ
●			●	KENNELLY		●	OLSON	●	WESSMAN
●			●	KERMOTT		●	OPEDAH	●	WINKJER
●			●	KINGSBURY		●	PELTIER		
●			●	KLOUBEC		●	PETERSON	●	MR SPEAKER
●			●	KNUDSON		●	POMEROY		
●			●	KOSKI		●	REED		
●			●	KRETSCHMAR		●	RETZER		
●			●	KUCHER		●	RICHARD		
●			●	LANG		●	RICHIE		
●			●	LANGLEY		●	RIEHL		
●			●	LARDY		●	RUED		
●			●	LARSON # 24		●	SCHINDLER		



• GACKLE ●	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG ●
• GORDER	• LEE	• STENEHJEW
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH ●	• LIPSICA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN ●	• THORSGARD ●
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN ●

So the bill passed and the title was agreed to.

**House Bill No. 1637.** — A Bill for an Act to create and enact a new section to chapter 26-03.1 and chapter 26-27 of the North Dakota Century Code, relating to options required to be offered to persons who are insured for medical care coverage by insurance companies and nonprofit medical service corporations; and to amend and reenact section 26-03.1-08 of the North Dakota Century Code, relating to the applicability of the provisions of chapter 26-03 to blanket and group insurance policies.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 6; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS ●			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BURKSON			• JACOBSEN ●			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHK ●			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT		•	• OPEDAHL			• WINKJER		
• CONMY			• KINGSBUR ●			• PELTIER					
• CRABTREE			• KLOUBEK			• PETERSON ●			• MR SPEAKER ●		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA ●			• RICHARD					
• EAGLES ●			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING ●			• LAROY		•	• RUED					
• FREBORG ●			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG ●					
• GORDER			• LEE			• STENEHJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN		•			
• GUNSCH ●			• LIPSICA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN ●			• THORSGARD ●					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN ●					

So the bill passed and the title was agreed to.

**House Bill No. 1650.** — A Bill for an Act to amend and reenact section 40-20-03 of the North Dakota Century Code, relating to the qualifications of a city engineer.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 17; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE		•	• WEIERS			• VANDER VORST		•
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS ●			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		

• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOOT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURG	• PELTIER	• MR SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWINTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGAR	
• HAUSAUE R # 49	• MARTIN	• TIMM	
• HAUSAUE R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Rep. Berg: "Mr. Speaker:

"I would like the record to show that I inadvertently voted 'Aye' when I meant to vote 'Nay'."

SECOND READING OF HOUSE BILLS

**House Bill No. 1681.** — A Bill for an Act to create and enact section 39-08-10.1 of the North Dakota Century Code, relating to requiring notification of the next of kin following an accident involving death or serious injury.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 0; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEW	•	
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• WIG		
• BERGE			• HOUIMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOOT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURG			• PELTIER			• MR SPEAKER		
• CRABTREE			• KLOUBEC			• PETERSON					
• DICK			• KNUDSON			• POMEROY					
• DIETZ	•		• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWINTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGAR					
• HAUSAUE R # 49			• MARTIN			• TIMM					
• HAUSAUE R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3009.** — A concurrent resolution to









• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3044.** — A concurrent resolution directing the Legislative Council to study the adequacy of community-based residential facilities and care for physically handicapped young adults in North Dakota and to clarify the respective responsibilities of state and local agencies involved in the provision of residential care, treatment, supervision, and related services, and, when necessary, protection to physically handicapped young adults.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 76; nays, 0; absent and not voting, 24.

REGULAR SESSION									NORTH DAKOTA HOUSE OF REPRESENTATIVES									1979 LEGISLATURE		
ROLL-CALL																				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			•	HERMAN		•	MATTSON		•			•	UNHJEM	•						
•	BENEDICT		•	HICKLE		•	MEIERS		•			•	VANDER VORST							
•	BERG		•	HOFFNER		•	MELBY		•	VIG										
•	BERGE		•	HOUHANN		•	MERTENS	•				•	WAGNER							
•	BERGER		•	HOVE		•	MEYER	•				•	WALD							
•	BJORNSON		•	JACOBSEN R		•	MURPHY		•			•	WALSH							
•	BLACK		•	JACOBSON I		•	MUSHK		•			•	WEBER							
•	BOYUM		•	KELLY		•	NICHOLAS		•			•	WENTZ							
•	BROKAW		•	KENNELLY		•	OLSON		•			•	WESSMAN							
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH	•				•	WINKLER							
•	CONNY		•	KINGSBURY		•	PELTIER		•											
•	CRAFTREE		•	KLOUBEC		•	PETERSON	•				•	MR. SPEAKER							
•	DICK		•	KNUDSON		•	POMEROY		•											
•	DIETZ		•	KOSKI		•	REED		•											
•	DOTZENROD		•	KRETSCHMAR		•	RETZER		•											
•	DUBORD		•	KUCHER		•	RICHARD		•											
•	EAGLES		•	LANG		•	RICHIE		•											
•	ERICKSON		•	LANGLEY		•	RIEHL		•											
•	FLEMING		•	LARDY		•	RUED		•											
•	FREBOR		•	LARSON # 24		•	SCHINDLER		•											
•	GACKLE		•	LARSON G # 26		•	SCOFIELD		•											
•	GERL		•	LARSON H # 7		•	SOLBERG	•												
•	GORDER		•	LEE		•	STENEHJEM		•											
•	GUNDERSON		•	LEIBHAN		•	STRINDEN		•											
•	GUNSCHE		•	LIPSIEA		•	SWIONTEK		•											
•	HANSON		•	MAIXNER		•	THOMPSON		•											
•	HAUGLAND		•	MARSDEN		•	THORSGAARD		•											
•	HAUSAUER A # 49		•	MARTIN		•	TIMM		•											
•	HAUSAUER R # 25		•	MARTINSON		•	TINJUM		•											
•	HEDSTROM		•	MATHENY		•	TWETEN	•												

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3045.** — A concurrent resolution directing the Legislative Council to study catastrophic illness programs, minimum benefits in health insurance, and the uninsurable pooled risks concept.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 76; nays, 0; absent and not voting, 24.

REGULAR SESSION									NORTH DAKOTA HOUSE OF REPRESENTATIVES									1979 LEGISLATURE		
ROLL-CALL																				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			•	HERMAN		•	MATTSON		•			•	UNHJEM	•						
•	BENEDICT		•	HICKLE		•	MEIERS		•			•	VANDER VORST							
•	BERG		•	HOFFNER		•	MELBY		•	VIG										
•	BERGE		•	HOUHANN		•	MERTENS	•				•	WAGNER							
•	BERGER		•	HOVE		•	MEYER	•				•	WALD							
•	BJORNSON		•	JACOBSEN R		•	MURPHY		•			•	WALSH							
•	BLACK		•	JACOBSON I		•	MUSHK		•			•	WEBER							

• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBUR	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGAARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3046.** — A concurrent resolution directing a Legislative Council study of the alternatives available for the accumulation of sick leave by state employees.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 73; nays, 4; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
		•	• HERMAN			• MATTSON			• UNHJEM	•	
• BENEDICT			• HOKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUJMAN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY	•		• WALSH		
• BLACK			• JACOBSON I			• MUSHIK	•		• WEBER		
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL	•		• WINKJER		
• CONNY			• KINGSBUR			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES	•		• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL	•				
• FLEMING			• LARDY			• RUED		•			
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL	•		• LARSON H # 7			• SOLBERG	•				
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN	•		• THORSGAARD	•				
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN	•				

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3048.** — A concurrent resolution directing a Legislative Council study to monitor the collocation of comprehensive mental health and area social service centers.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 75; nays, 2; absent and not voting, 23.



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTHEWSON		• UNHILM
• BENEDICT			• HICKLE			• MEIERS		• VANDERVORST
• BERG			• HOFFNER			• MELBY	•	• VIC
• BERGÉ			• HOLMANN			• MERTENS	•	• WAGNER
• BERGER			• HOVE	•		• MEYER	•	• WALD
• BJORNSON			• JACOBSEN	•		• MURPHY	•	• WALSH
• BLACK			• JACOBSON I			• MUSHIK	•	• WEBER
• BOYUM			• KELLY			• NICHOLAS	•	• WENTZ
• BROKAW			• KENNELLY			• OLSON	•	• WESSMAN
• CHRISTENSEN			• KERMOITT			• OPEDAH	•	• WINKLER
• CONMY			• KINGSBUR	•		• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON	•	• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA	•		• RICHARD		
• EAGLES	•		• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL	•	
• FLEMING	•		• LARDY			• RUED		
• FREGONG	•		• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG	•	
• GORDER	•		• LEE			• STENEHJEM		
• GUNDERSON			• LEIBMAN			• STRINDEN		
• GUNSCH	•		• LIPSIEA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN	•		• THORSGARD	•	
• HAUSAUER A # 49			• MARTIN			• THOM		
• HAUSAUER R # 25			• MARTINSON			• TANJUM		
• HEDSTROM			• MATHENY			• TWETEN	•	

So the House Concurrent Resolution was declared adopted.

MOTIONS

Rep. Kretschmar moved that 500 copies be printed of engrossed House Bill No. 1681, which motion prevailed.

Rep. Kretschmar moved that the absent member be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business, the House stand adjourned until 1:00 p.m., Wednesday, February 21, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred \_\_\_\_\_ House \_\_\_\_\_

Bill No. 1002, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 8; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 2, after the word "interim" insert the words "science and technology", and delete the words "an environmental assessment" and insert in lieu thereof the words "a scientific and technological research and development"
- On page 1, line 12, after the word "interim" insert the words "science and technology", and delete the word "an" and insert in lieu thereof the words "a scientific and technological research and development"
- On page 1, line 13, delete the words "environmental assessment"
- On page 2, after line 29, insert the following subdivision:
  - "f. Carrying out such other scientific and technological research and development projects as may be directed by the committee, or the legislative council."

On page 4, delete lines 24 through 34

On page 5, delete lines 1 through 25

On page 5, line 28, delete the following: "1."

On page 6, delete lines 3 through 7

On page 6, line 14, delete the numerals "730,685" and insert in lieu thereof the numerals "679,307"

On page 6, line 15, delete the numerals "896,084" and insert in lieu thereof the numerals "627,184"

On page 6, line 16, delete the numerals "835,685" and insert in lieu thereof the numerals "765,085"

On page 6, line 17, delete the numerals "73,605" and insert in lieu thereof the numerals "68,483"

On page 6, line 18, underscore the numerals "14,941"

On page 6, delete line 19

On page 6, line 20, delete the numerals "2,651,000" and insert in lieu thereof the numerals "2,155,000"

And renumber the lines, sections, and pages accordingly

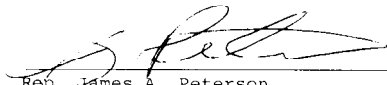
STATEMENT OF PURPOSE OF AMENDMENT:

The amendment reduces the proposed REAP budget by \$496,000 by deleting the funding for the following projects (programs), with the lowest priority project (program) listed first:

1. Grants for unanticipated environmental research needs	\$115,000
2. Ground water trends in North Dakota (WATSTORE)	23,000
3. Pollution tolerances in Knife River Basin fish, wildlife, and domestic animals	120,000
4. Air quality effects for southwestern North Dakota	80,000
5. Evaluating economic alternatives to stripmining in North Dakota	81,000
6. Determining minable lignite in North Dakota	40,000
7. Inventory of land ownership (surface and subsurface) by general category of owner	37,000
Total reduction	\$496,000

The removal of these projects from the budget also reduces the total number of new budget positions by 2.953 FTE persons.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House Bill No. 1002 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1004, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.                     do not pass.                     be placed on calendar  
without recommendation.

be amended as follows:

- On page 1, line 19, delete the numerals "602,912" and insert in lieu thereof the numerals "589,794"
- On page 2, line 1, delete the numerals "2,633,796" and insert in lieu thereof the numerals "2,620,678"
- On page 2, line 4, delete the numerals "76,503" and insert in lieu thereof the numerals "75,722"
- On page 2, line 9, delete the numerals "1,014,127" and insert in lieu thereof the numerals "1,013,346"
- On page 2, line 11, delete the numerals "588,127" and insert in lieu thereof the numerals "587,346"
- On page 2, line 20, delete the numerals "5,761,123" and insert in lieu thereof the numerals "5,747,224"
- On page 2, line 22, delete the numerals "6,187,123" and insert in lieu thereof the numerals "6,173,224"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment adjusts salaries and wages to provide 6.5 percent annual salary increases and to provide sufficient funds to pay the necessary medical insurance premiums under the alternate plan.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House Bill No. 1004 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1009, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 6; Absent, 3, that the same

do pass.                     do not pass.                     be placed on calendar  
without recommendation.

be amended as follows:

- On page 1, line 20, delete the numerals "10,511,522" and insert in lieu thereof the numerals "10,734,594"
- On page 1, line 23, delete the numerals "13,012,075" and insert in lieu thereof the numerals "13,235,147"
- On page 1, line 24, delete the numerals "8,471,464" and insert in lieu thereof the numerals "8,292,460"
- On page 2, line 1, delete the numerals "4,540,611" and insert in lieu thereof the numerals "4,942,687"
- On page 2, line 9, delete the numerals "14,978,993" and insert in lieu thereof the numerals "14,942,838"
- On page 2, line 10, delete the numerals "3,490,494" and insert in lieu thereof the numerals "3,475,494"
- On page 2, line 12, delete the numerals "19,746,622" and insert in lieu thereof the numerals "19,695,467"

- On page 2, line 13, delete the numerals "8,165,383" and insert in lieu thereof the numerals "8,099,913"
- On page 2, line 14, delete the numerals "11,581,239" and insert in lieu thereof the numerals "11,595,554"
- On page 2, line 15, delete the numerals "1,000,000" and insert in lieu thereof the numerals "925,000"
- On page 2, line 16, delete the numerals "12,581,239" and insert in lieu thereof the numerals "12,520,554"
- On page 2, line 18, delete the numerals "418,587" and insert in lieu thereof the numerals "430,306"
- On page 2, line 21, delete the numerals "723,138" and insert in lieu thereof the numerals "734,857"
- On page 2, line 23, delete the numerals "573,138" and insert in lieu thereof the numerals "584,857"
- On page 2, line 25, delete the numerals "605,871" and insert in lieu thereof the numerals "617,590"
- On page 2, line 27, delete the numerals "130,586" and insert in lieu thereof the numerals "132,954"
- On page 2, line 30, delete the numerals "260,789" and insert in lieu thereof the numerals "263,157"
- On page 2, after line 31 insert the following new lines:
- |  |                |
|--|----------------|
| "Net operating budget                    | \$ 188,157     |
| Land, structures, and major improvements | <u>75,000"</u> |
- On page 2, line 32, delete the numerals "185,789" and insert in lieu thereof the numerals "263,157"
- On page 2, line 34, delete the numerals "154,464" and insert in lieu thereof the numerals "158,443"
- On page 3, line 2, delete the numerals "253,828" and insert in lieu thereof the numerals "257,807"
- On page 3, line 4, delete the numerals "213,828" and insert in lieu thereof the numerals "217,807"
- On page 3, line 6, delete the numerals "225,328" and insert in lieu thereof the numerals "229,307"
- On page 3, line 8, delete the numerals "224,817" and insert in lieu thereof the numerals "228,865"
- On page 3, line 11, delete the numerals "403,433" and insert in lieu thereof the numerals "407,481"
- On page 3, line 13, delete the numerals "223,433" and insert in lieu thereof the numerals "227,481"
- On page 3, line 15, delete the numerals "247,202" and insert in lieu thereof the numerals "254,235"
- On page 3, line 18, delete the numerals "382,604" and insert in lieu thereof the numerals "389,637"
- On page 3, line 20, delete the numerals "322,604" and insert in lieu thereof the numerals "329,637"
- On page 3, line 22, delete the numerals "398,049" and insert in lieu thereof the numerals "378,762"
- On page 3, line 24, delete the numerals "94,900" and insert in lieu thereof the numerals "79,900"

- On page 3, line 25, delete the numerals "721,672" and insert in lieu thereof the numerals "687,385"
- On page 3, line 27, delete the numerals "501,672" and insert in lieu thereof the numerals "467,385"
- On page 3, line 29, delete the numerals "137,046" and insert in lieu thereof the numerals "138,671"
- On page 3, line 33, delete the numerals "430,331" and insert in lieu thereof the numerals "431,956"
- On page 4, line 2, after the word "appropriation", insert the words "H.B. 1009" and delete the numerals "20,123,580" and insert in lieu thereof the numerals "20,534,831"
- On page 4, line 3, after the word "appropriated" insert the words "H.B. 1009" and delete the numerals "18,395,582" and insert in lieu thereof the numerals "18,232,733"
- On page 4, line 4, delete the numerals "38,519,162" and insert in lieu thereof the numerals "38,767,564"
- On page 5, line 1, delete the word "encumbered" and insert in lieu thereof the word "unencumbered"
- On page 5, after line 23, insert the following sections:

"SECTION 4. APPROPRIATION.) In addition to the other appropriations and authorizations by this Act, there is hereby appropriated \$80,000 of any available private funds to the main experiment station of North Dakota state university of agriculture and applied science of the State of North Dakota, for the purpose of expansion of the sugar beet storage area during the biennium beginning July 1, 1979, and ending June 30, 1981."

"SECTION 5. LEGISLATIVE INTENT.) It is the intent of the Legislature that if House Bill 1221 (Cross Ranch) is passed, the Central Grasslands Research Station may be located at the Cross Ranch pursuant to the approval of the 46th. Legislative Assembly. The Parks and Recreation Department shall lease appropriate land suitable for the Central Grasslands Research Station."

And renumber the lines, sections and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

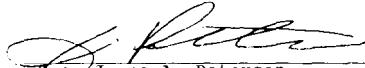
Salaries and wages for the Extension Division and experiment stations are increased by the following amounts to provide for adequate fringe benefits, including full family medical insurance under the alternate plan: Extension Division \$249,859; Main Experiment Station \$12,457; Dickinson Experiment Station \$11,719; Hettinger Experiment Station \$2,368; Langdon Experiment Station \$3,979; North Central Experiment Station \$4,048; Williston Experiment Station \$7,033; and Carrington Experiment Station \$7,010.

The recommended increases are from the general fund. Also, salaries and wages of the Agronomy Seed Farm are increased \$1,625 to provide for adequate fringe benefits. Decrease salaries and wages of the Extension Division by \$26,787 from the general fund to delete funds for one programmer. Decrease salaries and wages of the Carrington Experiment Station by \$26,297 from the general fund to delete funds for one clerk position. Also, decrease the equipment line item by \$15,000 from the general fund for expenses related to the clerk position at the Carrington station. Decrease salaries and wages of the Main Experiment Station by \$48,612 from the general fund to delete funds for one professor in the insect control program. Also, decrease operating expenses of the main station by \$15,000 from the general fund to delete funds for operating expenses related to the new position.

The estimated income line item of the Extension Division is reduced by \$179,004. Of that amount, \$41,000 is a reduction due to a loss of revenue from county government when three home economists were deleted

in the executive budget; and \$138,004 is a reduction due to a loss of revenue from county governments when the salary increase request of 12.1 percent and eight percent was denied. The revenue for salary increases for county staff was budgeted on the basis of one-half coming from county government. The estimated income line item of the Main Experiment Station is reduced by \$65,470 due to a loss of revenue from the coal impact fund when the salary and program requests were reduced. Decrease land, structures, and major improvements of the main station by \$75,000 from the general fund to delete funds for remodeling of the swine barn. Increase land, structures, and major improvements of the Hettinger station by \$75,000 from the general fund to provide for construction of a total confinement sheep barn. The new section is added to appropriate private funds for expansion of the sugar beet storage area at the Main Experiment Station.

And when so amended, recommends the same do pass.

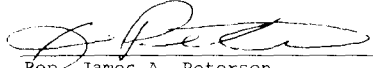


House Rep. James A. Peterson Chairman  
 Bill No. 1009 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1020, has had the same under consideration and recommends, by a vote of  
 Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:



House Rep. James A. Peterson Chairman  
 Bill No. 1020 was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1024, has had the same under consideration and recommends, by a vote of  
 Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.  
 be amended as follows:

On page 1, line 12, delete the numerals "1,634,425" and insert  
 in lieu thereof the numerals "1,893,900"

On page 1, line 16, delete the numerals "362,733" and insert  
 in lieu thereof the numerals "498,500"

On page 1, line 17, delete the numerals "827,143" and insert  
 in lieu thereof the numerals "909,605"

On page 1, line 18, delete the numerals "217,249" and insert  
 in lieu thereof the numerals "258,495"

On page 1, line 21, delete the numerals "1,634,425" and insert  
 in lieu thereof the numerals "1,893,900"

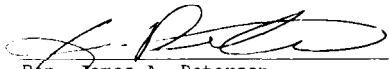
On page 1, line 22, delete the numerals "1,469,425" and insert  
 in lieu thereof the numerals "1,728,900"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases North Dakota State Fair salaries and wages by \$135,767, fees and services by \$82,462, and supplies and materials by \$41,246. The total increase, which is to be funded from estimated income, is to reinstate amounts requested for the salaries and wages, fees and services, and supplies and materials line items to the levels requested by the North Dakota State Fair in its budget request submitted to the Executive Budget Office.

And when so amended, recommends the same do pass.

 Chairman  
Rep. James A. Peterson

House Bill No. 1024 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1048, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 7, delete "; and providing an appropriation"

On page 3, delete lines 27 through 34

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment deletes the general fund appropriation.

 Chairman  
Rep. James A. Peterson

House Bill No. 1048 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1071, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 16 after the number "25-03.1-09" insert the following: "section 25-03.1-29"

On page 1, line 19 delete the number "27-05.1-05"

On page 1, line 22 delete "27-20-05, subsection 1 of section 27-20-07,"

On page 1, line 23 delete "section 27-20-49"

On page 2, line 3 delete the number "29-07-01.1"

On page 2, line 4 delete the word "sections" and insert in lieu thereof the word "section"

On page 2, line 4 delete the number "29-22-02"

- On page 2, line 5 delete the number "29-32-05"
- On page 2, line 7 delete the numbers "31-01-16, 31-01-19,"
- On page 14, line 27 delete the first word "and" and delete the  
strike through over the words "~~and-clerk-of-the-district~~"
- On page 14, line 28 delete the strike through over the word "~~court~~"
- On page 25, line 31 strike the word "county" and insert in lieu thereof  
the words "judicial district"
- On page 25, line 32 strike ", or if such county is"
- On page 25, strike all of line 33
- On page 25, line 34 strike the words "attached for judicial purposes"
- On page 26, line 1 strike the word "county" and insert in lieu  
thereof the words "judicial district"
- On page 41, line 3 after the word "judge" strike the asterisk
- On page 50, after line 14 insert the following new section:  
"SECTION 74. AMENDMENT.) Section 25-03.1-29 of  
the North Dakota Century Code is hereby amended and  
reenacted to read as follows:  
25-03.1-29. APPEAL.) The respondent shall have  
the right to an expedited appeal from an order of involuntary  
commitment or alternative treatment. Such appeal shall be  
to the ~~district~~ supreme court and the hearing shall be  
commenced within fourteen days of filing of the notice of  
appeal. The hearing shall be limited to a review of the  
procedures, findings, and conclusions of the lower court.  
Pending appeal, the order appealed from shall remain  
in effect, unless the ~~district~~ supreme court determines  
otherwise. The respondent shall not be denied the  
opportunity to be present at the appeal hearing, and the  
court conducting the appeal may issue such interim order  
as will assure this opportunity to the respondent while  
protecting the interest sought to be served by the order  
appealed from."
- On page 55, delete all of lines 33 through 35
- On page 56, delete all of lines 1 through 8
- On page 58, line 5 delete the strike through over the words "~~board-of~~"
- On page 58, line 6 delete the strike through over the words "~~county  
commissioners~~" and delete the words "supreme court" and  
delete the commas and words ", by order,"
- On page 58, line 16 delete the strike through over the words "~~board  
of-county-commissioners-shall-determine-the~~"
- On page 58, line 17 delete the following: "shall be paid by the  
state. The"
- On page 58, delete all of line 18
- On page 58, line 19 delete the words "limits of legislative  
appropriations"
- On page 59, line 25 delete the strike through over the word "~~county~~"
- On page 59, line 26 delete the word "state"
- On page 59, line 32 delete the strike through over the word "~~county~~"  
and delete the word "state"
- On page 63, delete all of lines 14 through 35



- On page 64, delete all of lines 1 through 34
- On page 65 delete all of lines 1 through 14
- On page 65, delete all of lines 24 through 35
- On page 66 delete all of lines 1 through 29
- On page 71, line 31 strike the words "of the county"
- On page 74, delete all of lines 12 through 26
- On page 76, delete all of lines 29 through 35
- On page 77, delete all of lines 1 through 19
- On page 79, delete all of lines 17 through 33
- On page 80, delete all of lines 1 through 13
- On page 82, line 6 delete the strike through over the word "county" and delete the words "state or"
- On page 82, line 7 delete the words "political subdivision involved"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*[Signature]* Chairman  
 Rep. Winkjer

House Bill No. 1071 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1165, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to title 30.1 of the North Dakota Century Code, to provide that a nonresident alien may not take land suitable for agricultural purposes either through intestate succession as an heir or by will, and providing for the disposal of such land; and to amend and reenact sections 30.1-04-12 and 47-01-11 of the North Dakota Century Code, relating to an alien's right to inherit and persons qualified to own property, and providing that an alien may not inherit land suitable for agricultural purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to title 30.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

NONRESIDENT ALIEN MAY NOT INHERIT AGRICULTURAL LAND - LAND DISPOSITION.) A nonresident alien shall be

disqualified from taking land suitable for agricultural purposes either as an heir through intestate succession or by will. Any such land may be disposed of, on behalf of the nonresident alien and at his request, through a private sale agreement or through public auction within two years after a will is probated or an intestate succession decree is entered. The private sale or public auction authorized by this section may be carried out by the county sheriff of the county where the land is located, or by some other designee of the court, and the sheriff or designee may give a deed transferring the property to the new owner subject to approval of the court.

SECTION 2. AMENDMENT.) Section 30.1-04-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

30.1-04-12. (2-112) ALIENAGE.) No person is disqualified to take as an heir because he or a person through whom he claims is or has been an alien, except a nonresident alien who shall be disqualified from taking land suitable for agricultural purposes as an heir.

SECTION 3. AMENDMENT.) Section 47-01-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

47-01-11. PRIVATE OWNERSHIP - PERSONS QUALIFIED - CITIZEN - ALIEN.) Any Except as provided by this Act, any person, whether citizen or alien, may take, hold, and dispose of property, real or personal, within this state."

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

*R. J. Nicholas*  
Rep. Nicholas Chairman

House Bill No. 1165 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 1228 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4 delete the word "and" and after the numerals "16-10-16" insert "and 40-21-05"

On page 1, line 6 after the word "district" insert the words "and municipal"

On page 1, line 18 after the word "labor," insert the words "thirty days"

On page 2, line 2 delete the words "secretary of state and"

On page 2, line 3 delete the first word "the"

On page 2, line 5 delete everything after the word "officials"

On page 2, line 6 delete the words "duties in the election process"

On page 2, line 7 delete the words "their actual and necessary expenses and"

On page 2, line 10 delete the words "expenses and"

On page 2, line 15 delete the words "their actual and necessary"

On page 2, line 16 delete the words "expenses and"

On page 2, line 27 delete the word "provided" and insert in lieu thereof the word "determined"

On page 2, line 28 after the word "Act" insert the following:
", but in no case shall the compensation exceed fifty dollars for each election" and after the period insert the following: "The amounts determined to be due election officials at public school district elections shall be paid from the funds of the public school district holding the election."

On page 4, line 10 after the word "Act" insert the following:
", but in no case shall the compensation exceed fifty dollars for each election"

On page 4, after line 10 insert the following new section:
SECTION 6. AMENDMENT.) Section 40-21-05 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:
40-21-05. COMPENSATION OF INSPECTORS, JUDGES, AND CLERKS AT MUNICIPAL ELECTION.) Each inspector, judge, or clerk of any regular or special municipal election, for services performed at such election, shall receive as compensation therefor the sum of twelve dollars. When the number of votes cast at such election exceeds one hundred, each such officer shall receive as additional compensation the sum of two dollars for each additional one hundred votes cast, or major fraction thereof, but not more than twenty-five dollars in all for such services as determined for election officials in section 1 of this Act but in no case shall the compensation exceed fifty dollars for each election. The amounts determined to be due election officials at municipal elections shall be paid from the funds of the municipality holding the election. In the event a special municipal election is held on the same date as a statewide, districtwide, or countywide election, and if the same election officials perform services for both elections, the city shall not be required to pay the election officials, except for any extra officials necessary for such special municipal election."

And when so amended, recommends the same do pass.

[Signature] Chairman

House Rep. Winkjer Bill No. 1228 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred House

Bill No. 1252 has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [x] be amended as follows:

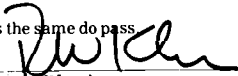
On page 5, line 10 delete the word "and" and insert in lieu thereof "or"

On page 10, line 22 delete the word "conduct" and insert in lieu thereof "support"

- On page 10, line 23 after the comma insert the words "to utilize the expertise of other state agencies,"
- On page 11, line 9 after the word "regulations" insert the following: "consistent with state law,"
- On page 11, line 11 delete the words "water commission" and insert in lieu thereof "engineer"
- On page 12, line 19 delete the following "any amendments thereto,"
- On page 13, line 7 after the word "operations" insert the words "in consultation with the state geologist"
- On page 14, line 35 after the word "of" insert the words "productivity of"
- On page 24, line 24 after the word "discharged" insert the following: ", including the drainage permit application to the state engineer, if required, pursuant to other applicable state law"
- On page 39, line 15 delete the word "and" and insert in lieu thereof "or"
- On page 57, line 12 after the word "with" insert the words "the requirements of the state engineer pursuant to other applicable state law and"
- On page 57, line 22 after the word "not" insert the words "exceed the quality limitations imposed by the North Dakota pollutant discharge elimination system or"
- On page 57, line 24 delete "applicable state" and insert in lieu thereof "this chapter, whichever is more stringent"
- On page 57, line 25 delete the word "law"
- On page 60, line 12 delete the word "abandoned"
- On page 60, line 15 delete the word "abandoned"
- On page 64, line 33 after the word "commission" insert the following: ", after consultation with the state engineer"
- On page 67, line 17 delete the period and insert in lieu thereof "; and"
- On page 72, line 20 delete "or" and insert in lieu thereof "and"
- On page 72, line 22 delete "or" and insert in lieu thereof "and"
- On page 81, line 11 after the word "Any" insert the following: "person,"
- On page 81, line 33 delete "a final" and insert in lieu thereof "an"
- On page 82, line 15 delete "a final" and insert in lieu thereof "an"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

 Chairman

House Rep. Kloubec Bill No. 1252 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1319, has had the same under consideration and recommends, by a vote of  
 Ayes, 11; Nays, 5; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 3, line 29, delete the words "one thousand five hundred dollars" and insert in lieu thereof the numerals "\$500.00"  
On page 4, line 26, delete the numerals "2,200,000.00" and insert in lieu thereof the numerals "200,000.00"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment would establish a tuition assistance program with a maximum of \$1,000.00 assistance based on the need.

Chairman

Rep. James A. Peterson

Bill No. 1319

House

\_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1370, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 17, delete the words "attend and regularly" and insert in lieu thereof the word "biannually"

On page 2, line 8, delete the words "attend and regularly" and insert in lieu thereof the word "biannually"

On page 2, line 14, delete the word "the"

On page 2, line 15, delete the words "technical and trade" and insert in lieu thereof the words "all vocational"

On page 3, line 11, strike the word "four" and insert in lieu thereof the word "eight"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Knudson

Bill No. 1370

House

\_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House

Bill No. 1404, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.     
  do not pass.     
  be placed on calendar without recommendation.  
 be amended as follows:

\_\_\_\_\_ Chairman  
 Rep. Martinson  
 \_\_\_\_\_ House      Bill No. 1404      was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
 to whom was referred House  
 Bill No. 1405, has had the same under consideration and recommends, by a vote of  
 Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.     
  do not pass.     
  be placed on calendar without recommendation.  
 be amended as follows:

\_\_\_\_\_ Chairman  
 Rep. Martinson  
 \_\_\_\_\_ House      Bill No. 1405      was placed on the 11th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
 to whom was referred House  
 Bill No. 1410, has had the same under consideration and recommends, by a vote of  
 Ayes, 10; Nays, 5; Absent, 1, that the same

do pass.     
  do not pass.     
  be placed on calendar without recommendation.  
 be amended as follows:

On page 4, delete all of lines 23 through 26  
 And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

\_\_\_\_\_ Chairman  
 Rep. Knudson  
 \_\_\_\_\_ House      Bill No. 1410      was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
 to whom was referred House  
 Bill No. 1428, has had the same under consideration and recommends, by a vote of  
 Ayes, 8; Nays, 6; Absent, 2, that the same

do pass.     
  do not pass.     
  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 3, after the word "facilities" insert the  
 following: ", and further limitations on separate  
 bank facilities"

On page 2, after line 12, insert the following:

"SECTION 3. FURTHER LIMITATIONS ON SEPARATE BANK FACILITIES.) Whenever any bank desires to make loans at its separate drive-in facilities or paying and receiving stations, it shall apply to the state banking board or the comptroller of the currency, as the case may be, for such authority in such manner and form as shall be prescribed, including a hearing thereon. Any bank operating a separate drive-in facility or paying and receiving station in violation of any of the provisions of this Act shall forfeit its authority to operate said facility or station, at the discretion of the state banking board, and be subject to the further penalties provided in section 6-03-10. The granting of authority to make loans herein by the state banking board or the comptroller of the currency, as the case may be, and the actual making of loans by any bank shall not be construed as committing this state in any manner to a policy of permitting branch banking and nothing herein shall be deemed to authorize the maintenance or operation of a branch bank. National banking associations located in this state shall have no greater rights than state banks by virtue of this Act."

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.



Chairman

House Bill No. 1428 Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

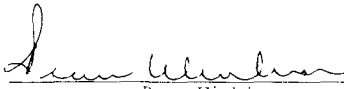
Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1483, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Rep. Winkjer Bill No. 1483 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1485, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 2, delete the following: "hundred and thirty" and insert in lieu thereof "hundred thirty"

On page 2, line 7, delete the following: "\$" and insert in lieu thereof the word "section"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Roy Gackle* Chairman

House Rep. Gackle  
Bill No. 1485 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1517, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Roy Gackle* Chairman

House Rep. Gackle  
Bill No. 1517 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred House

Bill No. 1559, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 22 after the underlined period insert the following new sentence: "When applicable, these proceedings shall be identified in the newspaper as being published subject to review and revision by the school board."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Roy Knudson* Chairman

House Rep. Knudson  
Bill No. 1559 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1586, has had the same under consideration and recommends, by a vote of  
Ayes, 7; Nays, 6; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Roy Gackle* Chairman

House Rep. Gackle  
Bill No. 1586 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred House

Bill No. 1590, has had the same under consideration and recommends, by a vote of



Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4, after the word "hospital" and before the period insert the following new language: ", and to transfer to the North Dakota state university development foundation land bequeathed to North Dakota state university"

On page 1, after line 15, insert the following new section:  
"SECTION 2.) The state board of higher education is authorized to transfer to the North Dakota state university development foundation the following land bequeathed to North Dakota state university of agriculture and applied science for unrestricted use at the direction of the university: the northwest quarter of section ten, township one hundred fifty-one north, range forty-nine west of the fifth principal meridian. The land is located in Huntsville Township, Polk County, Minnesota."

On page 1, line 17, delete the word "section" and insert in lieu thereof the word "sections" and also on line 17, after the numeral "1" insert "and 2"

On page 1, line 18, after the word "foundation" insert the following new language: "and the North Dakota state university development foundation"

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

House Rep. Martinson Chairman  
Bill No. 1590 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred House

Bill No. 1594, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, delete lines 10 through 19 and insert in lieu thereof the following: "property taken for public use by the state or its agencies, or any political subdivision of the state is not used for its intended original purpose within twenty years from the time of its taking, then, upon demand of the owner or owners from whom the property was originally taken, or to the heirs, executors, administrators, or assignees of the owner or owners of the property, the property shall be reconveyed to said owner or owners, or to the heirs, executors, administrators, or assignees. Such reconveyance shall be subject to any existing contracts or agreements covering the property, and all rights and benefits thereof shall accrue to the grantee. This section shall not apply to any lands taken for any public use by the state or its agencies or any political subdivision of the state as aforementioned that has been taken over fifty years from the date of enactment of this section."

On page 2, line 5 delete the words "that originally awarded to the grantee" and insert in lieu thereof the following: "the amount awarded to the original owner"

On page 2, line 6 delete the word "thirty" and insert in lieu thereof "twenty"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas*

Chairman

House Bill No. 1594 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred House

Bill No. 1605 has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation. [X] be amended as follows:

On page 1, line 2 after the word "marshals" insert "; and declaring an emergency"

On page 1, line 9 after the period insert the following: "Service by mail is made pursuant to this section by registered or certified mail, return receipt requested. Proof of service by mail must be made by filing an affidavit of mailing completed by the United States marshal, stating that a copy of the process, pleading, order of court, or other paper was deposited by the affiant, with postage prepaid, in the United States mail and directed to the party shown in the affidavit to be served at his last known post office address, showing the date and place of depositing. A return receipt signed by the person to be served, and no other person, must be attached to the affidavit.

SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

*Rep. Winkjer*

Chairman

House Bill No. 1605 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1624 has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation. [XX] be amended as follows:

On page 1, line 1, after the word "the" delete everything and insert in lieu thereof the following: "early identification of handicapping conditions in preschool children, payment of room and board on behalf

of handicapped students in out-of-state placements, and the development of implementation of interagency agreements for the provision of related services to handicapped students.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. EARLY IDENTIFICATION OF HANDICAPPING CONDITIONS BY STATE DEPARTMENT OF HEALTH.) Within the limits of legislative appropriation and to the extent that such services are not provided by any other public or private agency, the state department of health shall make available screening services, including hearing, vision, developmental, growth and nutrition, and urinalysis, to all three, four, and five year old children residing within the state.

SECTION 2. COSTS OF OUT-OF-STATE BOARDING CARE FOR HANDICAPPED STUDENTS PAID BY THE SOCIAL SERVICE BOARD OF NORTH DAKOTA.) Within the limits of legislative appropriation, the social service board of North Dakota shall fund the provision of room and board on behalf of those handicapped children placed by school districts in out-of-state public or private facilities in accordance with section 15-59-07.

SECTION 3. INTERAGENCY COOPERATIVE AGREEMENTS FOR THE PROVISION OF EDUCATIONAL RELATED SERVICES TO HANDICAPPED STUDENTS - REPORT BY DEPARTMENT OF PUBLIC INSTRUCTION.) The department of public instruction shall cooperatively develop and implement interagency agreements with appropriate public and private agencies, including the director of institutions, the state social service board, and the state department of health, for purposes of maximizing available state resources in fulfilling the educational related service requirements of Public Law 94-142 and section 504 of the Rehabilitation Act of 1973, as amended. The department of public instruction shall report to the interim legislative council committee on education the content of such interagency agreements and the progress in achieving the goals and objectives set out therein at such time as the interim committee may direct."

And renumber the lines and pages accordingly

STATEMENT OF THE PURPOSE OF AMENDMENT:

This amendment would provide for the State Health Department and the Social Services Board to pay for funding for early periodic screening of children and out of state foster care costs for special education students.

And when so amended, recommends the same do pass.

Chairman

House Rep. James A. Peterson Bill No. 1624 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1608, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 3, delete lines 1 and 2 and insert in lieu thereof the following: "when such taxes are listed separately as required by federal regulations, by the retailer in selling the item to the consumer."

On page 3, line 26, delete the words "imposed upon any" and insert in lieu thereof the words "when such tax is listed separately as required by federal regulations, by the retailer in selling the item to the consumer."

On page 3, delete line 27

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Gackle

House Bill No. 1608 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1627, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, delete the words "to provide for a" and insert in lieu thereof the word "definitions"

On page 1, line 3, delete the words "litter assessment on designated products"

On page 2, line 20, delete the word "tracts" and insert in lieu thereof the word "tracks"

On page 4, line 13, delete the words "engaging in business as a" and insert in lieu thereof the following:

"engaged in this state in business an annual litter reduction assessment based on the gross proceeds from sales in this state. The gross proceeds from the sales of items between this state and any other state or between this state and any foreign country, from sales that the state of North Dakota is prohibited from taxing under the Constitution and laws of the United States, and from such sales of tangible personal property that the legislative assembly is prohibited from taxing by the Constitution of this state shall be excluded. The assessment shall be determined from the following schedule:

amount of assessment	gross proceeds	
	more than	but not more than
\$ 0	\$ 0	\$ 50,000
10.00	50,000	100,000
20.00	100,000	500,000
30.00	500,000	1,000,000
50.00	1,000,000	2,000,000
75.00	2,000,000	3,000,000
100.00	3,000,000	4,000,000
125.00	4,000,000	5,000,000
150.00	5,000,000	

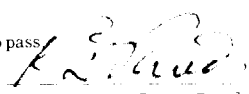
SECTION 11. DEFINITIONS.) "Sales in this state" means all sales of retailers engaged in business within this state, or, in the case of manufacturers and wholesalers, all sales of products for final use or consumption within this state, but does not include sales of raw or unprocessed agricultural products."

On page 4, delete lines 14 through 35

On page 5, delete lines 1 through 9

And renumber the lines, pages, and section numbers accordingly

And when so amended, recommends the same do pass



Chairman

House Bill No. 1627

Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Transportation

to whom was referred House

Bill No. 1634 has had the same under consideration and recommends, by a vote of

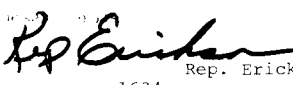
Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass
- do not pass
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 17 of the engrossed bill delete the strike-through over the word "~~ten~~" and also on line 17 delete the word "fifteen"

On page 4, line 8 delete the strike-through over the words "~~for-a~~" and delete the word "without" and also on line 8 delete the strike-through over the words "~~of five-dollars-per-trip~~"

And renumber the lines and pages accordingly



Rep. Erickson

House Bill No. 1634

was placed on the 6th

order of business on the calendar for the succeeding legislative day


Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1641, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Winkjer

Chairman

House Bill No. 1641 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House

Bill No. 1671, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Bill No. 1671 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House Concurrent Resolution

No. 3028, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3028 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House Concurrent Resolution

No. 3039, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Winkjer

Chairman

House Concurrent Resolution No. 3039 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred House Concurrent Resolution

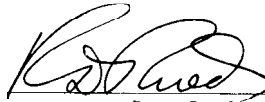
No. 3040, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 4; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3040 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House Concurrent Resolution

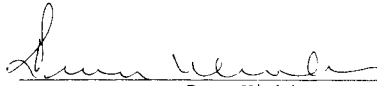
No. 3049, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3049 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House Concurrent Resolution

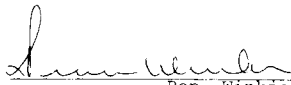
No. 3053, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3053 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House Concurrent Resolution

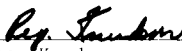
No. 3056, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3056 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House Concurrent Resolution

No. 3058, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Knudson Chairman

House Concurrent Resolution No. 3058 was placed on the 11th order of business on the calendar for the succeeding legislative day.

### FIRST READING OF SENATE BILLS

**Senate Bill No. 2006.** — A Bill for an Act making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2033.** Parks and Recreation Department — A Bill for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2054.** — A Bill for an Act to amend and reenact sections 12.1-16-01 and 12.1-32-01 of the North Dakota Century Code, relating to murder and the classification of criminal offenses, and making murder a class AA felony with a maximum penalty of life imprisonment.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2202.** — A Bill for an Act to create and enact a new subsection to section 52-04-06 of the North Dakota Century Code, relating to variations in unemployment compensation rates.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2204.** — A Bill for an Act to amend and reenact subsection 3 of section 52-06-01 of the North Dakota Century Code, relating to eligibility for unemployment compensation benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2232.** — A Bill for an Act to amend and reenact subsection 4 of section 52-01-01 and subsection 1 of section 52-06-02 of the North Dakota Century Code, and to repeal subsection 10 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2264.** — A Bill for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to restrictions and conditions on loans to and purchases from directors, officers, and employees of state banking associations and officers and employees of banking department.



Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2300.** — A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to the claiming of a mechanic's lien by a contractor who contracts with an agent of the owner of real estate.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2322.** — A Bill for an Act to create and enact a new section to chapter 11-28.2 of the North Dakota Century Code, relating to the power of recreation service districts to make improvements and finance the cost thereof through levying special assessments and taxes, imposing service charges and issuing warrants; and to amend and reenact section 11-28.2-04 of the North Dakota Century Code, relating to powers of recreation service districts and levying of special assessments.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2338.** — A Bill for an Act to amend and reenact section 57-54-08 of the North Dakota Century Code, to reduce the motor vehicle fuel tax on sales of gasohol.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2346.** — A Bill for an Act requiring open voting at all public meetings.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2355.** — A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to prohibiting labor organizations from using funds generated by dues in political campaigns; and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2356.** — A Bill for an Act to create and enact a new section to chapter 43-13 of the North Dakota Century Code, relating to the certification of optometrists to use ocular diagnostic pharmaceutical agents, and to amend and reenact subsection 1 of section 43-13-01 and subsection 4 of section 43-15-01 of the North Dakota Century Code, relating to definitions.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2438.** — A Bill for an Act to provide an additional fee for motorcycle registration, to require motorcycle education requirements for motorcycle operator's permits and licenses for applicants under sixteen, to establish standards for motorcycle safety courses, to reimburse public schools and approved organizations for programs, to promote safety in the use and operation of motorcycles; providing an effective date; and providing appropriations.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2446.** — A Bill for an Act to create and enact a new section to chapter 26-01 of the North Dakota Century Code, relating to the regulation of the solicitation of life insurance contracts.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2454.** — A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to the printing fees for legal publications.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2455.** — A Bill for an Act to amend and reenact sections 57-35-04, 57-35.1-01, and 57-35.2-02 of the North Dakota Century Code, relating to taxation of banks, trust companies, and savings and loan associations, and exempting from the basis of taxation interest or income on bonds issued under the Municipal Industrial Development Act; and to provide an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2468.** — A Bill for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collecting the personal property of a decedent by affidavit under the Uniform Probate Code.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2475.** — A Bill for an Act to create and enact section 63-01.1-10.1; to amend and reenact subsections 4 and 5 of section 63-01.1-02 and sections 63-01.1-03, 63-01.1-04, 63-01.1-05, 63-01.1-06, subsection 2 of section 63-01.1-12, section 63-01.1-13 and subsection 1 of section 63-01.1-15 of the North Dakota Century Code; and to repeal section 63-01.1-07 of the North Dakota Century Code, all relating to the definition and control of noxious weeds.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2479.** — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code as contained in section 1 of Senate Bill No. 2100, as approved by the forty-sixth legislative assembly, relating to state preemption of local laws regulating obscenity except when local ordinances are specifically authorized; and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Concurrent Resolution No. 4018.** — A concurrent resolution urging Congress to amend Public Law 94-565 to provide that in lieu of tax payments be allocated among all local units of government in proportion to the tax loss suffered by the various local units, or to authorize the states to provide for the allocation of the in lieu of tax payments.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Concurrent Resolution No. 4021.** — A concurrent resolution urging Congress to exempt North Dakota lignite from provisions of any Federal coal severance tax enacted for the purpose of alleviating impacts created by increased coal train traffic.

Which was read the first time and referred to the Committee on Transportation.

**Senate Concurrent Resolution No. 4029.** — A concurrent resolution urging the Congress of the United States and the trustee in bankruptcy of the Milwaukee Road railroad to maintain Lines West as a viable and operating railroad line.

Which was read the first time and referred to the Committee on Transportation.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Wednesday, February 21, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-FIFTH DAY

Bismarck, February 21, 1979

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

The prayer was offered by Capt. Ed Jarvis, Salvation Army, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Backes, Christensen, Eagles, Erickson, Fleming, Freborg, Gunsch, R. Hausauer, R. Jacobsen, Koski, Kuchera, F. Larson, Marsden, Mertens, Mushik, Opedahl, Peterson, Richie, Solberg, Strinden, Thorsgard, Tweten, and Unhjem.

A quorum was declared by the Speaker.

ANNOUNCEMENT

Speaker Wagner requested that the record will show that the Appropriations Committee was still in session.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-fourth

day and recommends that the same be corrected as follows:

On page 1006, line 19, delete the numerals "984" and "985" and insert in lieu thereof the numerals "894" and "895"

On page 1020, line 8, delete the numeral "17" and insert in lieu thereof the numeral "7"; and in line 9, delete the numeral "4" and insert in lieu thereof the numeral "24"

And when so corrected recommends that the same be approved.

Rep. Swiontek (with signature) Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1198 HB NO. 1689
HB NO. 1199 HCR NO. 3031
HB NO. 1236

- HB NO. 1239
- HB NO. 1254
- HB NO. 1262
- HB NO. 1312
- HB NO. 1331
- HB NO. 1353
- HB NO. 1360
- HB NO. 1362
- HB NO. 1475
- HB NO. 1566
- HB NO. 1569
- HB NO. 1576
- HB NO. 1581
- HB NO. 1616
- HB NO. 1617
- HB NO. 1622
- HB NO. 1642
- HB NO. 1648
- HB NO. 1661
- HB NO. 1663
- HB NO. 1669

and find the same correctly } Engrossed

*Wayne Steneck* Chairman  
 Rep. Steneck moved that the report be adopted, which

Representative Lipsiea motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1565

and find the same correctly Re } Engrossed

*Wayne Steneck* Chairman  
 p. Steneck moved that the report be adopted, which

Representative Lipsiea motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1002 as recommended by the Committee on Appropriations as printed on pages 1023 and 1024 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1004 as recommended by the Committee on Appropriations as printed on pages 1024 and 1025 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1009 as recommended by the Committee on Appropriations as printed on pages 1025, 1026, 1027, and 1028 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1024 as recommended by the Committee on Appropriations as printed on pages 1028 and 1029 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1048 as recommended by the Committee on Appropriations as printed on page 1029 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1071 as recommended by the Committee on Judiciary as printed on pages 1029, 1030, and 1031 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1165 as recommended by the Committee on Agriculture as printed on pages 1031 and 1032 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1228 as recommended by the Committee on Judiciary as printed on pages 1032 and 1033 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1252 as recommended by the Committee on Natural Resources as printed on pages 1033 and 1034 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1319 as recommended by the Committee on Appropriations as printed on pages 1034 and 1035 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1370 as recommended by the Committee on Education as printed on page 1035 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1410 as recommended by the Committee on Education as printed on page 1036 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1428 as recommended by the Committee on Industry, Business and Labor as printed on pages 1036 and 1037 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1485 as recommended by the Committee on Finance and Taxation as printed on page 1037 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1559 as recommended by the Committee on Education as printed on page 1038 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1590 as recommended by the Committee on State and Federal Government as printed on pages 1038 and 1039 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1594 as recommended by the Committee on Agriculture as printed on pages 1039 and 1040 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1605 as recommended by the Committee on Judiciary as printed on page 1040 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1608 as recommended by the Committee on Finance and Taxation as printed on page 1042 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1624 as recommended by the Committee on Appropriations as printed on pages 1040, 1041 and 1042 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1627 as

recommended by the Committee on Industry, Business and Labor as printed on pages 1042 and 1043 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Bill No. 1634 as recommended by the Committee on Transportation as printed on page 1043 of the House Journal be adopted, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2280  
 Senate Bill No. 2302  
 Senate Bill No. 2316  
 Senate Bill No. 2326  
 Senate Bill No. 2332  
 Senate Bill No. 2339  
 Senate Bill No. 2382  
 Senate Bill No. 2398  
 Senate Bill No. 2418  
 Senate Bill No. 2443  
 Senate Bill No. 2450  
 Senate Concurrent Resolution No. 4041

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2072.

And the President has appointed as a conference committee to act with a like committee from the House, Senators:

Sands  
 Sorum  
 Schirado

Very respectfully,

LEO LEIDHOLM, Secretary

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2072:

Rep. Winkjer  
 Rep. Boyum  
 Rep. Meiers

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1001  
 House Bill No. 1032  
 House Bill No. 1033  
 House Bill No. 1306  
 House Bill No. 1402  
 House Bill No. 1465  
 House Bill No. 1562  
 House Bill No. 1563

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1517.** — A Bill for an Act to create and enact section 54-27-19.1 of the North Dakota Century Code, providing for a special fuels tax distribution fund; to amend and reenact sections 54-27-19, 57-52-04, 57-53-09, and 57-54-08, deleting from the current highway tax distribution fund those moneys collected under chapter 57-53, putting the money collected under 57-53 into the special fuels tax distribution fund, and raising the motor vehicle fuels and special fuels taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 11; nays, 77; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
DICK		●	KNUDSON		●	POWERDY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHIE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING ●			LARDY		●	RUED		●			
FREBORG		●	LARSON F # 24		●	SCHINDLER		●			
GACKLE		●	LARSON G # 29		●	SCOFIELD		●			
GERL		●	LARSON H # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEW		●			
GUNDERSON		●	LEIGHAN		●	STRINDEN		●			
GUNSON		●	LIPSIE		●	SWONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSON		●	THORSGAR		●			
HAUSAUER A # 49		●	MARTIN		●	TIMM		●			
HAUSAUER R # 25		●	MARTINSON		●	TINJUM		●			
HEADSTROM		●	MATHENY		●	TWETEN		●			

So the bill lost.

**House Bill No. 1586.** — A Bill for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to compensation for the collection of sales and use taxes; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 60; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON I		●	MUSHK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAHL		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
DICK		●	KNUDSON		●	POWERDY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			



• DUBORD		KUCHERA	•	• RICHARD
• EAGLES	•	• LANG	•	• RIEHL
• ERICKSON	•	• LANGLEY	•	• RIED
• FLEMING	•	• LARDY	•	• SCHINDLER
• FREBORG	•	• LARSON, F # 24	•	• SCOFIELD
• GACKLE	•	• LARSON, G # 29	•	• SOLBERG
• GERL	•	• LARSON, H # 7	•	• STENEHJEM
• GORDER	•	• LEE	•	• STRINDEN
• GUNDERSON	•	• LEIBHAN	•	• SWONTEK
• GUNSCH	•	• LIPSIEA	•	• THOMPSON
• HANSON	•	• MAIXNER	•	• THORSGARD
• HAUGLAND	•	• MARDSEN	•	• TIMM
• HAUSAUER, A # 49	•	• MARTIN	•	• TINJUM
• HAUSAUER, R # 25	•	• MARTINSON	•	• TWETEN
• HEDSTROM	•	• MATHENY	•	

So the bill lost.

**House Bill No. 1616.** — A Bill for an Act to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code relating to stopping for pedestrians in crosswalks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 61; nays, 32; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN				•	•	UNHJEM	
			•	HICKLE		•	WEIERS		•	VANDER VORST	
			•	HOFNER		•	WELBY		•	VIG	
			•	HOLMANN		•	WERTENS		•	WAGNER	
•				HOVE		•	MEYER	•		•	WALD
			•	JACOBSEN, R		•	MURPHY		•	•	WALSH
•			•	JACOBSON, I			MUSHIK		•	•	WEBER
•			•	KELLY			NICHOLAS		•	•	WENTZ
•			•	KENNELLY		•	OLSON		•	•	WESSMAN
•			•	KERMOTT		•	OPEDAHL		•	•	WINKJER
•			•	KINGSBURY			PELTIER				
•			•	KLOUBEC		•	PETERSON		•	•	MR. SPEAKER
			•	KNUDSON		•	POWEROY				
			•	KOSKI		•	REED				
•			•	KRETSCHMARR			RETZER		•		
•			•	KUCHERA			RICHARD		•		
•			•	LANG			RIEHL		•		
•			•	LANGLEY			RIED		•		
•			•	LARDY			RUED		•		
•			•	LARSON, F # 24			SCHINDLER		•		
•			•	LARSON, G # 29			SCOFIELD		•		
•			•	LARSON, H # 7			SOLBERG		•		
•				LEE		•	STENEHJEM				
•			•	LEIBHAN		•	STRINDEN				
•			•	LIPSIEA		•	SWONTEK				
•			•	MAIXNER		•	THOMPSON				
•			•	MARDSEN		•	THORSGARD				
•			•	MARTIN			TIMM		•		
•			•	MARTINSON			TINJUM		•		
•			•	MATHENY		•	TWETEN		•		

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Concurrent Resolutions Nos. 3040, 3049, 3053 and 3056 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1641.** — A Bill for an Act to amend and reenact section 35-19-01 of the North Dakota Century Code, relating to the innkeeper's lien and residential dwelling unit lessor's lien.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 90; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•	•
BENEDICT	•		HICKLE	•		MEIERS	•	•
BERG	•		HOFFNER	•	•	WELBY	•	•
BERGE	•		HOUWANN	•	•	WERTENS	•	•
BERGER	•	•	HOVE	•	•	MEYER	•	•
BJORNSON	•		JACOBSEN, R.	•	•	MURPHY	•	•
BLACK	•		JACOBSON, I.	•	•	MUSHIK	•	•
BOYUM	•		KELLY	•	•	NICHOLAS	•	•
BROKAW	•		KENNELLY	•	•	OLSON	•	•
CHRISTENSEN	•		KERMOTT	•	•	OPEDAHL	•	•
CONNY	•		KINGSBURY	•	•	PELTIER	•	•
CRABTREE	•		KLOUBEC	•	•	PETERSON	•	•
DICK	•		KNUDSON	•	•	POMEROY	•	•
DIETZ	•		KOSKI	•	•	REED	•	•
DOTZENROD	•		KRETSCHMAR	•	•	RETZER	•	•
DUBORD	•		KUCHERA	•	•	RICHARD	•	•
EAGLES	•		LANG	•	•	RICHIE	•	•
ERICKSON	•		LANGLEY	•	•	RIEHL	•	•
FLEMING	•		LARDY	•	•	RUED	•	•
FREBORG	•		LARSON, # 24	•	•	SCHINDLER	•	•
GACKLE	•		LARSON, G # 29	•	•	SCOFIELD	•	•
GERL	•		LARSON, H # 7	•	•	SOLBERG	•	•
GORDER	•		LEE	•	•	STENEHJEM	•	•
GUNDERSON	•		LEIBHAN	•	•	STRINDEN	•	•
GUNSCH	•		LIPSEA	•	•	SWONTEK	•	•
HANSON	•		MAIXNER	•	•	THOMPSON	•	•
HAUGLAND	•		MARSDEN	•	•	THORSGARD	•	•
HAUSAUER, A # 49	•		MARTIN	•	•	TIMM	•	•
HAUSAUER, R # 25	•		MARTINSON	•	•	TINJUM	•	•
HEDSTROM	•		MATHENY	•	•	TWETEN	•	•
								MR. SPEAKER

So the bill lost.

MOTION

Rep. Stenehjem moved that the House reconsider its action whereby House Bill No. 1260 failed to pass, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1260.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to raising storage rates for warehouse and storage contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 51; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•	•
BENEDICT	•		HICKLE	•		MEIERS	•	•
BERG	•		HOFFNER	•	•	WELBY	•	•
BERGE	•		HOUWANN	•	•	WERTENS	•	•
BERGER	•	•	HOVE	•	•	MEYER	•	•
BJORNSON	•		JACOBSEN, R.	•	•	MURPHY	•	•
BLACK	•		JACOBSON, I.	•	•	MUSHIK	•	•
BOYUM	•		KELLY	•	•	NICHOLAS	•	•
BROKAW	•		KENNELLY	•	•	OLSON	•	•
CHRISTENSEN	•		KERMOTT	•	•	OPEDAHL	•	•
CONNY	•		KINGSBURY	•	•	PELTIER	•	•
CRABTREE	•		KLOUBEC	•	•	PETERSON	•	•
DICK	•		KNUDSON	•	•	POMEROY	•	•
DIETZ	•		KOSKI	•	•	REED	•	•
DOTZENROD	•		KRETSCHMAR	•	•	RETZER	•	•
DUBORD	•		KUCHERA	•	•	RICHARD	•	•
EAGLES	•		LANG	•	•	RICHIE	•	•
ERICKSON	•		LANGLEY	•	•	RIEHL	•	•
FLEMING	•		LARDY	•	•	RUED	•	•
FREBORG	•		LARSON, # 24	•	•	SCHINDLER	•	•
GACKLE	•		LARSON, G # 29	•	•	SCOFIELD	•	•
GERL	•		LARSON, H # 7	•	•	SOLBERG	•	•
GORDER	•		LEE	•	•	STENEHJEM	•	•
GUNDERSON	•		LEIBHAN	•	•	STRINDEN	•	•
GUNSCH	•		LIPSEA	•	•	SWONTEK	•	•
HANSON	•		MAIXNER	•	•	THOMPSON	•	•
HAUGLAND	•		MARSDEN	•	•	THORSGARD	•	•
HAUSAUER, A # 49	•		MARTIN	•	•	TIMM	•	•
HAUSAUER, R # 25	•		MARTINSON	•	•	TINJUM	•	•
HEDSTROM	•		MATHENY	•	•	TWETEN	•	•
								MR. SPEAKER

So the bill lost.

**House Bill No. 1689.** — A Bill for an Act to limit purchase of tobacco products, to prohibit misrepresentation of age in purchasing tobacco products, to prohibit delivery of tobacco products to certain persons, to require local licenses for the sale of tobacco products, to provide procedures for license revocation; providing penalties; and providing an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 59; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			●	WATTSON		●	UNHJEM	
BENEDICT		●	●	HICKLE		●	●	MEIERS		●	VANDERVORST
BERG		●	●	●	HOFNER			●	WELBY		●
BERGE		●	●	●	HOUIMANN			●	WERTENS		●
BERGER		●	●	●	HOVE			●	MEYER		●
BJORNSON		●		JACOBSEN R.		●	●	MURPHY		●	WALSH
BLACK		●		JACOBSON I.		●	●	MUSHIK		●	WEBER
BOYUM		●		KELLY		●		NICHOLAS		●	WENTZ
●	BROKAW			KENNELLY		●	●	OLSON		●	WESSMAN
CHRISTENSEN		●		KERMOTT		●	●	OPEDAHL		●	WINKJER
CONMY		●		KINGSBURY		●		●	PELTIER		●
CRABTREE		●		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER
DICK		●		●	KNUDSON		●	●	POMEROY		●
DIEZ		●		●	KOSKI		●	●	REED		●
●	DOTZENROD			●	KRETSCHMAR		●	●	RETZER		●
DUBORD		●		●	KUCHERA		●	●	RICHARD		●
EAGLES		●			LANG		●		●	RICHIE	
ERICKSON		●			LANGLEY		●		●	RIEHL	
FLEMING		●		●	LARDY		●	●	RUED		●
FREBORG		●		●	LARSON, # 24		●	●	SCHINDLER		●
GACKLE		●		●	LARSON, G. # 29		●	●	SCOFIELD		●
●	GERL			●	LARSON, H. # 7		●	●	SOLBERG		●
●	GORDER				LEE		●	●	●	STENEJEM	
●	GUNDERSON				LEIBMAN		●	●	●	STRONDE	
●	GUNSCH				LIPSIEA		●	●	●	SWONTEK	
●	HANSON			●	WAIXNER		●	●	●	THOMPSON	
●	HAUGLAND			●	WARSDEN		●	●	●	THORSGARD	
●	HAUSAUER A. #49			●	MARTIN		●	●	●	TIMM	
●	HAUSAUER R. #25			●	MARTINSON		●	●	●	TINJUM	
●	HEDSTROM			●	MATHEBY		●	●	●	TWETEN	

So the bill lost.

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2072:

- Rep. Winkjer
- Rep. Boyum
- Rep. Meiers

Very Respectfully,  
ROY GILBREATH, Chief Clerk

**SECOND READING OF  
HOUSE CONCURRENT RESOLUTIONS**

**House Concurrent Resolution No. 3039.** — A concurrent resolution urging a moratorium on structural changes in the North Dakota judicial system and directing the Legislative Council to arrange for an independent study of the judicial system by a consultant and to prepare any necessary legislation.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 13; nays, 74; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT ●			HICKLE ●			MEIERS		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOUMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●		WINKJER ●
CONNY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●		
GERL ●			LARSON H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSCH ●			LIPSIE ●			SWINTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the House Concurrent Resolution was declared lost.

SECOND READING OF HOUSE BILLS

**House Bill No. 1020.** State Fire Marshall — A Bill for an Act making an appropriation for defraying the expenses of the state fire marshall of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT ●			HICKLE ●			MEIERS		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOUMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●		WINKJER ●
CONNY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●		
GERL ●			LARSON H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSCH ●			LIPSIE ●			SWINTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the bill passed and the title was agreed to.

**House Bill No. 1199.** — A Bill for an Act to create and enact a new



• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1239.** — A Bill for an Act to create and enact Chapter 38-14.2 of the North Dakota Century Code, relating to the development of a reclamation program for abandoned surface mined areas.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 19; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HULMANN		•	• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R			• MURPHY		• WALSH
• BLACK			• JACOBSON, I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHER			• RICHARD		
• EAGLES			• LANG			• RICHE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEWING			• LARDY			• RUED		
• FREBORH			• LARSON, # 24			• SCHINDLER		
• GACKLE			• LARSON, G # 29			• SCOFIELD		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDE		
• GUNSCH			• LIPSIA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER, A. # 49			• MARTIN			• TIMM		
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1254.** — A Bill for an Act to authorize the state board of higher education to enter into agreements providing for a regional veterinary medical education program.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 19; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HULMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R			• MURPHY		• WALSH
• BLACK			• JACOBSON, I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		

• DUBORD		• KUCHERA		• RICHARD	
• EAGLES	•	• LANG		• RICHIE	•
• ERICKSON		• LANGLEY		• RIEHL	
• FLEMING	•	• LARDY		• RUED	
• FREBERG	•	• LARSON # 24		• SCHINDLER	
• GACKLE		• LARSON G # 29		• SCOFIELD	
• GERL		• LARSON H # 7		• SOLBERG	
• GORDER		• LEE		• STENEHJEM	
• GUNDERSON	•	• LEIBHAN		• STRINDEN	•
• GUNSCHE	•	• LIPSIEA		• SWONTEK	•
• HANSON		• MAIXNER		• THOMPSON	•
• HAUGLAND		• MARSDEN	•	• THORSGARD	
• HAUSAUER A # 49		• MARTIN		• TIMM	
• HAUSAUER R # 25		• MARTINSON		• TINJUM	
• HEDSTROM		• MATHENY	•	• TWETEN	•

So the bill passed and the title was agreed to.

**House Bill No. 1262.** — A Bill for an Act to create and enact subsection 5 to section 38-12.1-04 of the North Dakota Century Code, relating to the jurisdiction of the Industrial Commission; to create and enact a new section under chapter 65-11 of the North Dakota Century Code, relating to the promulgation of rules by the Workmen's Compensation Bureau regarding mine foremen; to amend and reenact sections 38-12.1-05, 38-12.1-08, and 38-16-06, subsections 2 and 4 of section 38-18-06, subsection 1 of section 38-18-07, and subsections 1 and 2 of section 38-18-08 of the North Dakota Century Code, relating to the necessity of a drilling permit, penalties, exemptions from surface mining operation reporting requirements, requirement of surface owner consent to surface mining operations, payment of damages sustained by the surface owner, and financial obligation of the mineral developer to pay the costs of reclamation; and to repeal chapters 38-03, 38-05, 38-06, and 38-07, and sections 38-01-01 and 38-01-08 of the North Dakota Century Code, relating to the state mine inspector, mine foreman examinations and qualifications, protection of the health and safety of miners, maps or surveys of mines, regulation of surface coal mining and reclamation operations, definitions, and penalties.

Which has been read.

Rep. Maixner moved that the House waive the reading of the title to House Bill No. 1262, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 13; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN		•	• KERMOY			• OPEDahl			• WINKJER		•
• CONMY		•	• KINGSBURY		•	• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• WR SPEAKER		
• DICK			• ANDUSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG	•		• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON F # 24			• SCHINDLER		•			
• GACKLE			• LARSON G # 29			• SCOFIELD		•			
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER		•	• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNSCHE		•	• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD	•				

● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1312.** — A Bill for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, relating to legislative apportionment requirements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATSON		● UNHJEM
● BENEDICT	●		● HICKLE			● MEERS		● VANDER VORST
● BERG			● HOFFNER	●		● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERWITT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON	●	● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI	●		● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 29			● SCOFIELD		
● GEPL			● LARSON, H. # 7			● SOLBERG		
● GORDER			● LEE			● STENHJEM		
● GUNDERSON			● LEBMAN			● STRANDEN		
● GUNSCHE			● LIPSIEA			● SWIONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A # 49			● MARTIN			● TIMM		
● HAUSAUER, R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1335.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal severance tax, defining the term "coal" and specifically excluding leonardite (natural oxidized lignite) from that definition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 57; nays, 38; absent and not voting, 5.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATSON		● UNHJEM
● BENEDICT	●		● HICKLE			● MEERS		● VANDER VORST
● BERG			● HOFFNER	●		● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM	●		● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERWITT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		



• EAGLES	• LANG	• RICKE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1353.** — A Bill for an Act to create and enact section 5-02-05.1 of the North Dakota Century Code, providing for a special Sunday convention alcoholic beverage permit which may be issued by the governing body of a city to a private club, lodge, motel, or hotel serving as a state or national convention headquarters; to amend and reenact section 5-02-05, subsection 11 of section 12.1-30-02, and subsection 29 of section 12.1-30-03 of the North Dakota Century Code, relating to prohibited liquor disposal on certain days, personal property sales allowable on Sunday, and businesses allowed to operate on Sunday; and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 27; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			• HERMAN			• MATTSON		• UNHJEM
		•	• HICKLE			• MEIERS		• VANDER VORST
•			• HOFFNER		•	• MELBY		• VIG
		•	• HOUHMANN		•	• MERTENS		• WAGNER
•			• HOVE		•	• MEYER		• WALD
•			• JACOBSEN R		•	• MURPHY		• WALSH
•			• JACOBSON I		•	• MUSHK		• WEBER
•			• KELLY		•	• NICHOLAS		• WENTZ
•			• KENNELLY		•	• OLSON		• WESSMAN
•			• KERMOTT		•	• OPEDAHL		• WINKLER
•			• KINGSBURY		•	• PELTIER		
•			• KLOUREC		•	• PETERSON		• MR. SPEAKER
		•	• KNUDSON		•	• POMEROY		
•			• KOSKI		•	• REED		
•			• KRETSCHMAR		•	• RETZER		
•			• KUCHERA		•	• RICHARD		
•			• LANG		•	• RICKE		
•			• LANGLEY		•	• RIEHL		
•			• LARDY		•	• RUED		
•			• LARSON # 24		•	• SCHINDLER		
•			• LARSON G # 29		•	• SCOFIELD		
•			• LARSON H # 7		•	• SOLBERG		
		•	• LEE		•	• STENEHJEM		
•			• LEIBHAN		•	• STRINDEN		
•			• LIPSIA		•	• SWONTEK		
•			• MAIXNER		•	• THOMPSON		
•			• MARSDEN		•	• THORSGARD		
•			• MARTIN		•	• TMM		
•			• MARTINSON		•	• TINJUM		
•			• MATHENY		•	• TWETEN		

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that House Bill No. 1619 be moved to the head of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1619.** — A Bill for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08 of the North Dakota Century Code, relating to enrollment periods used in determining per-pupil foundation program payments for school districts.

Which has been read.



GORDER	•	LEE	•	•	STENEHJEM
GUNDERSON	•	LEIBHAN	•	•	STRINDEN
GUNSCH	•	LIPSIEA	•	•	SWONTEK
HANSON	•	MAXNER	•	•	THOMPSON
HAUGLAND	•	MARSDEN	•	•	THORSGARD
HAUSAUER, A #48	•	MARTIN	•	•	TIMM
HAUSAUER, R #25	•	MARTINSON	•	•	TINLUM
HEDSTROM	•	MATHENY	•	•	TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1362.** — A Bill for an Act to create and enact a new subsection to section 23-02.1-18 of the North Dakota Century Code, relating to the issuance of new birth certificates after the adoption of foreign-born persons; and to amend and reenact section 14-15-18 and subsection 5 of section 23-02.1-17 of the North Dakota Century Code, relating to reports of adoption and the application for a new birth certificate after the adoption of a foreign-born person.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 0; absent and not voting, 29.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			•	HERMAN		•	MATTSON			•	UNHJEM			
•			•	HICKLE		•	MEIERS		•		VANDER VORST			
•			•	HOFFNER		•	MELBY		•		VIG			
•			•	HOUWMANN		•	MERTENS	•			WAGNER			
•			•	HOVE		•	MEYER		•		WALD			
•			•	JACOBSEN	•	•	MURPHY		•		WALSH			
•			•	JACOBSON, I		•	MUSHIK	•	•		WEBER			
•			•	KELLY		•	NICHOLAS			•	WENTZ			
•			•	KENNELLY		•	OLSON			•	WESSMAN			
•			•	KERRITT		•	OPEDAHL			•	WINKLER			
•			•	KINGSBUR		•	PELTIER	•						
•			•	KLOUBEC		•	PETERSON	•			MR. SPEAKER			
•			•	KNUDSON		•	POMEROY							
•			•	KOSKI		•	REED							
•			•	KRETSCHMAR		•	RETZER							
•			•	KUCHERA		•	RICHARD	•						
•			•	LANG		•	RICHIE							
•			•	LANGLEY		•	RIEHL							
•			•	LARDY		•	RUED							
•			•	LARSON, F #24		•	SCHINDLER							
•			•	LARSON, G #29		•	SCOFIELD							
•			•	LARSON, H #7		•	SOLBERG	•						
•			•	LEE		•	STENEHJEM							
•			•	LEIBHAN		•	STRINDEN							
•			•	LIPSIEA		•	SWONTEK							
•			•	MAXNER		•	THOMPSON							
•			•	MARSDEN		•	THORSGARD							
•			•	MARTIN		•	TIMM							
•			•	MARTINSON		•	TINLUM							
•			•	MATHENY		•	TWETEN							

So the bill passed and the title was agreed to.

**House Bill No. 1404.** — A Bill for an Act to authorize the state board of higher education to deed property owned by the state of North Dakota for the use and benefit of the university of North Dakota to the United States; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 68; nays, 0; absent and not voting, 32.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			•	HERMAN		•	MATTSON			•	UNHJEM			
•			•	HICKLE		•	MEIERS		•		VANDER VORST			
•			•	HOFFNER		•	MELBY		•		VIG			
•			•	HOUWMANN		•	MERTENS	•			WAGNER			
•			•	HOVE		•	MEYER		•		WALD			
•			•	JACOBSEN	•	•	MURPHY		•		WALSH			

• BLACK	• JACOBSON, I	MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAH	• WINKJER
• CONMY	• KINGSBUR	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBERG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIE	• SWIONTEK	
• HANSON	• MAUXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGAR	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1405.** — A Bill for an Act to authorize the state board of higher education to exchange lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 69; nays, 1; absent and not voting, 30.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM	•	
• BENEDICT			• HCKLE			• MEIERS			• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD	•	
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK	•		• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAH	•		• WINKJER		
• CONMY			• KINGSBUR			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA	•		• RICHARD	•				
• EAGLES			• LANG			• RICHE					
• ERICKSON	•		• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG	•		• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL		•	• LARSON, H # 7			• SOLBERG	•				
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN	•		• STRINDEN					
• GUNSCH			• LIPSIE			• SWIONTEK	•				
• HANSON			• MAUXNER			• THOMPSON					
• HAUGLAND			• MARSDEN	•		• THORSGAR	•				
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1475.** — A Bill for an Act to provide for income tax credits and deductions as incentives for landowners to sell or lease land to beginning farmers; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 18; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM ●
BENEDICT			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUWANN			MERTENS ●		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON			JACOBSEN, R.			MURPHY		WALSH
BLACK			JACOBSON, I.			MUSHIK ●		WEBER
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAH ●		WINKJER
CONNY			KINGSBURY			PELTIER		
CRABTREE			KLOUBEC			PETERSON		MR. SPEAKER ●
DICK			KNUDSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			RETZER		
DUBORD			KUCHER ●			RICHARD		
EAGLES ●			LANG			RICHE		
ERICKSON			LANGLEY			RIEHL		
FLEMING			LARDY			RUED		
FREBOR ●			LARSON, B. # 24			SCHINDLER		
GACKLE			LARSON, G. # 29			SCOFIELD		
GERL			LARSON, H. # 7			SOLBERG ●		
GORDER ●			LEE			STENEHJEM		
GUNDERSON			LEIBHAN			STRINDEN		
GUNSCH ●			LIPSIA			SWONTE ●		
HANSON			MAIXNER			THOMPSON		
HAUGLAND			MARSDEN ●			THORSGARD ●		
HAUSAUER, A. # 49			MARTIN			TIMM		
HAUSAUER, R. # 25			MARTINSON			TINJUM		
HEDSTROM			MATHENY			TWETEN ●		

So the bill passed and the title was agreed to.

**House Bill No. 1483.** — A Bill for an Act to create and enact two new sections to chapter 47-16 of the North Dakota Century Code, providing for conditions under which a landlord may enter a tenant's apartment and abolishing landlord's liens and the common law action of distraint for rent.

Which has been read.

ROLL CALL

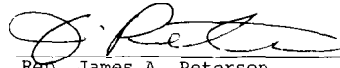
The question being on the final passage of the bill, the roll was called and there were ayes, 74; nays, 2; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM ●
BENEDICT			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUWANN			MERTENS ●		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON			JACOBSEN, R.			MURPHY		WALSH
BLACK			JACOBSON, I.			MUSHIK ●		WEBER
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAH ●		WINKJER
CONNY			KINGSBURY			PELTIER		MR. SPEAKER ●
CRABTREE			KLOUBEC			PETERSON		
DICK			KNUDSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			RETZER		
DUBORD			KUCHER ●			RICHARD		
EAGLES ●			LANG			RICHE		
ERICKSON			LANGLEY			RIEHL		
FLEMING			LARDY			RUED		
FREBOR ●			LARSON, B. # 24			SCHINDLER		
GACKLE			LARSON, G. # 29			SCOFIELD		
GERL			LARSON, H. # 7			SOLBERG ●		
GORDER ●			LEE			STENEHJEM		
GUNDERSON			LEIBHAN			STRINDEN		
GUNSCH ●			LIPSIA			SWONTE ●		
HANSON			MAIXNER			THOMPSON		
HAUGLAND			MARSDEN ●			THORSGARD ●		
HAUSAUER, A. # 49			MARTIN			TIMM		
HAUSAUER, R. # 25			MARTINSON			TINJUM		
HEDSTROM			MATHENY			TWETEN ●		

So the bill passed and the title was agreed to.

**House Bill No. 1565.** — A Bill for an Act to create and enact three





Chairman

Rep. James A. Peterson

House Bill No. 1034 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1126, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 3, after the word "payments" insert the following: "; and to provide an effective date"

On page 1, after line 23, insert the following new section: "SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective through June 30, 1980, and after that date shall be of no force or effect."

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass



Chairman

Rep. Knudson

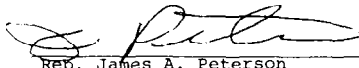
House Bill No. 1126 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1205, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 4, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



Chairman

Rep. James A. Peterson

House Bill No. 1205 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House

Bill No. 1305, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.



Chairman

Rep. Knudson

House Bill No. 1305 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred House

Bill No. 1326, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

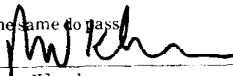
On page 1, line 14 delete the strike through over the words "~~for-any~~"

On page 1, line 15 delete the strike through over the word "~~period~~" and after the word "~~period~~" insert "of ten consecutive days or any two periods of five consecutive days each" and on line 15 delete the strike through over the word "~~and~~" and also on line 15 after the period insert "A license authorizing two five-day hunting periods may allow hunting in a different zone during each period."

On page 1, line 16 delete the strike through over the word "~~shaii~~" and also delete the word "may"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Kloubec

Bill No. 1326

House was placed on the 6th order of business on the calendar for the succeeding legislative day.

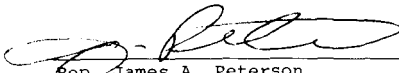
Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1384, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. James A. Peterson

Bill No. 1384

House was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1413, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

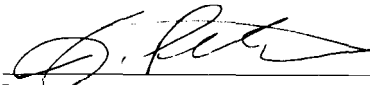
be amended as follows:

On page 1, line 14, after the period insert the following:

"The limitation on the use of moneys relating to vacant positions shall become effective only after a position has been vacant for thirty days."



And when so amended, recommends the same do pass.



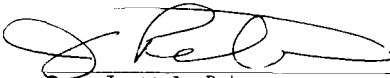
Chairman

House Rep. James A. Peterson  
Bill No. 1442 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1442, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:



Chairman

House Rep. James A. Peterson  
Bill No. 1442 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1496, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 1; Absent, 3, that the same

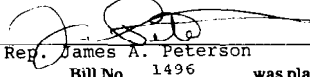
do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 2, line 34, after the word "the" delete the word "general"  
and insert in lieu thereof the words "group insurance"

And renumber the lines accordingly

And when so amended, recommends the same do pass.




Chairman

House Rep. James A. Peterson  
Bill No. 1496 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House  
Bill No. 1554, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:



Chairman

House Rep. James A. Peterson  
Bill No. 1554 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1587, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 3, that the same

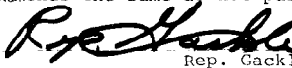
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 14, delete the word "one" and insert in lieu thereof the word "two"

And renumber the lines accordingly

And when so amended, recommends the same do not pass.

 Chairman  
Rep. Gackle

House Bill No. 1587 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1588, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 6, after the word "Act" and before the period insert the following: "; and to provide an appropriation"

On page 4, line 24, delete the words "Of the amount collected by the state treasurer" and insert in lieu thereof the following: "All of the moneys collected by the state treasurer under this section shall be credited to the state general fund."

On page 4, delete lines 25 through 30

On page 4, after line 30, insert the following section:

"SECTION 8. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury not otherwise appropriated, the sum of \$1,045,000.00, or so much thereof as may be necessary, to the state library commission for the purpose of providing financial aid to public libraries and for administering this Act for the biennium beginning July 1, 1979, and ending June 30, 1981. The funds appropriated shall be used as follows:

Salaries and wages	\$ 35,000
Fees and services	10,000
Public library grants	1,000,000
Total general fund appropriation	\$1,045,000"

And renumber the lines and pages accordingly

STATEMENT OF THE PURPOSE OF THE AMENDMENT:

This amendment would put all cigarette tax monies into the general fund rather than a special fund and make the appropriation from the general fund.

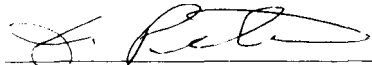
  
Rep. James A. Peterson Chairman

House Bill No. 1588 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1606, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

  
Rep. James A. Peterson Chairman

House Bill No. 1606 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1643, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 5; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

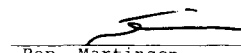
  
Rep. James A. Peterson Chairman

House Bill No. 1643 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House

Bill No. 1668, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

  
Rep. Martinson Chairman

House Bill No. 1668 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House

Bill No. 1672, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 9, after the word "factories" and before the comma insert the words "having a market value exceeding two million dollars"

On page 1, line 16 after the period insert the following: "Nothing in this Act contained shall be construed as authorizing or empowering the county to levy any tax on coal conversion facilities as defined in chapter 57-60 of the North Dakota Century Code."

On page 2, line 9 delete the words "Seventy-five" and insert in lieu thereof the word "Ten"

On page 2, line 10 after the word "raised" insert the following: "shall be returned to the general fund of the township in which the facility or factory is located, sixty-seven and one-half percent" and also on line 10 delete the words "twenty-five" and insert in lieu thereof the words "twenty-two and one-half"

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

*Rep. Gackle*

Rep. Gackle Chairman

House Bill No. 1672 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1673, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle*

Rep. Gackle Chairman

House Bill No. 1673 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House

Bill No. 1688, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle*

Rep. Gackle Chairman

House Bill No. 1688 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House Concurrent Resolution

No. 3025, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 4; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Gackle

House Concurrent Resolution No. 3025 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Concurrent Resolution No. 3050, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:


 Chairman  
Rep. James A. Peterson

House Concurrent Resolution Bill No. 3050 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution

No. 3052, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Rued

House Concurrent Resolution No. 3052 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1005, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 18, delete the numerals "37,669,398" and insert in lieu thereof the numerals "38,035,773"
- On page 1, line 19, delete the numerals "9,969,717" and insert in lieu thereof the numerals "10,089,042"
- On page 1, line 21, delete the numerals "48,721,772" and insert in lieu thereof the numerals "49,207,472"
- On page 1, line 22, delete the numerals "10,610,199" and insert in lieu thereof the numerals "11,053,499"
- On page 1, line 23, delete the numerals "38,111,573" and insert in lieu thereof the numerals "38,153,973"

- On page 1, line 24, delete the numerals "2,226,800" and insert in lieu thereof the numerals "2,726,800"
- On page 2, line 1, delete the numerals "40,338,373" and insert in lieu thereof the numerals "40,880,773"
- On page 2, line 3, delete the numerals "17,200,940" and insert in lieu thereof the numerals "17,288,973"
- On page 2, line 6, delete the numerals "2,555,916" and insert in lieu thereof the numerals "2,755,916"
- On page 2, line 8, delete the numerals "30,169,733" and insert in lieu thereof the numerals "30,457,766"
- On page 2, line 10, delete the numerals "13,244,403" and insert in lieu thereof the numerals "13,532,436"
- On page 2, line 13, delete the numerals "32,898,464" and insert in lieu thereof the numerals "33,003,296"
- On page 2, line 14, delete the numerals "9,809,455" and insert in lieu thereof the numerals "9,959,455"
- On page 2, line 16, delete the numerals "43,892,627" and insert in lieu thereof the numerals "44,147,459"
- On page 2, line 17, delete the numerals "9,177,009" and insert in lieu thereof the numerals "9,307,573"
- On page 2, line 18, delete the numerals "34,715,618" and insert in lieu thereof the numerals "34,839,886"
- On page 2, line 19, delete the numerals "1,786,000" and insert in lieu thereof the numerals "1,388,837"
- On page 2, line 20, delete the numerals "36,501,618" and insert in lieu thereof the numerals "36,228,723"
- On page 2, line 22, delete the numerals "12,831,126" and insert in lieu thereof the numerals "12,931,391"
- On page 2, line 23, delete the numerals "3,610,270" and insert in lieu thereof the numerals "3,733,914"
- On page 2, line 25, delete the numerals "17,274,284" and insert in lieu thereof the numerals "17,498,193"
- On page 2, line 26, delete the numerals "3,552,000" and insert in lieu thereof the numerals "3,692,193"
- On page 2, line 27, delete the numerals "13,722,284" and insert in lieu thereof the numerals "13,806,000"
- On page 2, line 29, delete the numerals "14,901,239" and insert in lieu thereof the numerals "14,984,955"
- On page 2, line 31, delete the numerals "5,277,870" and insert in lieu thereof the numerals "5,266,559"
- On page 2, line 32, delete the numerals "1,503,453" and insert in lieu thereof the numerals "1,539,687"
- On page 2, line 34, delete the numerals "6,966,543" and insert in lieu thereof the numerals "6,991,466"
- On page 2, line 35, delete the numerals "1,115,656" and insert in lieu thereof the numerals "1,121,624"
- On page 3, line 1, delete the numerals "5,850,887" and insert in lieu thereof the numerals "5,869,842"
- On page 3, line 2, delete the numerals "323,600" and insert in lieu thereof the numerals "403,600"

- On page 3, line 3, delete the numerals "6,174,487" and insert in lieu thereof the numerals "6,273,442"
- On page 3, line 5, delete the numerals "3,814,714" and insert in lieu thereof the numerals "3,830,575"
- On page 3, line 8, delete the numerals "5,262,511" and insert in lieu thereof the numerals "5,278,372"
- On page 3, line 9, delete the numerals "849,326" and insert in lieu thereof the numerals "863,416"
- On page 3, line 10, delete the numerals "4,413,185" and insert in lieu thereof the numerals "4,414,956"
- On page 3, line 11, delete the numerals "341,000" and insert in lieu thereof the numerals "401,500"
- On page 3, line 12, delete the numerals "4,754,185" and insert in lieu thereof the numerals "4,816,456"
- On page 3, line 14, delete the numerals "9,973,636" and insert in lieu thereof the numerals "10,019,315"
- On page 3, line 15, delete the numerals "2,011,094" and insert in lieu thereof the numerals "2,187,180"
- On page 3, line 17, delete the numerals "12,331,306" and insert in lieu thereof the numerals "12,553,071"
- On page 3, line 18, delete the numerals "3,315,711" and insert in lieu thereof the numerals "3,355,179"
- On page 3, line 19, delete the numerals "9,015,595" and insert in lieu thereof the numerals "9,197,892"
- On page 3, after line 19, insert the following:
- "Seating - physical education activities center            300,000"
- On page 3, line 20, delete the numerals "599,100" and insert in lieu thereof the numerals "499,100"
- On page 3, line 21, delete the numerals "9,614,695" and insert in lieu thereof the numerals "9,996,992"
- On page 3, line 23, delete the numerals "4,808,189" and insert in lieu thereof the numerals "4,825,571"
- On page 3, line 24, delete the numerals "1,187,389" and insert in lieu thereof the numerals "1,241,176"
- On page 3, line 25, delete the numerals "172,021" and insert in lieu thereof the numerals "189,797"
- On page 3, line 26, delete the numerals "6,167,599" and insert in lieu thereof the numerals "6,256,544"
- On page 3, line 27, delete the numerals "1,203,759" and insert in lieu thereof the numerals "1,186,137"
- On page 3, line 28, delete the numerals "4,963,840" and insert in lieu thereof the numerals "5,070,407"
- On page 3, line 29, delete the numerals "425,900" and insert in lieu thereof the numerals "465,900"
- On page 3, line 30, delete the numerals "5,389,740" and insert in lieu thereof the numerals "5,536,307"
- On page 3, line 33, delete the numerals "1,925,942" and insert in lieu thereof the numerals "1,952,090"

- On page 3, line 34, delete the numerals "479,220" and insert in lieu thereof the numerals "494,220"
- On page 4, line 1, delete the numerals "2,488,190" and insert in lieu thereof the numerals "2,529,338"
- On page 4, line 2, delete the numerals "587,734" and insert in lieu thereof the numerals "591,182"
- On page 4, line 3, delete the numerals "1,900,456" and insert in lieu thereof the numerals "1,938,156"
- On page 4, line 4, delete the numerals "566,046" and insert in lieu thereof the numerals "453,860"
- On page 4, line 5, delete the numerals "2,466,502" and insert in lieu thereof the numerals "2,392,016"
- On page 4, line 27, delete the numerals "134,108,001" and insert in lieu thereof the numerals "135,672,859"
- On page 4, line 28, delete the word "Grant" and insert in lieu thereof the word "Grand", and delete the numerals "61,876,283" and insert in lieu thereof the numerals "63,435,692"
- On page 4, line 29, delete the word "Grant" and insert in lieu thereof the word "Grand", and delete the numerals "195,984,284" and insert in lieu thereof the numerals "199,108,551"
- On page 4, delete lines 30 through 35
- On page 5, delete lines 1 through 5
- On page 5, line 6, delete the numeral "3" and insert in lieu thereof the numeral "2"
- On page 5, delete lines 10 through 18
- On page 5, line 19, delete the numeral "5" and insert in lieu thereof thereof the numeral "3"
- On page 5, after line 26, insert the following sections:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly to continue to strongly endorse the school of medicine's education of medical students and residents by individual physicians and surgeons in existing clinics and practices.

SECTION 5. NORTH DAKOTA STATE UNIVERSITY.) In addition to the appropriations and authorizations provided by this Act, there is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, the sum of \$308,000.00 or so much thereof as may be necessary to the North Dakota state university during the biennium beginning July 1, 1979, and ending June 30, 1981, to be used only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of federal funds by the North Dakota state university pursuant to the Bankhead-Jones Act. Such reduction during each year of the biennium shall be determined by subtracting the amounts received under the Bankhead-Jones Act each year from the amounts received during the fiscal year ended June 30, 1978. Funds shall be made available pursuant to this contingency appropriation only upon approval of the state board of higher education and with written notification by such board to the director of accounts and purchases.

SECTION 6. VIETNAM BONUS FUND - TRANSFER.) The state treasurer and the director of the department of accounts and purchases upon the request of the board of higher education during the biennium beginning July 1, 1979, and ending June 30, 1981, shall transfer from the Vietnam bonus fund in the state treasury to the Minot state college operating fund \$300,000.00,



or so much thereof as may be necessary for seating for the physical education activities center at the college. The funds are appropriated for such use in a special line item in the Minot state college appropriation, and also included in such institution's estimated income.

SECTION 7. APPROPRIATION.) In addition to the appropriation in section 1 of this Act to Minot state college for seating for the physical education activities center at Minot state college, there is hereby appropriated \$800,000.00, or so much greater amounts as may become available of any private, federal, or other funds to provide seating for the center.

SECTION 8. VIETNAM BONUS FUND - TRANSFER.) The state treasurer and the director of the department of accounts and purchases upon the request of the board of higher education during the biennium beginning July 1, 1979, and ending June 30, 1981, shall transfer \$543,300.00 from the Vietnam bonus fund in the state treasury to the operating funds of the following institutions the amounts listed below, or so much thereof as may be necessary, which are also included in such institutions' appropriations for land, structures, and major improvements and estimated income for projects to make buildings and other structures more accessible to the handicapped:

University of North Dakota	\$ 443,300
North Dakota state school of science	<u>100,000</u>
Total	<u>\$ 543,300</u>

SECTION 9.) Any additional income not required by law to be deposited in the operating fund in the state treasury and income from increased enrollments is hereby appropriated. All income resulting from increased enrollments in excess of estimated income in the budget appropriated by the legislature to the institutions of higher learning must be deposited in their operating funds in the state treasury and can be expended only by authorization of the emergency commission.

The board of higher education is hereby authorized to use operating funds in addition to appropriated plant improvement funds for the maintenance, repair, and improvement of buildings and land acquisition at the various institutions, with consent of the emergency commission during the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

University of North Dakota salaries and wages were increased by \$88,000 to provide adequate funds to pay family health insurance premiums, by \$29,000 to bring the central legal research program salaries and wages up to the amount necessary for program operation, and by \$249,375 to reinstate the program for the handicapped which was deleted by the Governor from the University budget request.

Operating expenses were increased as follows: Computer costs \$80,000, central legal research cost \$36,000, and \$3,325 for the program for the handicapped.

Land, structures, and major improvements were increased to provide \$200,000 for the restoration of Oxford House and \$300,000 for land acquisitions. The amount appropriated for utilities at UND is \$2,970,57. The estimated income is increased \$443,300 for the amount of funds transferred from the Vietnam bonus fund for handicapped accessibility projects including \$100,000 for the Oxford House restoration project.

UND Medical Center

The University of North Dakota Medical Center salaries and wages were increased by \$224,261 to correct an error in the preparation of the Medical Center budget, by \$73,000 to restore funds relating to a nursing capitation grant, and reduced by \$209,228 since the amount in salaries and wages was greater than necessary for employee fringe benefits.

The program grant line item was increased by \$200,000 to allow the medical center to continue at least three AHEC centers in the state.

#### North Dakota State University

Increase salaries and wages at North Dakota State University by \$104,832. Of that amount, \$97,521 is an increase for three positions, one audiologist and two pathologists, for clinical support in speech pathology and audiology; \$10,050 is a decrease necessary to allow one custodian for only the second year of the biennium rather than for both years; and \$17,361 is an increase to provide full family medical insurance under the alternate plan. Increase operating expenses \$150,000 to provide funds for the systemwide computer network. Estimated income is increased \$130,564 to reflect correct anticipated interest income from the Land Department. Decrease land, structures, and major improvements \$397,163 to reflect a decrease in the amount available for special assessments from \$200,600 to \$53,437 and to delete \$250,000 for handicapped accessibility projects. A new section is provided to make general funds available to North Dakota State University in the event it does not receive any or all of the \$308,000 anticipated revenue from the Bankhead-Jones Act during the 1979-81 biennium.

The amount appropriated for utilities at NDSU is \$3,406,432.

#### State School of Science

The State School of Science salaries and wages were increased by \$60,615 to correct the executive budget and by \$39,650 to provide sufficient funds for family health insurance coverage. The operating expenses were increased by \$123,644 because of greater utility costs than estimated in the Governor's budget. Funds appropriated for utilities at the North Dakota School of Science for the 1979-81 biennium are \$1,171,571. Estimated income was increased by \$40,193 to reflect revised State Land Department interest and income estimates and by \$100,000 for the amount to be transferred from the Vietnam bonus fund for handicapped accessibility projects.

#### Dickinson State College

This amendment decreases salaries and wages by \$21,329 for a secretarial position allowed Dickinson State College by the Executive Budget Office for clerical workload in the departments of business, English, speech, and social science. Salaries were increased \$10,018 to provide adequate fringe benefits including the alternate family medical plan for employees. This amendment increases the land, structures, and major improvements line item by \$80,000 by adding \$180,000 to provide funds for the purchase of the Highway Department Building and by deleting \$100,000 for handicapped accessibility projects. The amendment also increases the operating expense line item by \$52,234 to provide operating expenses and repair moneys for the Highway Department Building. The operating expense line item was reduced by \$16,000 for rent moneys which had been included in the budget to rent the Highway Department Building. This amendment also increases the estimated income line item by \$5,968 for estimated Board of University and School Lands interest and income moneys. The executive budget allowed \$474,629 for utilities at Dickinson State College.

#### Mayville State College

Mayville State College salaries and wages were increased by \$31,000 for a new library position and by \$13,243 to add funds for employee medical insurance coverage. Salaries and wages were reduced by \$28,382 through the deletion of two clerk positions approved by the Governor.

Estimated income account was increased by \$14,090 to reflect revised State Land Department income interest estimates. Land, structures, ar

major improvements were increased by \$160,500 for handball courts and the addition of bleachers to the physical education facilities and reduced by \$100,000 for handicapped accessibility projects. Operating expenses include \$525,131 for utilities.

Minot State College

The appropriation for Minot State College salaries and wages was increased by \$18,817 to provide for family medical insurance coverage and by \$26,862 to correct the Governor's budget. The operating expenses are increased by \$88,886 to provide for additional computer services and by \$87,200 for anticipated increases in utilities. Total utilities are \$927,294. The estimated income was increased by \$21,968 to reflect moneys which will be distributed by the State Land Department interest and income account and decreased by \$282,500 to reduce the estimated income by the amount of funds approved for expenditure during the current biennium by the Emergency Commission. The amendment also provides a \$300,000 appropriation for seating for the physical education activities center and appropriates any additional private or other funds available for this purpose. The \$300,000 is to come from the Vietnam bonus fund since funds in excess of \$500,000 have already been set aside for the physical education activities center for accessibility for the handicapped. The land, structures, and major improvements is reduced \$100,000 for handicapped accessibility projects. The House Appropriations Committee intends that the \$300,000 relating to the physical education activities center remain in the bill.

Valley City State College

The appropriation for Valley City State College salaries and wages was increased by \$17,382 to provide for family medical insurance coverage. Operating expenses are increased by \$53,787. The equipment line item is increased by \$17,776. Estimated income was increased by \$35,830 to reflect moneys which will be distributed by the State Land Department interest and income account and decreased by \$53,452 to reduce the estimated income by the amount of funds approved for expenditure during the current biennium by the Emergency Commission. The operating expenses include \$402,989 for utilities.

The land, structures, and major improvements line item is increased by \$40,000 to allow for the renovation of the women's gym. Also in the land, structures, and major improvements line item, \$100,000 is to be utilized for an addition to the physical education building, rather than for handicapped accessibility projects.

NDSU-Bottineau

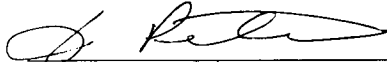
Increase salaries and wages of the State School of Forestry - Bottineau, Junior College Division, by \$26,148 to provide adequate fringe benefits and full family medical insurance under the alternate plan.

Increase operating expenses by \$15,000 for additional computer costs related to higher education's systemwide computer network. Operating expenses include \$199,784 for utilities.

Decrease the land, structures, and major improvements line item by \$112,186. Of that amount, \$53,900 is to delete funds for an elevator in Old Main and \$33,935 is to delete funds for an elevator in Thatcher Hall. Both of these projects were requested due to accessibility for the handicapped. Additional projects related to handicapped accessibility deleted from the land, structures, and major improvements line item total \$24,351 of which \$9,351 is for a ramp and restroom remodeling for Thatcher Hall, and \$15,000 is the handicapped accessibility portion of the \$280,800 approved for the gym addition.

The estimated income line item is increased \$3,448 to reflect revised estimates of interest and income from the State Land Department.

**And when so amended, recommends the same do pass.**

  
Rep. James A. Peterson

Chairman

House Bill No. 1005 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1007, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 9, delete the numerals "3,999,865" and insert in lieu thereof the numerals "4,363,488"

On page 1, delete line 14 and insert in lieu thereof the following lines:

"Bismarck junior college	\$2,520,134
Lake region junior college	1,039,864
UND-Williston center	<u>803,490</u> "

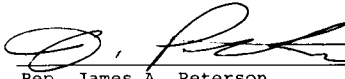
On page 1, line 15, delete the numerals "3,999,865" and insert in lieu thereof the numerals "4,363,488"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to provide a 20 percent increase in state aid to junior colleges over the 1977-79 appropriation. This will provide sufficient funds to make payments in accordance with the provisions of North Dakota Century Code Section 15-18-07.

And when so amended, recommends the same do pass.



Chairman

House Bill No. 1007 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1010, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 1, delete the numerals "6,908,044" and insert in lieu thereof the numerals "5,908,044"

On page 2, line 2, delete the numerals "22,910,784" and insert in lieu thereof the numerals "21,910,784"

On page 2, line 4, delete the numerals "6,213,818" and insert in lieu thereof the numerals "5,213,818"

On page 2, line 10, delete the numerals "10,238,818" and insert in lieu thereof the numerals "9,259,636"

- On page 2, line 11, delete the numerals "16,696,966" and insert in lieu thereof the numerals "24,968,969"
- On page 2, line 12, delete the numerals "26,935,784" and insert in lieu thereof the numerals "34,228,605"
- On page 2, line 15, delete the numerals "3,500,000" and insert in lieu thereof the numerals "3,520,818"
- On page 2, line 16, after the comma insert the following: "and \$8,272,003 in special funds or so much thereof as may be necessary,"
- On page 2, line 22, delete the numerals "2,743,214" and insert in lieu thereof the numerals "11,036,035"
- On page 2, line 23, after the word "Total" delete the words "general fund appropriation" and insert in lieu thereof the words "all funds", and delete the numerals "3,500,000" and insert in lieu thereof the numerals "11,792,821"
- On page 2, after line 23, insert the following lines:

Estimated income	8,272,003
Total general fund appropriation	\$ 3,520,818

- On page 2, line 25, delete the words "according to" and insert in lieu thereof the following "by the division of mental health and retardation of the department of health as follows:

North Central Mental Health and Retardation Center, Minot

Salaries and wages	\$ 1,030,180
Fees and services	335,563
Data processing	4,520
Supplies and materials	65,686
Equipment	5,000
Total all funds	<u>\$ 1,440,949</u>
Less estimated income	895,949
Total general fund appropriation	\$ 545,000

Center for Human Development, Grand Forks

Salaries and wages	\$ 1,657,254
Fees and services	462,502
Data processing	2,000
Supplies and materials	51,644
Equipment	20,000
Total all funds	<u>\$ 2,193,400</u>
Less estimated income	1,688,032
Total general fund appropriation	\$ 505,368

Southeast Mental Health and Retardation Center, Fargo

Salaries and wages	\$ 2,763,400
Fees and services	1,216,256
Data processing	25,051
Supplies and materials	59,686
Equipment	29,123
Total all funds	<u>\$ 4,093,516</u>
Less estimated income	3,469,711
Total general fund appropriation	\$ 623,805

South Central Mental Health and Retardation Center, Jamestown

Salaries and wages	\$ 1,340,020
Fees and services	137,500
Data processing	2,000
Supplies and materials	27,200
Equipment	2,000
Total all funds	<u>\$ 1,508,720</u>
Less estimated income	1,023,623
Total general fund appropriation	\$ 485,097

## Memorial Mental Health and Retardation Center, Mandan

Salaries and wages	\$ 1,345,935
Fees and services	413,500
Data processing	3,515
Supplies and materials	36,500
Total all fund	\$ 1,799,450
Less estimated income	1,194,688
Total general fund appropriation	\$ 604,762

Human Service Centers	\$ 756,786
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On page 2, delete lines 26 through 35

On page 3, delete lines 1 through 10

On page 3, after line 10, insert the following sections:

"SECTION 3. MENTAL HEALTH AND RETARDATION CENTERS - EXPENDITURE OF ESTIMATED INCOME.) The \$1,159,431 of estimated income appropriated to the comprehensive mental health and retardation centers in section 2 of this bill may be spent only upon approval of the budget section of the legislative council. The limitation on the expenditure of estimated income applies to the following centers:

Center for human development - Grand Forks	\$ 252,900
Southeast mental health and retardation center	510,640
Memorial mental health and retardation center	395,891
	<u>\$ 1,159,431</u>

SECTION 4. TRANSFER OF FUNDS - TITLE XIX.) Each comprehensive mental health and retardation center shall transfer funds during the 1979-81 biennium to the social service board in amounts equal to the nonfederal share of Title XIX payments which become available to such centers.

SECTION 5. SOCIAL SERVICE BOARD - STATE DEPARTMENT OF HEALTH - EMPLOYEE REDUCTION.) It is the intent of the legislative assembly that the state social service board and the state department of health shall mutually reduce the number of positions funded (filled or vacant on February 1, 1979), by fifteen before the end of the 1979-81 biennium. The reduction in the number of positions is expected to arise pursuant to the collocation of area social service and comprehensive mental health and retardation centers; however, reductions in other areas of such departments and in human service centers may also be considered as complying with the required reduction of fifteen staff positions. The social service board and the state department of health shall report to the budget section on the progress that the departments are making in reducing the number of positions before June 30, 1980. The reports presented to the budget section shall identify the positions as discontinued, the fiscal savings that will arise as a result of the discontinuance and the funds that will remain unspent during the remainder of the 1979-81 biennium.

SECTION 6. GENERAL FUNDS INCLUDED FOR NEW POSITIONS.) It is the intent of the forty-sixth legislative assembly that no general fund moneys be spent to fund any new positions approved by the forty-sixth legislative assembly. Funds included in the governor's budget totaling \$159,129.00 to provide the state matching share to fund twenty-nine new positions in the health department may be spent to provide adequate fringe benefits for current state department of health employees.

SECTION 7. MONEYS AVAILABLE FOR EARLY CHILDHOOD IDENTIFICATION PROGRAM.) Of the \$750,000.00 available for grants in the developmental disabilities program, unless it is otherwise available in the appropriation to the department of health, \$200,000.00 shall be used for the early childhood identification program as provided in House Bill No. 1624."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

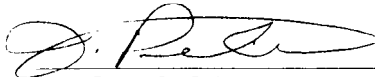
This amendment reduces the grants, benefits, and claims line item of the Health Department for the developmental disabilities program by \$1,000,000 in general funds. To the extent possible, the \$750,000 of remaining moneys for the developmental disabilities program are to be used to match funds, such as Title XX funds which may become available.

This amendment also includes an additional \$1,159,431 in estimated income and \$20,818 in general funds for mental health and retardation centers. These additional estimated income moneys may be spent by the centers only upon Budget Section approval.

This amendment also provides that the \$200,000 in general funds included in the Governor's budget for transitional living services for former State Hospital patients are to be used to continue the present level of alcohol and drug abuse programs.

The moneys appropriated for human service centers totaling \$756,786 are to be allocated to the human service centers as follows: Northwest Human Resource Center \$250,655; Lake Region Human Service Center \$186,321; and Badlands Human Service Center \$319,810.

**And when so amended, recommends the same do pass.**



Chairman

Rep. James A. Peterson

House Bill No. 1010 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1011, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 18, delete the numerals "2,996,877" and insert in lieu thereof the numerals "3,020,428"
- On page 2, line 1, delete the numerals "17,314,435" and insert in lieu thereof the numerals "17,337,986"
- On page 2, line 2, delete the numerals "15,777,471" and insert in lieu thereof the numerals "15,793,015"
- On page 2, line 3, delete the numerals "1,536,964" and insert in lieu thereof the numerals "1,544,971"
- On page 2, line 5, delete the numerals "2,863,590" and insert in lieu thereof the numerals "2,934,812"
- On page 2, line 10, delete the numerals "153,675,349" and insert in lieu thereof the numerals "155,710,304"
- On page 2, line 11, delete the numerals "158,263,318" and insert in lieu thereof the numerals "160,369,495"
- On page 2, line 12, delete the numerals "106,989,084" and insert in lieu thereof the numerals "109,070,333"
- On page 2, line 13, delete the numerals "51,274,234" and insert in lieu thereof the numerals "51,299,162"
- On page 2, line 15, delete the numerals "268,967" and insert in lieu thereof the numerals "275,759"





human service purposes determined to be eligible for funding as provided by state and federal law during the biennium beginning July 1, 1979, and ending June 30, 1981.

The social service board shall make no expenditure pursuant to this appropriation for any function or activity that has not first been approved by the legislative council's committee on budget. The social service board will audit, supervise, and monitor all projects approved under this section. The social service board shall present all requests for program approval to the legislative council's budget section in such form as may be prescribed by the budget section, or its designee.

SECTION 4. SOCIAL SERVICE BOARD - STATE DEPARTMENT OF HEALTH - EMPLOYEE REDUCTION.) It is the intent of the legislative assembly that the state social service board and the state department of health shall mutually reduce the number of positions funded (filled or vacant on February 1, 1979), by fifteen before the end of the 1979-81 biennium. The reduction in the number of positions is expected to arise pursuant to the collocation of area social service and comprehensive mental health and retardation centers; however, reductions in other areas of such departments and in human service centers may also be considered as complying with the required reduction of fifteen staff positions. The social service board and the state department of health shall report to the budget section on the progress such departments are making in reducing the number of positions before June 30, 1980. The reports presented to the budget section shall identify the positions discontinued, the fiscal savings that will arise as a result of the discontinuance, and the funds that will remain unspent during the remainder of the 1979-81 biennium.

SECTION 5. BUDGET SECTION REVIEW.) The social service board shall submit information during the 1979-81 biennium regarding the need for continuing the funding of the university of North Dakota and Minot state college social work programs. The social service board shall also report to the budget section on the allocations of administration costs to programs in the state, regional, and county offices. The reports shall indicate the amount of funds which are allocated to administration which could otherwise be allocated to services. The reports shall be specific in reporting the funds allocated to administration and the basis used for making such allocations for the 1979-81 biennium."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The purposes for amending the Social Service Board programs as provided in House Bill No. 1011 are as follows:

Administration

Increase salaries and wages by \$23,551 to provide sufficient funds for family medical insurance coverage. The federal portion of this amount is \$15,544 with the state portion being \$8,007.

Economic Assistance

The salaries and wages were increased by \$71,222 to provide sufficient funds for family medical insurance coverage. The federal portion of this amount is \$46,294 with the state portion being \$24,928. The grants, benefits, and claims line item was increased by \$2,034,955 to reflect Title XIX payments to comprehensive mental health and retardation centers of \$1,230,796 and Title XIX payments to human service centers of \$804,159. Sixty-one percent of such amounts is federal funds and 39 percent is the nonfederal portion to be paid by the comprehensive mental health and retardation center or human service center receiving the funds.

Child Support Enforcement Program

The child support enforcement program salaries and wages were increased by \$6,792 to provide sufficient funds for family medical insurance coverage. Of this amount, \$5,094 is federal funds and \$1,698 is state funds.

#### Community Services

Community services salaries and wages were increased by \$29,155 with \$17,201 in federal funds and \$11,954 in general funds. The grants, benefits, claims line item was reduced by \$3,611,271 and a new line item entitled human service centers was added in the amount of \$3,611,271.

The grants, benefits, claims line item was increased by \$140,000 to reflect the federal matching necessary to match state funds of \$159,000 to fund the \$299,000 early childhood identification program as provided by House Bill No. 1624.

The grants, benefits, and claims line item was reduced by \$190,000 in general fund moneys since this amount is included in the new section of the bill providing \$538,500 in total funds for services related to adoption.

The grants, benefits, and claims line item was increased by \$1,000,000 to reflect additional Title XX moneys which are in President Carter's budget and are expected to become available to the Social Service Board during the next biennium. These funds are to be made available to sheltered workshop programs proposed for funding by the executive budget through the developmental disabilities grant line item included in the State Department of Health budget. The general fund moneys remaining in this line item within the Department of Health are to the extent possible to be used as matching funds for these Title XX moneys.

The grants, benefits, and claims line item was increased by \$42,858 in general fund moneys to encourage county social service boards to collocate with comprehensive mental health and retardation centers and area social service centers. In addition, the line item was increased by \$58,366, \$39,691 in federal funds and \$18,675 in general fund moneys to assist area social service centers in collocating with comprehensive mental health and retardation centers before June 30, 1981.

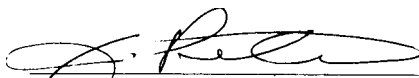
#### Vocational Rehabilitation

The Division of Vocational Rehabilitation salaries and wages were increased by \$66,764 to provide sufficient funds for family medical insurance coverage. Of this amount \$53,411,000 is federal funds and \$13,353 is from the state general fund.

Section 2 is added to the bill to provide a \$538,500 appropriation to provide special adoption services including assistance to the Open Center, Minot, North Dakota.

Section 3 is added to the bill to authorize the Social Service Board to use an additional \$1,590,000 in Title XX moneys if such moneys become available during the next biennium. It is anticipated that the federal allocation of Title XX moneys will increase and subsequently \$1.1 million of the expected \$2.1 million increase is to be made available for expenditure through this section. Four hundred ninety thousand dollars (\$490,000) of this amount will only become available to the extent that Title XIX moneys are utilized by human service centers. Human service centers are encouraged to use Title XIX moneys rather than Title XX moneys during the 1979-81 biennium.

**And when so amended, recommends the same do pass.**

  
 Rep. James A. Peterson Chairman

House Bill No. 1011 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1028, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 19, delete the numerals "6,614,442" and insert in lieu thereof the numerals "5,497,248"
- On page 1, line 20, delete the numerals "791,387" and insert in lieu thereof the numerals "622,659"
- On page 1, line 21, delete the numerals "58,774" and insert in lieu thereof the numerals "51,874"
- On page 1, line 22, delete the numerals "759,868" and insert in lieu thereof the numerals "608,252"
- On page 1, line 23, delete the numerals "873,993" and insert in lieu thereof the numerals "694,753"
- On page 1, line 24, delete the numerals "9,098,464" and insert in lieu thereof the numerals "7,474,786"
- On page 2, line 1, delete the numerals "4,877,688" and insert in lieu thereof the numerals "4,565,849"
- On page 2, line 2, delete the numerals "4,220,776" and insert in lieu thereof the numerals "2,908,937"
- On page 2, line 12, delete the numerals "4,370,078" and insert in lieu thereof the numerals "3,058,239"
- On page 2, line 13, delete the numerals "5,114,792" and insert in lieu thereof the numerals "4,802,953"
- On page 2, line 14, delete the numerals "9,484,870" and insert in lieu thereof the numerals "7,861,192"
- On page 2, line 27, delete the numerals "4,220,775" and insert in lieu thereof the numerals "3,908,936"
- On page 2, line 31, delete the words "be equal in amount to the funds expended" and insert in lieu thereof the words "equal fifty-seven percent of the funds expended by the highway patrol, not including federal funds."
- On page 2, delete lines 32 through 35
- On page 3, delete lines 1 through 14
- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The following decreases were made to the North Dakota Highway Patrol to delete funds included in the Governor's budget for the transfer of 23 positions from the Highway Department's Truck Regulatory Division to the Highway Patrol: salaries and wages decreased \$1,117,194; fees and services decreased \$168,728; data processing decreased \$6,900; supplies and materials decreased \$151,616; and equipment decreased \$179,240. Also, the estimated income line item is decreased by \$311,839 to reflect a reduction in the amount of the transfer from the state highway fund. The transfer of 23 personnel is to take place during the 1979-81 biennium in accordance with the provisions of

House Bill No. 1029 which provides that the State Highway Commissioner shall transfer before June 30, 1981, 23 truck regulatory personnel to the North Dakota Highway Patrol. The salaries and wages and other expenses required for such personnel shall be paid from moneys appropriated for the Truck Regulatory Division during the current biennium.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House Bill No. 1028 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1029, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete the numerals "242,123,416" and insert in lieu thereof the numerals "243,499,241"

On page 1, line 17, delete the numerals "45,259,486" and insert in lieu thereof the numerals "45,895,635"

On page 1, line 18, delete the numerals "8,040,236" and insert in lieu thereof the numerals "8,099,113"

On page 1, line 21, delete the numerals "17,711,870" and insert in lieu thereof the numerals "17,815,208"

On page 1, line 22, delete the numerals "6,450,385" and insert in lieu thereof the numerals "6,728,685"

On page 1, line 23, delete the numerals "2,337,464" and insert in lieu thereof the numerals "2,948,464"

On page 2, line 4, delete the numerals "4,220,775" and insert in lieu thereof the numerals "3,908,936"

On page 2, line 5, delete the numerals "242,123,416" and insert in lieu thereof the numerals "243,499,241"

On page 2, after line 5, insert the following section:

"SECTION 2. TRANSFER TRUCK REGULATORY PERSONNEL TO HIGHWAY PATROL.) The state highway commissioner shall transfer, before June 30, 1981, 23 truck regulatory personnel to the North Dakota highway patrol. The salaries and wages and other expenses required for such personnel shall be paid from moneys appropriated for the truck regulatory division upon submission of vouchers prepared and approved by the highway patrol and upon approval of the highway commissioner."

On page 2, line 6, delete the words "The line item for highway"

On page 2, delete lines 7 through 12

On page 2, line 13, delete the following: "appropriated to the highway patrol."

On page 2, line 16, delete the words "the funds expended from the general fund appropriation" and insert in lieu thereof the following: "fifty-seven percent of the funds expended by the highway patrol, not including federal funds."

On page 2, delete line 17

And renumber the lines, sections, and pages accordingly

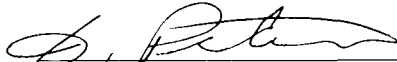
STATEMENT OF PURPOSE OF AMENDMENT:

The following increases were made to the North Dakota State Highway Department to add funds deleted from the Governor's budget for the transfer of 23 positions from the Highway Department's Truck Regulatory Division to the Highway Patrol: salaries and wages increased \$809,588; fees and services increased \$53,877; supplies and materials increased \$103,338; and equipment increased \$98,300. Also, the following increases were made related to transportation services: fees and services increased \$5,000; equipment increased \$180,000; and grants, benefits and claims increased \$611,000. The transfer of 23 positions is to take place before June 30, 1981; however, the expenditure of funds to support such personnel shall continue to be paid from moneys allocated to the Truck Regulatory Division.

Salaries and wages were decreased by \$333,439 in the Drivers Licensing Division, and increased by \$160,000 to provide for adequate fringe benefits.

The Highway Patrol transfer line item is decreased by \$311,839.

And when so amended, recommends the same do pass.



Rep. James A. Peterson

Chairman

House Bill No. 1029 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1056, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1 of the engrossed bill, line 3, delete the first word "and" and insert in lieu thereof the following: "to provide that a portion of oil and gas bonus payments received by the board of university and school lands be apportioned and distributed to the public schools and to provide that a portion of foundation program per-pupil payment increases be contingent on other fund distributions;"
- On page 1 of the engrossed bill, line 10, delete the following: "provide an effective date; and" and insert in lieu thereof the following: "repeal subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction for federal impact payments;"
- On page 1 of the engrossed bill, line 11, after the word "appropriation" and before the period insert the following: "; and to declare an emergency"
- On page 2 of the engrossed bill, after line 4, insert the following new sections:

"SECTION 3. OIL AND GAS BONUS PAYMENTS - APPORTIONMENT AND DISTRIBUTION.) Fifty percent of the oil and gas bonus payments on common school lands received by the board of university and school lands shall be deposited in the state tuition fund and distributed as provided in chapter 15-44.

SECTION 4. DISTRIBUTION OF BONUS MONEYS COLLECTED AFTER DECEMBER 31, 1978.) The distribution of oil and gas bonus payments required by section 3 of this Act applies to oil

and gas bonus payments received by the board of university and school lands after December 31, 1978. The oil and gas bonus payments received by the board of university and school lands for distribution pursuant to section 3 of this Act during the period beginning January 1, 1979, and ending June 30, 1979, shall be apportioned and distributed as provided by section 3 of this Act to the school districts after June 30, 1979."

- On page 6 of the engrossed bill, line 11, delete the word "ninety" and insert in lieu thereof the word "seventy"
- On page 6 of the engrossed bill, line 13, delete the word "sixty" and insert in lieu thereof the word "forty"
- On page 6 of the engrossed bill, line 28, delete the strike-through over the word "the"
- On page 6 of the engrossed bill, line 29, delete the strike-through
- On page 6 of the engrossed bill, line 30, delete the strike-through over the word and colon "aid:"
- On page 6 of the engrossed bill, line 31, delete the strike-through over the following: "~~a--the~~" and delete the word "the"
- On page 6 of the engrossed bill, line 33, delete the words "shall be"
- On page 6 of the engrossed bill, line 34, delete the words "subtracted from the amount of such aid"
- On page 7 of the engrossed bill, lines 1 through 9, delete the strike-through
- On page 7 of the engrossed bill, after line 9, insert the following subdivision:

"c. The amount of funds received by the school district from distributions by the board of university and school lands."

- On page 7 of the engrossed bill, after the new subdivision inserted after line 9, insert the following section:

"SECTION 11.) A new subsection to section 15-40.1-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

In addition to the amounts provided in subsection 2 of this section, the foundation program shall include ninety dollars per pupil for each year of the 1979-81 biennium, and each school district shall be entitled to an additional sum equal to that amount times the number of pupils in grades one through twelve for which the school district is entitled to payments pursuant to this chapter. School districts shall be entitled to the amount provided in this subsection only so long as moneys from oil and gas lease bonuses and interest and income from the permanent school trust funds are distributed and taken into consideration in determining the amount due each school district pursuant to this section. The amount provided in this subsection shall not be considered a part of the educational support per pupil for purposes of determining per-pupil payments pursuant to sections 15-40.1-07 and 15-40.1-08."

- On page 23 of the engrossed bill, delete lines 32 and 33 and insert in lieu thereof the following:

"SECTION 25. REPEAL.) Subdivision b of subsection 3

JOURNAL OF THE HOUSE

of section 15-40.1-06 is hereby repealed effective July 1, 1980."

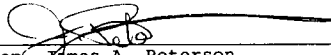
On page 24 of the engrossed bill, line 1, delete the numerals "212,098,967.00" and insert in lieu thereof the numerals "206,673,967.00"

On page 24 of the engrossed bill, after line 6, insert the following section:

"SECTION 27. EMERGENCY.) Section 4 of this Act is hereby declared to be an emergency measure and is in effect from and after the passage and approval of this Act."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House

Bill No.

1056

was placed on the

6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: A Majority of your Committee on Judiciary

to whom was referred House Bill No. 1215, has had the same under consideration and recommends that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 5 delete the words "card games, blackjack, dice games other than craps" and insert in lieu thereof the word "twenty-one"
- On page 1, line 6 after "pools;" insert the words "to provide an annual gambling occasion during which card games and dice games other than craps may also be conducted;"
- On page 1, line 12 delete "to repeal chapter 53-06.1 of the North Dakota"
- On page 1, line 13 delete "Century Code, relating to games of chance;"
- On page 1, line 14 delete the word "declard" and insert in lieu thereof the words "provide an expiration date."
- On page 1, delete all of line 15
- On page 4, line 16 delete the word "for"
- On page 4, line 17 after the word "branch" delete the word "or" and insert in lieu thereof a comma
- On page 5, line 28 after the period insert "Notwithstanding any other provision of this Act, an eligible organization, which has not been licensed by the attorney general, may use the net proceeds of such games of chance to directly benefit the eligible organization."
- On page 6, line 32 delete the words "each occasion" and insert in lieu thereof the words "commencement of the gaming activity"
- On page 6, line 33 delete the word "game" and insert in lieu thereof the word "games"
- On page 7, line 3 delete ", covering a" and insert in lieu thereof a period and the words ". Such licenses may, at the discretion of the governing body, be effective for the conduct of games of chance during a one-year period."
- On page 7, line 4 delete "period of one year."

On page 7, line 15 delete the words "on the particular occasion"

On page 7, after line 24 insert the following new sections:

"SECTION 5. COLLEGE FRATERNITIES AND SORORITIES ALLOWED TO CONDUCT RAFFLES - USE OF PROCEEDS.) A college fraternity or sorority recognized by the administration of a North Dakota college or university shall be eligible to conduct raffles and bingo under the provisions of this Act. The entire net proceeds of such raffles shall be devoted to educational, charitable, patriotic, or other public-spirited uses as defined by this Act.

"SECTION 6. CITY APPROVAL FOR RAFFLES.) A college fraternity or sorority shall apply in writing to the governing body of the city in which it is located for permission to conduct a raffle at least thirty days prior to each occasion stating the time, place, and educational, charitable, patriotic or other public-spirited uses to which the proceeds will be devoted. The applicant fraternity or sorority shall include a signed acknowledgment by the administration of the college or university that the applicant is a recognized fraternity or sorority. The governing body may at its own discretion, and upon application by a fraternity or sorority, grant permission for raffles and bingo to be held at specifically designated times and places for specific uses covering a one-year period. The governing body may by ordinance or resolution establish authorization fees not to exceed ten dollars for an authorization for one occasion and not to exceed twenty-five dollars for an authorization covering more than one occasion. If the governing body, at its own discretion, chooses to authorize raffles or bingo pursuant to this Act, the governing body may do so by resolution."

On page 8, line 31 after the word "organization" insert the words ", other than an organization conducting games of chance for its own use,"

On page 9, line 13 delete the words "The following" and insert in lieu thereof "Eligible organizations shall be permitted to conduct the following games of chance:

1. Eligible organizations licensed by the attorney general shall be permitted to conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, twenty-one, and sports pools for professional sports only.
2. Eligible organizations authorized by the governing body of a city or county may conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, and sports pools for professional sports only.
3. College fraternities or sororities may conduct raffles and bingo.

SECTION 9. ANNUAL GAMBLING OCCASION FOR ELIGIBLE ORGANIZATION AUTHORIZED BY CITY OR COUNTY.) Notwithstanding the provisions of subsections 2 and 3 of section 6 of this Act, any eligible organization which is not licensed by the attorney general pursuant to this Act may, upon one occasion during the calendar year, conduct the following games of chance: bingo, raffles, pull tabs, jars, punchboards, paddle wheel, card games, twenty-one, and dice games with the exception of craps. The annual occasion authorized by this section shall be referred to as a "casino night". The time period for a casino night may not exceed twelve hours and the event must be conducted during consecutive hours. Eligible organizations desiring to hold a casino night shall apply to the governing body of a county or city pursuant to the provisions of section 4 or 6 of this Act for authorization to conduct a casino night. The request for authorization to conduct a casino night shall be separate from and in addition to an authorization to conduct the games of chance delineated in subsection 2 and 3 of this Act."



On page 9, delete all of lines 14, 15, 16, and 17

On page 9, line 25 delete "BLACKJACK" and insert in lieu thereof "TWENTY-ONE"

On page 9, line 26 after "LIMIT" insert " - RULES OF PLAY"

On page 9, after line 35 insert the new paragraph:

"Twenty-one is a card game played by a maximum of seven players and one dealer. The dealer shall be a representative of the eligible organization sponsoring the game of chance. All players play their hand against the dealer's hand. In order to remain in the hand being dealt, neither a player nor the dealer may play a hand with a count greater than twenty-one. A count of twenty-one obtained with two cards is termed a natural twenty-one and is entitled to an automatic pay-out. In the case of a matching or tie count between a player and the dealer, no winner is declared and both persons keep their wager. No player may play more than one hand. The maximum limit per wager shall be two dollars. Only the person actually playing a hand may place a wager on any hand. Eligible organizations shall prevent wagering on a particular hand by any person other than the person playing a particular hand."

On page 10, line 2 delete "Any licensee or other" and insert in lieu thereof the words "During a casino night any"

On page 10, line 3 delete the words "on the premises"

On page 10, line 5 delete the words "licensee or"

On page 10, line 7 delete the word "licensee" and insert in lieu thereof the words "eligible organization"

On page 10, line 11 after the period insert "Sports pools shall be allowed for professional sports only."

On page 10, line 17 delete "Any licensee or other" and insert in lieu thereof the words "During a casino night any"

On page 10, line 18 delete the words "on the premises"

On page 10, line 20 delete the words "licensee or"

On page 10, line 22 delete the words "licensee or"

On page 10, line 24 delete the words "licensee or"

On page 10, line 26 delete "blackjack" and insert in lieu thereof the word "twenty-one"

On page 11, line 24 delete "forty-five percent" and insert in lieu thereof "one-third"

On page 11, line 25 after the period insert the following new sentence: "The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for taxes."

On page 12, delete all of line 7

On page 12, line 9 delete "ten" and insert in lieu thereof "five"

On page 12, line 14 after the period insert the following new sentence: "The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for expenses."

On page 13, line 12 after the period insert "No distributor may be a wholesaler or retailer of liquor or alcoholic beverages."

On page 14, after line 27 insert the following new section: "SECTION 22. EXPIRATION DATE.) The provisions of this Act shall expire at twelve midnight on June 30, 1981."

On page 14, delete all of lines 28 through 32

And renumber the lines, pages, sections accordingly

And when so amended recommends the same ~~to pass~~  be placed on the calendar without recommendation

Rep. Kretschmar	<i>[Signature]</i>	Rep. Meiers	<i>[Signature]</i>
Rep. Boyum	<i>[Signature]</i>	Rep. Stenshjem	<i>[Signature]</i>
Rep. Conny	<i>[Signature]</i>	Rep. Wentz	<i>[Signature]</i>
Rep. Dotzenrod	<i>[Signature]</i>		
Rep. Houmann	<i>[Signature]</i>		

*[Signature]* Chairman  
Rep. Winkler

Mr. Speaker: A Minority of your Committee on Judiciary

to whom was referred House Bill No. 1215, has had the same under consideration and recommends that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 5 delete the words "card games, blackjack, dice games other than craps" and insert in lieu thereof the word "twenty-one"
- On page 1, line 12 delete "to repeal chapter 53-06.1 of the North Dakota"
- On page 1, line 13 delete "Century Code, relating to games of chance;"
- On page 1, line 14 delete the word "declare" and insert in lieu thereof the words "provide an expiration date."
- On page 1, delete all of line 15
- On page 4, line 16 delete the word "for"
- On page 4, line 17 after the word "branch" delete the word "or" and insert in lieu thereof a comma
- On page 5, line 28 after the period insert "Notwithstanding any other provision of this Act, an eligible organization, which has not been licensed by the attorney general, may use the net proceeds of such games of chance to directly benefit the eligible organization."
- On page 6, line 32 delete the words "each occasion" and insert in lieu thereof the words "commencement of the gaming activity"
- On page 6, line 33 delete the word "game" and insert in lieu thereof the word "games"
- On page 7, line 3 delete ", covering a" and insert in lieu thereof a period and the words ". Such licenses may, at the discretion of the governing body, be effective for the conduct of games of chance during a one-year period."
- On page 7, line 4 delete "period of one year."
- On page 7, line 15 delete the words "on the particular occasion"
- On page 7, after line 24 insert the following new sections:  
"SECTION 5. COLLEGE FRATERNITIES AND SORORITIES ALLOWED TO CONDUCT RAFFLES - USE OF PROCEEDS.) A college

fraternity or sorority recognized by the administration of a North Dakota college or university shall be eligible to conduct raffles and bingo under the provisions of this Act. The entire net proceeds of such raffles shall be devoted to educational, charitable, patriotic, or other public-spirited uses as defined by this Act.

SECTION 6. CITY APPROVAL FOR RAFFLES.) A college fraternity or sorority shall apply in writing to the governing body of the city in which it is located for permission to conduct a raffle at least thirty days prior to each occasion stating the time, place, and educational, charitable, patriotic or other public-spirited uses to which the proceeds will be devoted. The applicant fraternity or sorority shall include a signed acknowledgment by the administration of the college or university that the applicant is a recognized fraternity or sorority. The governing body may at its own discretion, and upon application by a fraternity or sorority, grant permission for raffles and bingo to be held at specifically designated times and places for specific uses covering a one-year period. The governing body may by ordinance or resolution establish authorization fees not to exceed ten dollars for an authorization for one occasion and not to exceed twenty-five dollars for an authorization covering more than one occasion. If the governing body, at its own discretion, chooses to authorize raffles or bingo pursuant to this Act, the governing body may do so by resolution."

On page 8, line 31 after the word "organization" insert the words  
", other than an organization conducting games of chance  
for its own use,"

On page 9, line 13 delete "The following" and insert in lieu thereof  
"Eligible organizations shall be permitted to conduct the  
following games of chance:

1. Eligible organizations licensed by the attorney general shall be permitted to conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, twenty-one, and sports pools for professional sports only.
2. Eligible organizations authorized by the governing body of a city or county may conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, and sports pools for professional sports only.
3. College fraternities or sororities may conduct raffles and bingo."

On page 9, delete all of lines 14, 15, 16 and 17

On page 9, line 25 delete "BLACKJACK" and insert in lieu thereof  
"TWENTY-ONE"

On page 9, line 26 after "LIMIT" insert " - RULES OF PLAY"

On page 9, after line 35 insert the new paragraph:

"Twenty-one is a card game played by a maximum of seven players and one dealer. The dealer shall be a representative of the eligible organization sponsoring the game of chance. All players play their hand against the dealer's hand. In order to remain in the hand being dealt, neither a player nor the dealer may play a hand with a count greater than twenty-one. A count of twenty-one obtained with two cards is termed a natural twenty-one and is entitled to an automatic pay-out. In the case of a matching or tie count between a player and the dealer, no winner is declared and both persons keep their wager. No player may play more than one hand. The maximum limit per wager shall be two dollars. Only the person actually playing a hand may place a wager on any hand. Eligible organizations shall prevent wagering on a particular hand by any person other than the person playing a particular hand."

- On page 10, delete all of lines 1 through 8
- On page 10, line 11 after the period insert "Sports pools shall be allowed for professional sports only."
- On page 10, delete all of lines 16 through 27
- On page 11, line 24 delete "forty-five percent" and insert in lieu thereof "one-third"
- On page 11, line 25 after the period insert the following new sentence: "The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for taxes."
- On page 12, delete all of line 7
- On page 12, line 9 delete "ten" and insert in lieu thereof "five"
- On page 12, line 14 after the period insert the following new sentence: "The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act without any reduction for expenses."
- On page 13, line 12 after the period insert "No distributor may be a wholesaler or retailer of liquor or alcoholic beverages."
- On page 14, after line 27 insert the following new section: "SECTION 19. EXPIRATION DATE.) The provisions of this Act shall expire at twelve midnight on June 30, 1981."
- On page 14, delete all of lines 28 through 32

And renumber the lines, pages, sections accordingly

And when so amended recommends the same without recommendation.

be placed on the calendar

Rep. Winkjer *Sam Winkjer*  
 Rep. Benedict *Jim Benedict*  
 Rep. Berge *Rep. Berge*  
 Rep. Lardy *Bill Lardy*  
 Rep. Reed *Burness Reed*

Rep. Richie *Craig J. Richie*  
 Rep. Thompson *Thompson*  
 \_\_\_\_\_  
 \_\_\_\_\_

*Sam Winkjer* Chairman  
 Rep. Winkjer

The Reports of the Majority and the report of the Minority with House Bill No. 1215 were placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1221, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 6; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

- On page 1, line 3, after the word "park" insert the following:  
"; and to amend and reenact subsection 2 of section 12 of chapter 563 of the 1975 Session Laws and subsection 2 of section 12 of chapter 560 of the 1977 Session Laws, relating to the special trust funds created for the receipt of coal severance taxes"
- On page 1, line 10, delete the words "from special funds" and insert in lieu thereof the words "the coal severance tax trust"
- On page 1, line 11, delete the words "derived from federal"
- On page 1, line 20, delete the numerals "1,640,000.00" and insert in lieu thereof the numerals "2,640,000.00"
- On page 1, line 21, delete the numerals "2,174,500.00" and insert in lieu thereof the numerals "3,174,500.00"
- On page 1, line 22, delete the numerals "1,104,500.00" and insert in lieu thereof the numerals "534,500.00"
- On page 1, line 23, delete the numerals "1,070,000.00" and insert in lieu thereof the numerals "2,640,000.00"
- On page 1, after line 23, insert the following sections:

"SECTION 2. APPROPRIATION FROM GENERAL FUND - REPLACEMENT IF APPROPRIATION USED.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,030,000.00, or so much thereof as may be necessary, to the North Dakota parks and recreation department for the acquisition of the cross ranch state park only if and to the extent that available moneys in the coal severance tax trust funds created by chapter 563 of the 1975 Session Laws and chapter 560 of the 1977 Session Laws do not amount to \$2,640,000.00. Any funds appropriated under this section and used by the department of parks and recreation for the acquisition of the cross ranch state park shall be repaid out of moneys in any trust fund created for the receipt of coal severance taxes as provided in section 3.

SECTION 3. TRANSFER.) There is hereby transferred on a quarterly basis to the general fund in the state treasury out of any trust fund created for the receipt of coal severance taxes fifty percent of all moneys received by the trust fund after the balance in the trust fund attains \$1,000,000.00. The transfers shall be continued until an amount equal to the general fund appropriation provided by section 2 is fully transferred to the general fund.

SECTION 4. COOPERATION WITH TAXING DISTRICTS.) It is the intent of the legislative assembly that the director of state parks and recreation cooperate with county and other local governmental officials in the various taxing districts in which cross ranch state park is located to work out mutually satisfactory arrangements concerning noxious weed control, wild-life, fire protection, and access roads. The legislative assembly recognizes that, because of the size of the cross ranch state park, special provisions and considerations are necessary as concern that park which may not be necessary for other state parks.

SECTION 5. PAYMENTS IN LIEU OF REAL PROPERTY TAXES.) The director of state parks and recreation shall annually make payments subject to legislative appropriations for that purpose to the county, school districts, townships, and all other taxing districts in which the cross ranch state park is located, which payments shall be in lieu of taxes which would otherwise be available to such political subdivisions if the real property upon which the payments are based were not owned by the state. The real property constituting cross ranch state park shall be

assessed and valued in the same manner as other real property in the state is assessed and valued for tax purposes, except that improvements to real property shall not be considered in such valuation. Prior to June thirtieth of each year, the county auditor of Oliver County shall give notice in writing to the director of state parks and recreation and to the state tax commissioner of the value placed upon the real property of cross ranch state park by the county board of equalization. After equalization by the state board of equalization, the mill levies which apply to other taxable property in the taxing districts in which cross ranch state park is located shall be extended against the real property subject to taxation as provided in this Act. The payments by the director of state parks and recreation pursuant to the provisions of this section shall be apportioned to the county and other taxing districts in which the property is located by the county auditor in the same proportions and in the same manner as other real property taxes are apportioned.

SECTION 6. AMENDMENT.) Subsection 2 of section 12 of chapter 563 of the 1975 Session Laws is hereby amended and reenacted to read as follows:

2. Thirty percent shall be credited to a special fund in the state treasury to be held in trust to be administered by the board of university and school lands, which shall have full authority to invest such funds and may consult with the state investment board as provided by law. The income from such trust shall be deposited in the state's general fund. Such Except as provided by sections 1 and 2 of this Act, the trust fund shall be perpetual and held in trust as a replacement for depleted natural resources.

SECTION 7. AMENDMENT.) Subsection 2 of section 12 of chapter 560 of the 1977 Session Laws is hereby amended and reenacted to read as follows:

2. Fifteen percent shall be credited to a special fund in the state treasury to be held in trust to be administered by the board of university and school lands for loans to impacted counties, cities, and school districts as provided in section 13 of this Act. The board of university and school lands shall have full authority to invest such funds as are not loaned as provided in this chapter and may consult with the state investment board as provided by law. The income, including interest payments on loans, from such trust shall be deposited in the state's general fund. Loan principal payments shall be redeposited in the trust fund. Such Except as provided by sections 1 and 2 of this Act, the trust fund shall be perpetual and held in trust as a replacement for depleted natural resources subject to the provisions of this chapter."

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

The amendment provides for the purchase of the Cross Ranch from moneys in the coal severance tax trust fund.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Bill No. 1221

House \_\_\_\_\_ was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred House

Bill No. 1223, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 7; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 19 delete the numeral "4" and insert in lieu thereof the numeral "3"

On page 3, line 25 after the numeral "2," insert the numeral "3,"

On page 4, line 3 after "serves" and before the period insert the words and comma ", except as permitted by specific rules or regulations adopted by the North Dakota parks and recreation department"

On page 4, line 17 delete the word "Pets" and insert in lieu thereof the words "The owner of pets"

On page 4, line 19 delete the word "All" and insert in lieu thereof the words "The owner or operator of any" and also delete the word "vehicles" and insert in lieu thereof the word "vehicle"

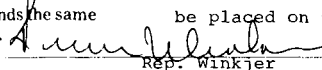
On page 4, line 29 delete the words "All motorcycles, snowmobiles, minibikes, and" and insert in lieu thereof the words "The owner or operator of any motorcycle, snowmobile, minibike, or"

On page 4, line 30 delete the word "vehicles" and insert in lieu thereof the word "vehicle"

On page 5, delete all of line 4

On page 5, line 32 delete the word "defandant" and insert in lieu thereof the word "defendant"

And renumber the lines, subsections and pages accordingly

And when so amended, recommends the same be placed on the calendar without recommendation.  Chairman

House          Bill No. 1223 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1339, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, delete the words and commas "and to provide for increased sales, use,"

On page 1, delete line 4

On page 1, line 5, delete the words "falls below a certain level" and insert in lieu thereof the following: "to create and enact a new section to chapter 57-40.3 of the

North Dakota Century Code, relating to the motor vehicle excise tax"

On page 1, line 6, delete the word "and", delete the words "subdivision a of"

On page 1, line 7, delete the following: "subsection 3 of section 15-40.1-06, sections"

On page 1, line 10, after the numerals "15-59.1-05" insert the following: "subdivision f of subsection 1 of section 57-38-01.2, subdivision d of subsection 1 of section 57-38-01.3, and sections 57-39.2-02.1, 57-39.2-08.2, and 57-40.2-02.1"

On page 1, line 12, delete the words "and to reduce the"

On page 1, line 13, delete the words "school district equalization factor" and insert in lieu thereof the following: "to provide for adjustments to taxable income for individuals and fiduciaries and for corporations, and relating to sales, use, and motor vehicle excise tax rates and sales tax brackets"

On page 1, line 17, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "57-15-24" insert the words and numerals "and 57-38-66"

On page 1, line 18, delete the word "and" and insert in lieu thereof a comma

On page 1, line 19, after the word "schools" and before the semicolon insert the following: ", and to the business privilege tax"

On page 5, delete lines 22 through 35

On page 6, delete lines 1 through 35

On page 7, delete lines 1 through 7

On page 9, delete lines 6 through 18

On page 23, after line 35, insert the following sections:

"SECTION 19. AMENDMENT.) Subdivision f of subsection 1 of section 57-38-01.2 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- f. Increased by the amount of any income taxes, or franchise or privilege taxes measured by income, to the extent that such taxes were deducted to determine federal taxable income. ~~However, these taxes, paid or accrued as the case may be during the applicable tax year, imposed by section 57-38-66 of this chapter shall be allowable as a deduction when determining taxable income for state income tax purposes.~~

SECTION 20. AMENDMENT.) Subdivision d of subsection 1 of section 57-38-01.3 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- d. Increased by the amount of any income taxes, or franchise or privilege taxes measured by income, to the extent that such taxes were deducted to determine federal taxable income. ~~However, these taxes, paid or accrued as the case may be during the applicable tax year, imposed by section 57-38-66 of this chapter shall be allowable~~



## JOURNAL OF THE HOUSE

~~as-a-deduction-when-determining-taxable  
income-for-state-income-tax-purposes-~~

SECTION 21. AMENDMENT.) Section 57-39.2-02.1 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-02.1. SALES TAX IMPOSED.)

1. Except as otherwise expressly provided in subsection 2 for sales of farm machinery and irrigation equipment used exclusively for agricultural purposes, and except as otherwise expressly provided in this chapter, there is hereby imposed a tax of ~~three~~ four percent upon the gross receipts of retailers from all sales at retail including the leasing or renting of tangible personal property as hereinafter provided in this section, within the state of North Dakota of the following to consumers or users:
  - a. Tangible personal property, consisting of goods, wares, or merchandise, except farm machinery and irrigation equipment used exclusively for agricultural purposes.
  - b. The furnishing or service of steam, gas, water, or communication services.
  - c. Tickets or admissions to places of amusement or entertainment or athletic events, including amounts charged for participation in an amusement, entertainment or athletic activity, and including the playing of any machine for amusement or entertainment in response to the use of a coin.
  - d. Magazines and other periodicals, including subscriptions thereto.
  - e. The leasing or renting of hotel, motel, or tourist court accommodations for periods of less than thirty consecutive calendar days or one month.
  - f. The leasing or renting of tangible personal property the transfer of title to which has not been subjected to a retail sales tax under this chapter or a use tax under the provisions of chapter 57-40.2.
2. There is hereby imposed a tax of ~~two~~ three percent upon the gross receipts of retailers from all sales at retail of farm machinery and irrigation equipment used exclusively for agricultural purposes, including the leasing or renting of farm machinery and irrigation equipment used exclusively for agricultural purposes within the state of North Dakota to consumers or users.

SECTION 22. AMENDMENT.) Section 57-39.2-08.2 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-08.2. SALES TAX TO BE ADDED TO PURCHASE PRICE AND BE A DEBT.)

1. Except as otherwise provided in subsection 2, retailers shall add the tax imposed under this chapter, or the average equivalent thereof, to the sales price or charge, and when added, such

tax shall constitute a part of such price or charge, shall be a debt from the consumer or user to the retailer until paid, and shall be recoverable at law in the same manner as other debts. In adding such tax to the price or charge, retailers shall adopt the following bracket system for the application of the tax:

\$0.01 to \$0.15	.....	no tax
\$0.16 to <del>\$0.33</del> \$0.31	.....	1¢ tax
<del>\$0.34</del> \$0.32 to <del>\$0.67</del> \$0.51	.....	2¢ tax
<del>\$0.68</del> \$0.52 to <del>\$1.00</del> \$0.71	.....	3¢ tax
\$0.72 to \$1.00	.....	4¢ tax
Each additional \$1.00 - <del>3¢</del> 4¢ additional tax, or		
each additional <del>33¢</del> 25¢ or fraction thereof over		
\$1.00 - 1¢ additional tax.		

2. On retail sales of farm machinery and irrigation equipment used exclusively for agricultural purposes, retailers shall add the tax imposed under this chapter, or the average equivalent thereof, to the sales price or charge, and when added, such tax shall constitute a part of such price or charge, shall be a debt from the consumer or user to the retailer until paid, and shall be recoverable at law in the same manner as other debts. In adding such tax to the price or charge, retailers shall add to it two percent of such price or charge.

SECTION 23. AMENDMENT.) Section 57-40.2-02.1 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-40.2-02.1. USE TAX IMPOSED.)

1. Except as otherwise expressly provided in subsection 2 for purchases of farm machinery and irrigation equipment used exclusively for agricultural purposes, an excise tax is imposed on the storage, use, or consumption in this state of tangible personal property purchased at retail for storage, use, or consumption in this state, at the rate of ~~three~~ four percent of the purchase price of such property. Except as limited by section 57-40.2-11, an excise tax is imposed on the storage, use, or consumption in this state of tangible personal property not originally purchased for storage, use, or consumption in this state at the rate of ~~three~~ four percent of the fair market value of such property at the time it was brought into this state.
2. An excise tax is imposed on the storage, use, or consumption in this state of farm machinery and irrigation equipment used exclusively for agricultural purposes purchased at retail for storage, use, or consumption in this state at the rate of ~~two~~ three percent of the purchase price thereof. Except as limited by section 57-40.2-11, an excise tax is imposed on the storage, use, or consumption in this state of farm machinery and irrigation equipment used exclusively for agricultural purposes not originally purchased for storage, use, or consumption in this state at the rate of ~~two~~ three percent of the fair market value of such farm machinery and irrigation equipment used exclusively for agricultural purposes at the time it was brought into this state.

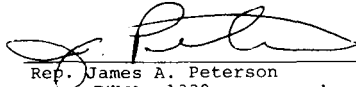
SECTION 24.) A new section to chapter 57-40.3 of the North Dakota Century Code is hereby created and enacted to read as follows:

SEPARATE AND ADDITIONAL TAX IMPOSED.) There is hereby imposed an excise tax at the rate of one percent on the purchase price of any motor vehicle purchased or acquired either in or outside of the state of North Dakota for use on the streets and highways of this state and required to be registered under the laws of this state. The tax herein imposed shall be in addition to any other taxes provided for by law on the purchase price of any motor vehicle purchased or acquired either in or outside of the state of North Dakota for use on the streets and highways of this state and required to be registered under the laws of this state."

- On page 24, line 5, after the numerals "57-15-06" insert the words and numerals "and section 57-38-66"
- On page 24, line 10, delete the numerals "30,000,000.00 and insert in lieu thereof the numerals "18,300,000.00"
- On page 24, line 15, delete the numeral "4" and insert in lieu thereof the following: "21, 22, 23", and delete the numeral "8" and insert in lieu thereof the numeral "24"
- On page 24, line 19, delete the word "and", and after the word "sections" insert the numeral and comma "4,"
- On page 24, line 20, after the first comma insert the following: "8," after the numerals and comma "17," insert the word "and", and delete the following: "19, and 20,"
- On page 24, line 23, after the numerals "1981" and before the period insert the following: "and the provisions of sections 19 and 20 and the repeal of section 57-38-66 of the North Dakota Century Code shall be effective for all taxable years beginning on or after January 1, 1979"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House Bill No. 1339 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1438, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 14, after June 30, delete 1980 and insert in lieu thereof 1981

On page 2, line 27, after June 30, delete 1980 and insert in lieu thereof 1981

On page 4, line 8, after the word "patrol" insert the words  
",or the commissioner's agents,"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of this amendment is to delay it one year.



Chairman

Rep. James A. Peterson

House

Bill No. 1438

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1531, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 5; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 8, delete the word "cash" and insert in lieu thereof the word "unobligated"

On page 1, line 13, delete the numerals "22,826,780.00" and insert in lieu thereof the numerals "29,611,780.00"

On page 1, line 17, delete the word "cash" and insert in lieu thereof the word "unobligated"

On page 2, line 12, delete the numerals "22,826,780.00" and insert in lieu thereof the numerals "29,611,780.00"

On page 3, delete lines 3 and 4

On page 3, line 5, delete the numerals "1,512,780" and insert in lieu thereof the numerals "1,012,780"

On page 3, line 13, delete the underscore under the numerals "250,000"

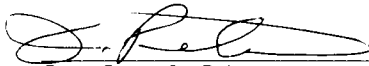
On page 3, after line 13 insert the following lines:

State hospital	Ward building	7,000,000
Industrial school	Vocational education and maintenance shop complex	635,000
School for the blind	Garage and storage addition	150,000

On page 3, line 14, delete the numerals "22,826,780" and insert in lieu thereof the numerals "29,611,780"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

House

Bill No. 1531

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1566, has had the same under consideration and recommends, by a vote of

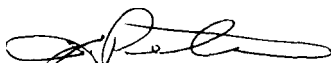
Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 3, delete "; and providing an  
On page 1, line 4, delete the word "appropriation"  
On page 2, delete lines 23 through 30

And renumber the lines accordingly



Chairman

Rep. James A. Peterson

House Bill No. 1566 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred House

Bill No. 1631, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

On page 2, line 6 delete the numerals "29-30-06" and insert in lieu thereof the numeral and words "6 of this Act"

On page 3, line 13 delete the numerals "29-30-23" and insert in lieu thereof the numeral "23"

On page 4, line 32 before the period insert the following:  
"; provided, however, that the warrant of the governor and the papers submitted by the demanding state shall be considered prima facie sufficient and the burden of proof shall be on the prisoner; and, further provided, that the personal presence of witnesses from the demanding state shall ordinarily not be required and the testimony can be established by affidavit or other means"

On page 6, line 28 delete the words "judge or"

On page 7, line 3 delete the words "judge or"

On page 7, line 9 after the word "accused" insert the word "shall"

On page 7, line 15 delete the words "judge or"

On page 7, line 16 delete the words "by bond, with sufficient sureties, and"

On page 7, line 17 delete the word "for" and insert in lieu thereof the word "upon"

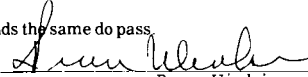
On page 7, line 18 delete the words "in such bond"

On page 7, line 20 before the period insert the following:  
"; provided, however, that the prisoner shall not be entitled to bail after issuance of the warrant of the governor of this state"

- On page 7, line 24 delete the words "judge or"
- On page 7, line 26 delete the words "judge or" and following the word "magistrate" delete the word "judge"
- On page 7, line 28 delete ", but within a period not to exceed sixty days after" and insert in lieu thereof the following: "; provided, however, that the prisoner or his attorney of record may waive any of the time limitations provided in this Act expressly or by requesting that the matter be continued or by release on bail."
- On page 7, delete all of line 29
- On page 7, line 32 delete the word "bond" and insert in lieu thereof the word "bail" and also delete the words "judge, or"
- On page 7, line 33 delete the word "bond" and insert in lieu thereof the word "bail"
- On page 7, line 35 delete the word "bond" and insert in lieu thereof the word "bail"
- On page 8, line 1 delete the word "bonds" and insert in lieu thereof the word "bail"
- On page 9, line 28 delete the word "duplicate" and insert in lieu thereof the word "triplicate"
- On page 9, line 29 delete the word "two" and insert in lieu thereof the word "three"
- On page 9, line 35 delete the word "duplicate" and insert in lieu thereof the word "triplicate"
- On page 11, line 6 after the period, insert the following new sentence: "Nothing herein shall prevent such judge from determining at such hearing that the prisoner executed a waiver of extradition before leaving the demanding state as a condition of his release, bail, probation or parole and that such waiver is legally valid and binding on the prisoner and in that event the judge shall order his immediate confinement and delivery as set forth in the next paragraph."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Chairman  
 Rep. Winkjer

House Bill No. 1631 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred \_\_\_\_\_ House

Bill No. 1639, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 6; Absent, 1, that the same

do pass.                       do not pass.                       be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10, after the word "of" insert the words "not less than"

On page 1, line 10, after the word "month" delete "or six"

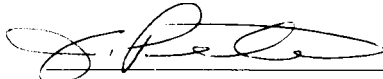
On page 1, delete lines 11, 12 and 13

On page 1, line 14, delete the words "base for computing the increases  
in the second sentence"

**And when so amended, recommends the same do pass.**

**Statement of the Purpose of the Amendment:**

The purpose of this amendment is to delete a portion of the bill which remained after the House Education Committee amended the bill. The portion deleted was inconsistent with the bill as previously amended.



Chairman

Rep. James A. Peterson

Bill No. 1639

House \_\_\_\_\_ was placed on the \_\_\_\_\_ 6th  
order of business on the calendar for the succeeding legislative day.

**FIRST READING OF SENATE BILLS**

**Senate Bill No. 2003.** Director of Accounts and Purchases — A Bill for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of accounts and purchases of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2008.** School for the Deaf and School for the Blind — A Bill for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2040.** — A Bill for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2056.** — A Bill for an Act to provide for the creation of multidistrict special education boards; to amend and reenact sections 15-40.1-16.1, 15-59-01, 15-59-05.1, 15-59-06, 15-59-07, and 15-59-08 of the North Dakota Century Code, relating to transportation costs, special education of exceptional children, financing and mill levies for special education; and to repeal section 15-59-09 and chapter 15-59.1 of the North Dakota Century Code, relating to county special education programs and the election to discontinue the mill levy for special education.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2208.** — A Bill for an Act to amend and reenact subsection 1 of section 54-44.1-06 of the North Dakota Century Code, relating to the preparation of budget data.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2217.** — A Bill for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to an offset of social security benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2219.** — A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, relating to an increase in death benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2227.** — A Bill for an Act to authorize the state board of higher education to sell and convey certain land owned by the state of North Dakota, proceeds to go to the general fund.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2229.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 52-06-04 of the North Dakota Century Code, relating to unemployment compensation weekly benefit amount and qualifying wages; and to amend and reenact section 52-06-05 of the North Dakota Century Code, relating to maximum potential unemployment compensation benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2231.** — A Bill for an Act to amend and reenact subsections 6 and 26 of section 52-01-01, section 52-02-01 and section 52-07.1-02 of the North Dakota Century Code, relating to the North Dakota Unemployment Compensation Law, and to amend and reenact section 52-08-02 and section 52-08-03 of the North Dakota Century Code, relating to the North Dakota state employment service.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2265.** — A Bill for an Act to amend and reenact subsections 2 and 3 of section 52-04-03 of the North Dakota Century Code, relating to wages subject to unemployment compensation contributions; to amend and reenact section 52-04-05 of the North Dakota Century Code, relating to standard rate of unemployment compensation contributions; to amend and reenact section 52-04-06 of the North Dakota Century Code, relating to variations in standard rate of unemployment compensation contributions; to provide an effective date; and declaring an emergency.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2278.** — A Bill for an Act to provide for notification by the employment security bureau to base-period employers of actual or estimated charges against the base-period employers' accounts.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p.m., Thursday, February 22, 1979.

ROY GILBREATH, Chief Clerk



THIRTY-SIXTH DAY

Bismarck, February 22, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Sister Monica Urlacher, St. Alexius Hospital, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Crabtree, DuBord, Eagles, Fleming, Hickie, and Lee.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-fifth Day

day and recommends that the same be corrected as follows:

On page 1108, line 8, delete the words "do pass" and insert in lieu thereof "and be placed on the calendar without recommendation"

And when so corrected recommends that the same be approved

Steve J. Smith Chairman Rep. Swartz

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1002
HB NO. 1004
HB NO. 1009
HB NO. 1024
HB NO. 1071
HB NO. 1165
HB NO. 1228
HB NO. 1252
HB NO. 1370

- HB NO. 1410 \_\_\_\_\_
- HB NO. 1428 \_\_\_\_\_
- HB NO. 1485 \_\_\_\_\_
- HB NO. 1559 \_\_\_\_\_
- HB NO. 1590 \_\_\_\_\_
- HB NO. 1594 \_\_\_\_\_
- HB NO. 1605 \_\_\_\_\_
- HB NO. 1608 \_\_\_\_\_
- HB NO. 1624 \_\_\_\_\_
- HB NO. 1627 \_\_\_\_\_

and find the same correctly } Engrossed

*Wayne Stenejem* Chairman  
 Rep. Stenejem moved that the report be adopted, which

Representative Dietz motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1048 \_\_\_\_\_
- HB NO. 1319 \_\_\_\_\_
- HB NO. 1634 \_\_\_\_\_

and find the same correctly Re } Engrossed

*Wayne Stenejem* Chairman  
 Rep. Stenejem moved that the report be adopted, which

Representative Dietz motion prevailed, and the report was adopted.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1005 as recommended by the Committee on Appropriations as printed on pages 1076, 1077, 1078, 1079, 1080, 1081 and 1082 of the House Journal be adopted.

Rep. Maixner requested a recorded roll call vote, which request was granted.

The question was Rep. Peterson's motion to adopt the amendments to House Bill No. 1005.

ROLL CALL

The roll was called and there were ayes, 55; nays, 41; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	HERMAN		•	WATSON		•	UNHEM	
		•	•	HICKLE		•	WEIERS	•	•	VANDERVORST	•
•	BERG			HOFFNER	•		WEI BY		•	VIG	
•	BERGE			HOU MANN			WERTENS	•		WAGNER	
	BERGER	•		HOVE			WEYER	•		WALD	
•	BJORNSON			JACOBSEN, R.			MURPHY	•		WALSH	•
•	BLACK			JACOBSON, I.	•		MUSHIK	•		WEBER	
	BOYUM	•		KELLY			NICHOLAS			WENTZ	
	BROKAW	•		KENNELLY			OLSON	•		WESSMAN	
•	CHRISTENSEN			KERMOTT			OPEDAHL			WINKLER	
•	CONMY			KINGSBURY			PELTIER				
	CRABTREE	•		KLOUBEC			PETERSON			MR. SPEAKER	
	DICK	•		ANDUSON			POMEROY				

• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUIED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

The motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1007 as recommended by the Committee on Appropriations as printed on page 1083 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1010 as recommended by the Committee on Appropriations as printed on pages 1083, 1084, 1085, and 1086 of the House Journal be adopted, which motion prevailed on a verification vote.

Rep. Peterson moved that the amendments to House Bill No. 1011 as recommended by the Committee on Appropriations as printed on pages 1086, 1087, 1088, and 1089 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1028 as recommended by the Committee on Appropriations as printed on pages 1090 and 1091 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1029 as recommended by the Committee on Appropriations as printed on pages 1091 and 1092 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1056 as recommended by the Committee on Appropriations as printed on pages 1092, 1093 and 1094 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1126 as recommended by the Committee on Education as printed on page 1070 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1215 as recommended by the Majority of the Committee on Judiciary as printed on pages 1094, 1095, 1096 and 1097 of the House Journal be adopted, which motion failed on a verification vote.

Rep. Winkjer moved that the amendments to House Bill No. 1215 as recommended by the Minority of the Committee on Judiciary as printed on pages 1097, 1098 and 1099 of the House Journal be adopted, which motion prevailed, on a verification vote.

Rep. Peterson moved that the amendments to House Bill No. 1221 as recommended by the Committee on Appropriations as printed on pages 1099, 1100, and 1101 of the House Journal be adopted, which motion failed on a verification vote.

Rep. Winkjer moved that the amendments to House Bill No. 1223 as recommended by the Committee on Judiciary as printed on page 1102 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1326 as recommended by the Committee on Natural Resources as printed on page 1071 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1339 as recommended by the Committee on Appropriations as printed on pages

1102, 1103, 1104, 1105, and 1106 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1413 as recommended by the Committee on Appropriations as printed on page 1071 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1438 as recommended by the Committee on Appropriations as printed on pages 1106 and 1107 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1496 as recommended by the Committee on Appropriations as printed on page 1072 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1531 as recommended by the Committee on Appropriations as printed on page 1107 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1566 as recommended by the Committee on Appropriations as printed on pages 1107 and 1108 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1587 as recommended by the Committee on Finance and Taxation as printed on page 1073 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1588 as recommended by the Committee on Appropriations as printed on page 1073 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1631 as recommended by the Committee on Judiciary as printed on pages 1108 and 1109 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to House Bill No. 1639 as recommended by the Committee on Appropriations as printed on pages 1109 and 1110 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1672 as recommended by the Committee on Finance and Taxation as printed on pages 1074 and 1075 of the House Journal be adopted, which motion prevailed.

#### MESSAGE TO THE SENATE

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1008

House Bill No. 1015

House Bill No. 1030

House Bill No. 1142

House Bill No. 1226

House Bill No. 1257

House Bill No. 1352

House Bill No. 1430

House Bill No. 1489

House Bill No. 1502

House Bill No. 1564

House Bill No. 1585

House Bill No. 1610

House Bill No. 1636

House Bill No. 1637

House Bill No. 1650

House Bill No. 1681

House Concurrent Resolution No. 3009

House Concurrent Resolution No. 3021

House Concurrent Resolution No. 3023  
House Concurrent Resolution No. 3027  
House Concurrent Resolution No. 3042  
House Concurrent Resolution No. 3043  
House Concurrent Resolution No. 3044  
House Concurrent Resolution No. 3045  
House Concurrent Resolution No. 3046  
House Concurrent Resolution No. 3048.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2002  
Senate Bill No. 2013  
Senate Bill No. 2095  
Senate Bill No. 2150  
Senate Bill No. 2160  
Senate Bill No. 2233  
Senate Bill No. 2283  
Senate Bill No. 2286  
Senate Bill No. 2309  
Senate Bill No. 2327  
Senate Bill No. 2358  
Senate Bill No. 2367  
Senate Bill No. 2371  
Senate Bill No. 2394  
Senate Bill No. 2404  
Senate Bill No. 2413  
Senate Bill No. 2428  
Senate Bill No. 2433  
Senate Bill No. 2444  
Senate Bill No. 2452  
Senate Bill No. 2460  
Senate Bill No. 2465  
Senate Bill No. 2469  
Senate Concurrent Resolution No. 4004  
Senate Concurrent Resolution No. 4025  
Senate Concurrent Resolution No. 4030  
Senate Concurrent Resolution No. 4033  
Senate Concurrent Resolution No. 4034  
Senate Concurrent Resolution No. 4049  
Senate Concurrent Resolution No. 4050.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 1165.** — A Bill for an Act to create and enact a new section to title 30.1 of the North Dakota Century Code, to provide that a nonresident alien may not take land suitable for agricultural purposes either through intestate succession as an heir or by will, and providing for the disposal of such land; and to amend and reenact sections 30.1-04-12 and 47-01-11 of the North Dakota Century Code, relating to an alien's right to inherit and persons qualified to own property, and providing that an alien may not inherit land suitable for agricultural purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 7; nays, 82; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG	•		HOFFNER		•	MELBY	•		VG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW	•		KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	PELTIER		•	MR. SPEAKER		•
CRABTREE		•	KLOUBEC		•	PETERSON		•			
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD	•		KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA	•		RICHARD		•			
EAGLES		•	LANG		•	RICHE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEWING	•		LARDY		•	RUED		•			
FREBORG		•	LARSON, F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G # 29		•	SCOFIELD		•			
GERL		•	LARSON, H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIA		•	SWONTEK		•			
HANSON		•	MAIXNER	•		THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSgard		•			
HAUSAUER, A # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1205.** Capital Construction Fund — A Bill for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing a conditional appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 86; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG	•		HOFFNER		•	MELBY	•		VG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW	•		KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
CONMY		•	KINGSBURY		•	PELTIER		•	MR. SPEAKER		•
CRABTREE		•	KLOUBEC		•	PETERSON		•			
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA	•		RICHARD		•			
EAGLES		•	LANG		•	RICHE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEWING	•		LARDY		•	RUED		•			
FREBORG		•	LARSON, F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G # 29		•	SCOFIELD		•			
GERL		•	LARSON, H # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIA		•	SWONTEK		•			
HANSON		•	MAIXNER	•		THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSgard		•			
HAUSAUER, A # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**House Bill No. 1384.** — A Bill for an Act to provide for the creation of an agriculturally derived alcohol motor vehicle fuel tax fund, for its administration by the agricultural products utilization commission to further the production and marketing of agriculturally derived alcohol-blended motor vehicle fuels; to amend and reenact sections 57-50-01, 57-50-03.1, 57-50-05, and 57-54-08 of the North Dakota Century Code, relating to refunding the motor vehicle fuel tax and to the amount of the motor vehicle fuel tax on fuel with an agriculturally derived alcohol blend; and to provide an appropriation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 17; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		• UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		• VANDERVORST
BERG		•	HOFFNER		•	MELBY		• VIG
BERGE		•	HOUWMAN		•	MERTENS		• WAGNER
BERGER		•	HOVE		•	MEYER		• WALD
BJORNSON		•	JACOBSEN, R		•	MURPHY		• WALSH
BLACK		•	JACOBSON, I		•	MUSHIK		• WEBER
BOYUM		•	KELLY		•	NICHOLAS		• WENTZ
BROKAW		•	KENNELLY		•	OLSON		• WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		• WINKJER
CONNY		•	KINGSBURY		•	PELTIER		
CRABTREE		•	KLOUBEC		•	PETERSON		MR SPEAKER
DICK		•	KNUDSON		•	POWEROY		
DIETZ		•	KOSKI		•	RED		
DOTZENROD		•	KRETSCHMAR		•	RETZER		
DUBORD		•	KUCHERA		•	RICHARD		
EAGLES		•	LANG		•	RICHIE		
ERICKSON		•	LANGLEY		•	RIEHL		
FLEMING		•	LARDY		•	RUED		
FREBORG		•	LARSON, F #24		•	SCHINDLER		
GACKLE		•	LARSON, G #29		•	SCOFIELD		
GERL		•	LARSON, H #7		•	SOLBERG		
GORDER		•	LEE		•	STENHJEM		
GUNDERSON		•	LEIBHAN		•	STRINDEM		
GUNSCH		•	LIPSIA		•	SWIONTEK		
HANSON		•	MAUXNER		•	THOMPSON		
HAUGLAND		•	MARSDEN		•	THORSGARD		
HAUSAUER, A #49		•	MARTIN		•	TIMM		
HAUSAUER, R #25		•	MARTINSON		•	TINJUM		
HEDSTROM		•	MATHENY		•	THWEN		

So the bill passed and the title was agreed to.

**House Bill No. 1554.** — A Bill for an Act to amend and reenact section 15-10-28.1 of the North Dakota Century Code, to provide an option for repayment of loans by certain veterinary medicine, optometry, and dentistry students.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 62; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		• UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		• VANDERVORST
BERG		•	HOFFNER		•	MELBY		• VIG
BERGE		•	HOUWMAN		•	MERTENS		• WAGNER
BERGER		•	HOVE		•	MEYER		• WALD
BJORNSON		•	JACOBSEN, R		•	MURPHY		• WALSH
BLACK		•	JACOBSON, I		•	MUSHIK		• WEBER
BOYUM		•	KELLY		•	NICHOLAS		• WENTZ
BROKAW		•	KENNELLY		•	OLSON		• WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		• WINKJER
CONNY		•	KINGSBURY		•	PELTIER		
CRABTREE		•	KLOUBEC		•	PETERSON		MR SPEAKER





• BENEDICT		• HICKLE		• MEIERS		• VANDER VORST	•
• BERG		• HOFFNER		• MELBY		• VIG	•
• BERGE	•	• HOUMANN		• MERTENS	•	• WAGNER	•
• BERGER		• HOVE		• MEYER		• WALD	•
• BJORNSON		• JACOBSEN R.		• MURPHY		• WALSH	•
• BLACK		• JACOBSON I.		• MUSHIK	•	• WEBER	•
• BOYUM		• KELLY		• NICHOLAS		• WENTZ	•
• BROKAW		• KENNELLY		• OLSON		• WESSMAN	•
• CHRISTENSEN		• KERMOIT		• OPEDAHL		• WINKJER	•
• CONMY		• KINGSBURY		• PELTIER			
• CRABTREE		• KLOUBEC		• PETERSON	•	MR. SPEAKER	•
• DICK		• KNUDSON		• POMEROY			
• DIETZ	•	• KOSKI		• REED			
• DOTZENROD		• KRETSCHMAR		• RETZER			
• DUBORD		• KUCHERA		• RICHARD	•		
• EAGLES		• LANG		• RICHIE			
• ERICKSON		• LANGLEY		• RIEHL			
• FLEMING	•	• LARDY		• RUED			
• FREBORG		• LARSON F # 24	•	• SCHINDLER			
• GACKLE		• LARSON G # 29	•	• SCOFIELD			
• GERL		• LARSON H # 7	•	• SOLBERG			
• GORDER		• LEE		• STENEHJEM			
• GUNDERSON		• LEIBHAN		• STRINDEN	•		
• GUNSCH		• LIPSIEA		• SWIONTEK			
• HANSON		• MAXNER		• THOMPSON			
• HAUGLAND		• MARSDEN		• THORSGARD			
• HAUSAUER A # 49		• MARTIN		• TIMM			
• HAUSAUER R # 25		• MARTINSON		• TINJUM			
• HEDSTROM		• MATHENY		• TWETEN			

So the bill lost.

**House Bill No. 1673.** -- A Bill for an Act to provide for the distribution of a portion of the motor vehicle fuels tax to counties; and to amend and reenact sections 57-50-01, 57-50-06, subsections 5 and 7 of section 57-52-03, sections 57-52-04, 57-54-08, and 57-54-14 of the North Dakota Century Code, relating to the refund of the motor fuel tax, the imposition of a tax on special fuels, the imposition of a tax on motor vehicle fuels, the allocation of the tax on motor vehicle fuels, and the definition of a special fuel user; and to repeal section 57-50-11.1 of the North Dakota Century Code, relating to the assignment of refund claims on motor fuel taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 2; nays, 90; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			• HERMAN			• MATTSON			• UNHJEM		
			• HICKLE			• WEIERS			• VANDER VORST		
			• HOFFNER			• MELBY			• VIG		
			• HOUMANN			• MERTENS			• WAGNER		
			• HOVE			• MEYER			• WALD		
			• JACOBSEN R.			• MURPHY			• WALSH		
			• JACOBSON I.			• MUSHIK			• WEBER		
			• KELLY			• NICHOLAS	•		• WENTZ		
			• KENNELLY			• OLSON			• WESSMAN		
			• KERMOIT			• OPEDAHL			• WINKJER		
			• KINGSBURY			• PELTIER					
			• KLOUBEC			• PETERSON	•		MR. SPEAKER		
			• KNUDSON			• POMEROY					
			• KOSKI			• REED					
			• KRETSCHMAR			• RETZER	•				
			• KUCHERA			• RICHARD					
			• LANG			• RICHIE					
			• LANGLEY			• RIEHL					
			• LARDY			• RUED					
			• LARSON F # 24			• SCHINDLER					
			• LARSON G # 29			• SCOFIELD					
			• LARSON H # 7			• SOLBERG					
			• LEE			• STENEHJEM					
			• LEIBHAN			• STRINDEN	•				
			• LIPSIEA			• SWIONTEK					
			• MAXNER			• THOMPSON					
			• MARSDEN			• THORSGARD					
			• MARTIN			• TIMM					
			• MARTINSON			• TINJUM					
			• MATHENY			• TWETEN					

So the bill lost.





• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEJM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

SECOND READING OF HOUSE BILLS

**House Bill No. 1009.** Extension Division and Experiment Stations — A Bill for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT	•		• HICKLE			• MEIERS			• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY			• VIG		
• BERGE	•		• HOUMANN			• MERTENS			• WAGNER		
• BERGER	•		• HOVE			• MEYER			• WALD		
• BJORNSON	•		• JACOBSEN R			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON I			• MUSHIK			• WEBER	•	
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW	•		• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN	•		• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY	•		• KINGSBURY			• PELTIER					
• CRABTREE	•		• KLOUBEC			• PETERSON	•		• MR SPEAKER		
• DICK	•		• KNUDSON			• POMEROY					
• DIETZ	•		• KOSKI			• REED					
• DOTZENROD	•		• KRETSCHMAR			• RETZER					
• DUBORD	•		• KUCHERA			• RICHARD					
• EAGLES	•		• LANG			• RICHIE					
• ERICKSON	•		• LANGLEY			• RIEHL					
• FLEMING	•		• LARDY		•	• RUED					
• FREBORG	•		• LARSON F # 24			• SCHINDLER					
• GACKLE	•		• LARSON G # 29			• SCOFIELD					
• GERL	•		• LARSON H # 7			• SOLBERG					
• GORDER	•		• LEE			• STENEHEJM					
• GUNDERSON	•		• LEIBHAN			• STRINDEN					
• GUNSCH	•		• LIPSIA			• SWONTEK					
• HANSON	•		• MAXNER			• THOMPSON					
• HAUGLAND	•		• MARSDEN			• THORSGARD	•				
• HAUSAUER A # 49	•		• MARTIN			• TIMM					
• HAUSAUER R # 25	•		• MARTINSON			• TINJUM					
• HEDSTROM	•		• MATHENY	•		• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1024.** North Dakota State Fair Association — A Bill for an Act making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 10; absent and not voting, 13.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUAMANN			MERTENS		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON		●	JACOBSEN MR			MURPHY		WALSH
BLACK			JACOBSON MR			MUSHK		WEBER ●
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL		WINKJER
CONMY			KINGSBURY			PELTIER		
CRABTREE			KLOUBEC			PETERSON ●		MR SPEAKER
DICK			KNUDSON		●	POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			RETZER		
DuBORD			KUCHERA			RICHARD		
EAGLES			LANG			RICHIE		
ERICKSON		●	LANGLEY			RIEHL		
FLEMING ●			LARDY		●	RUED		
FREBORG			LARSON, F # 24			SCHINDLER		
GACKLE			LARSON, G # 29			SCOFIELD		
GERL			LARSON, H # 7			SOLBERG		
GORDER			LEE			STENEHJEM		
GUNDERSON			LEIBMAN			STRINDEN		
GUNSCH ●			LIPSIEA			SWONTEK		
HANSON		●	MAIKNER ●			THOMPSON		
HAUGLAN ●			MARSDEN			THORSGAR ●		
HAUSAUER, A # 49			MARTIN			TIMM		
HAUSAUER, R # 25			MARTINSON			TINJUM		
HEDSTROM			MATHENY		●	TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1034.** Public Employees Retirement System and Group Insurance — A Bill for an Act making an appropriation for defraying the administrative expenses of the public employees retirement system and the group insurance program of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON		UNHJEM
BENEDICT			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUAMANN			MERTENS		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON			JACOBSEN MR			MURPHY		WALSH
BLACK			JACOBSON MR			MUSHK		WEBER ●
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL		WINKJER
CONMY			KINGSBURY			PELTIER		
CRABTREE			KLOUBEC			PETERSON ●		MR SPEAKER
DICK			KNUDSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			RETZER		
DuBORD			KUCHERA			RICHARD		
EAGLES			LANG			RICHIE		
ERICKSON			LANGLEY			RIEHL		
FLEMING ●			LARDY			RUED		
FREBORG			LARSON, F # 24			SCHINDLER		
GACKLE			LARSON, G # 29			SCOFIELD		
GERL			LARSON, H # 7			SOLBERG		

● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. # 49	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

RECOGNITION

Speaker Wagner announced that in commemoration of Legislative Milk Day, the following were in the chamber and were introduced to the Assembly:

Miss Lorrie Gumeringer, Esmond, North Dakota, State Dairy Princess.

Miss Nancy Jawaski, Adrian, North Dakota, Alternate State Princess.

Miss Deborah Thompson, Wing, North Dakota, Kidder County Dairy Princess.

Miss Connie Ternes, Strasburg, North Dakota, Emmons County Dairy Princess.

Miss Loretta Kalvoda, Mandan, North Dakota, Morton County Dairy Princess.

SECOND READING OF HOUSE BILLS

**House Bill No. 1048.** — A Bill for an Act to create a drug enforcement unit within the office of attorney general and to establish its jurisdiction and duties, and the powers of enforcement personnel; to amend and reenact subsection 1 of section 19-03.1-32 and section 54-12-14 of the North Dakota Century Code, relating to the powers of controlled substances enforcement personnel and the drug control cash fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 7; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	● HERMAN			● MATTSON			● UNHJEM		
		●	● HICKLE			● MEIERS			● VANDER VORST		
●			● HOFFNER	●		● MELBY			● YIG		
●			● HOUHANN			● WERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH	●	
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLUDBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY		●			
● DIETZ			● KOSKI	●		● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER	●		● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1071.** — A Bill for an Act to amend and reenact sections 4-16-09, 4-30-54, 4-33-06, 6-05-19, subsection 5 of section 6-05.1-05, sections 11-03-08, 11-05-16, 11-07-04, 11-08-06, subsection 1 of section 11-08-08, sections 11-08-13, 11-08-14, 11-09-29, 11-10-02, 11-10-10, 11-10-11, 11-10-20, 11-11-10, 11-12-05, 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-19-25, 11-20-01, 11-20-03, 11-21-02, 11-21-03, 11-21-04, 11-21-12, 11-21-13, 11-21-14, 11-30-16, 12-45-01, 12-46-13, 12-51-07, 12-53-01, 12-53-05, 12-53-13, 12-60-13.1, subsection 5 of section 12.1-01-04, sections 14-03-09, 14-03-10, 14-03-11, 14-03-12, 14-03-13, 14-03-15, 14-03-17, 14-03-19, 14-03-20, 14-03-21, 14-03-22, 14-03-24, 15-22-06, 15-40.2-05, 16-13-09, 16-13-11, 16-14-06, 16-21-03, 16-21.1-09, 18-02-09, 19-01-12, subsection 1 of section 19-03.1-33, 23-04-08, 23-05-06, 24-06-05, 24-07-22, 24-07-24, 24-07-28, 25-03.1-02, 25-03.1-03, 25-03.1-08, subsection 1 of section 25-03.1-09, sections 25-03.1-29 and 25-03.1-38, subsection 3 of section 25-04-05.1, sections 25-05-13, 25-05-14, 25-05-21, 25-05-22, 25-09-02.2, 25-09-03, 25-11-05, 27-05.1-07, 27-08.1-01, 27-08.1-03, 27-08.1-08, 27-08.2-01, subsection 2 of section 27-09.1-09, sections 27-09.1-14, 27-11-03, 27-15-01, 27-15-02, 27-15-10, 27-19-08, subsection 2 of section 27-20-47, subsection 2 of section 27-23-01, sections 27-23-02, 28-18-09, 28-20-22, 28-26-19, 28-29-04, subsection 3 of section 29-01-01, subsection 4 of section 29-01-09, sections 29-01-14, 29-01-15, 29-02-13, 29-05-31, 29-08-02, 29-08-16, 29-10.1-38, subsection 1 of section 29-15-21, section 29-22-01, subsection 6 of section 30.1-01-06, sections 30.1-02-02, 30.1-02-07, subdivision c of subsection 2 of section 30.1-10-01, sections 32-09-03, 32-09-10, 32-15-14, 32-19-23, 32-19-24, 32-19-30, 32-24-01, 32-29-05, 33-06-01, 33-06-03, 33-06-04, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 37-16-04, subsection 4 of section 38-10-01, sections 38-10-03, 38-10-05, 38-10-06, 38-10-08, 39-06-16, subsection 5 of section 39-06.1-03, sections 40-02-16, 40-09-16, 40-11-12, 40-13-02, 42-01-07, 42-03-01, 42-03-03, subsection 2 of section 43-23-07, sections 44-02-05, 44-03-02, 44-05-01, 44-08-04, 44-08-09, 44-09-01, 44-11-01, 44-11-12, 46-04-05, 47-03-06, 47-18-22, subsection 9 of section 47-19-02, sections 47-19-06, 47-19-14, subsection 4 of section 47-24-01, subsection 2 of section 50-01.1-04, sections 54-10-13, 57-26-02, 57-37.1-06, 57-37.1-12, and 58-02-23 of the North Dakota Century Code, removing references in the North Dakota Century Code to county judges with increased jurisdiction, county judges, county justices, justices of the peace, county courts, and county justice courts, and to require judicial expenses to be paid by the state.

Which has been read.

Rep. Murphy moved that the House waive the reading of the title to House Bill No. 1071, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 6; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION					ROLL CALL					1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	WATTSON		•	UNHJEM				
•			•	HICKLE		•	WEIERS		•	VANDER VORST				
•			•	HOFFNER		•	MELBY		•	VIG				
•			•	HOUMANN		•	MERTENS		•	WAGNER				
•			•	HOVE		•	MEYER	•	•	WALD				
•			•	JACOBSEN R		•	MURPHY		•	WALSH				
•			•	JACOBSON I		•	MUSHIK		•	WEBER				
•			•	KELLY		•	NICHOLAS	•	•	WENTZ				
•			•	KENNELLY		•	OLSON	•	•	WESSMAN				
•			•	KERMOTT		•	OPEDAHL		•	WINKJER				
•			•	KINGSBURY		•	PELTIER		•	MR. SPEAKER				
•			•	KLOUBEC		•	PETERSON							
•			•	KNUDSON		•	POWEROY							
•			•	KOSKI		•	REED							
•			•	KRETSCHMAR		•	RETZER							
•			•	KUCHERA		•	RICHARD							

• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDE
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1228.** — A Bill for an Act to create and enact a new section to chapter 16-10 of the North Dakota Century Code, relating to compensation for election officials; and to amend and reenact sections 15-28-05, 16-10-12, 16-10-12.1, 16-10-16 and 40-21-05 of the North Dakota Century Code, relating to compensation of election officials in school district and municipal elections, appointment and qualifications of poll clerks, hiring additional poll clerks in precincts having voting machines, and compensation for inspectors, judges, and clerks of elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 6; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY		•	• VIG		
• BERGE		•	• HOLMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• WEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHK			• WEBER		
• BOYLUM		•	• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDE					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON		•			
• HAUGLAND			• MARSDEN			• THORSGARD		•			
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1252.** — A Bill for an act to create and enact Chapter 38-14.1 of the North Dakota Century Code, relating to surface mining and reclamation operations, the designation of areas unsuitable for mining; the necessity of a mining permit; permit terms; permit application requirements; mining and reclamation plans; extended mining plans; performance bonds; release of performance bonds; informal conference procedures; permit renewals; environmental protection performance standards; prohibited mining practices; inspections and monitoring; enforcement procedures; formal hearings;





● BJORNSON	● JACOBSEN, R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWITT	● OPEDAHL	● WINKLER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	
● DICK	● KNUDSON	● POMEROY	● MR. SPEAKER
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSIEA	● SWIONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSRGARD	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HECSTROM	● MATHEHY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1319.** — A Bill for an Act to establish a tuition assistance grant program for eligible resident students of accredited private institutions in North Dakota; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 24; absent and not voting, 4.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE		●	● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VIG		
● BERGE		●	● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK		●	● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		●
● BROKAW			● KENNELLY			● OLSON		●	● WESSMAN		
● CHRISTENSEN			● KERWITT		●	● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON					
● DICK			● KNUDSON		●	● POMEROY		●			
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY		●	● RIEHL					
● FLEMING		●	● LARDY			● RUED		●			
● FREBORG		●	● LARSON, F # 24			● SCHINDLER					
● GACKLE		●	● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER		●	● LEE		●	● STENEHJEM		●			
● GUNDERSON			● LEIBHAN		●	● STRINDEN		●			
● GUNSCHE		●	● LIPSIEA		●	● SWIONTEK		●			
● HANSON			● MAIXNER			● THOMPSON		●			
● HAUGLAND			● MARSDEN		●	● THORSRGARD		●			
● HAUSAUER, A # 49			● MARTIN			● TIMM		●			
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HECSTROM			● MATHEHY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1370.** — A Bill for an Act to create and enact six new sections to chapter 15-18 of the North Dakota Century Code, relating to reports, annual inspections, budgets, and audits of junior colleges and educational centers; to amend and reenact sections 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to state aid, standards for state aid, and enrollment information for junior colleges and educational centers.

Which has been read.



So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Rep. Dietz: "Mr. Speaker and Members of the Assembly:

"I request that the record show that I made a mistake in voting on House Bill No. 1004. I voted 'Nay' but meant to vote 'Aye'.

SECOND READING OF HOUSE BILLS

**House Bill No. 1428.** — A Bill for an Act to amend and reenact sections 6-03-13.1 and 6-03-17 of the North Dakota Century Code, relating to bank paying and receiving stations and separate drive-in facilities, and further limitations on separate bank facilities.

Which has been read.

Rep. Boyum requested he be excused from voting on House Bill No. 1428 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Boyum be allowed to vote on House Bill No. 1428, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 51; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	HERMAN	•	•	MATTSON				UNHJEM
		•		HOCKE	•		MEERS	•			VANDER VORST
		•		HOFFNER	•	•	MELBY		•		VIG
		•	•	HOLMANN			MERTENS				WAGNER
•			•	HOVE			MEYER	•			WALD
			•	JACOBSEN, R		•	MURPHY		•		WALSH
			•	JACOBSON, I	•		MUSHIK		•		WEBER
•				KELLY		•	NICHOLAS				WENTZ
		•		KENNELLY		•	OLSON			•	WESSMAN
		•	•	KERMOTT			OPEDAHL				WINKJER
•			•	KINGSBURY		•	PELTIER				
		•	•	KLOUBEC		•	PETERSON			•	MR. SPEAKER
		•		KNUDSON	•		POMEROY	•			
•				KOSKI	•	•	REED				
•				KRETSCHMAR	•		RETZER	•			
•			•	KUCHERA			RICHARD	•			
•				LANG	•	•	RICHIE				
		•		LANGLEY			RIEHL	•			
•				LARDY		•	RUED				
•			•	LARSON, F # 24			SCHINDLER	•			
•				LARSON, G # 29	•		SCOFIELD	•			
		•	•	LARSON, H # 7			SOLBERG	•			
			•	LEE	•		STENEHJEM	•			
•				LEIBHAN	•	•	STRINDEN				
		•		LIPSIA	•	•	SWONTEK				
		•		MAIXNER	•		THOMPSON	•			
•			•	MARSDEN		•	THORSGARD				
•			•	MARTIN	•		TMM				
•			•	MARTINSON			TRJUM				
		•		MATHENY	•		TWETEN	•			

So the bill lost.

Rep. Winkjer moved that the vote by which House Bill No. 1428 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed, on a verification vote.

MOTION

Rep. Leibhan moved that the House reconsider its action whereby House Bill No. 1002 failed to pass for want of a constitutional majority, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILLS

**House Bill No. 1002.** — A Bill for an Act directing the legislative council to create an interim science and technology committee to administer a scientific and technological research and development program, to establish its membership, to set forth its powers and duties, to provide for its staffing; to provide an appropriation; and declaring an emergency.





● GUNSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1559.** — A Bill for an Act to amend and reenact section 15-28-11 of the North Dakota Century Code, relating to the publication of school board proceedings.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 10; absent and not voting, 8.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT		●	● HICKLE		●	● WEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOLMANN		●	● WERTENS		● WAGNER
● BERGER		●	● HOVE		●	● MEYER		● WALD
● BJORNSON			● JACOBSEN R.			● MURPHY		● WALSH
● BLACK			● JACOBSON I.			● MUSHIK	●	● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW		●	● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOITT			● OPEDahl		● WINKJER
● CONNY			● KINGSBURN			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED	●	
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG		●	● LARSON F #24			● SCHINDLER		
● GACKLE	●		● LARSON G #28			● SCOFIELD		
● GERL			● LARSON H #7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH		●	● LIPSIEA			● SWIONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN		●	● THORSgard		
● HAUSAUER A #49			● MARTIN			● TIMM		
● HAUSAUER R #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1569.** — A Bill for an Act to create and enact section 16.1-13-08 of the North Dakota Century Code, relating to the filling of a vacancy in the office of United States senator; and to repeal section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of United States senator; and providing an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 15; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG		●	● HOFFNER			● MELBY		● VIG
● BERGE			● HOLMANN		●	● WERTENS		● WAGNER
● BERGER		●	● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R.			● MURPHY		● WALSH
● BLACK			● JACOBSON I.			● MUSHIK	●	● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOITT			● OPEDahl	●	● WINKJER
● CONNY			● KINGSBURN			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER

• DICK	• KNUDSON	• POMEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 45	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1576.** — A Bill for an Act to require the social service board and the state department of health to adopt rules which would ensure nongeriatric patients and residents the full benefits of care and the screening process for appropriate medical, social, and psychological services, and to permit nursing homes, intermediate care facilities, and boarding homes for the aged and infirm to establish residential areas specifically for the inhabitation of nongeriatric patients.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 6; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOLMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			MR. SPEAKER		•
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1581.** — A Bill for an Act to create and enact two new subsections to section 14-02.1-02 of the North Dakota Century Code, relating to definitions in the Abortion Control Act; to create and enact section 14-02.1-13 of the North Dakota Century Code, providing abortion reporting forms; and to amend and reenact subsection 4 of section 14-02.1-02, section 14-02.1-03, subsection 3 of section 14-02.1-04, section 14-02.1-05, section 14-02.1-07, and section 14-02.1-08 of the North Dakota Century Code, relating to definitions in the Abortion Control Act, consent to abortion, limitation on performance of abortion, preserving







Rep. Kretschmar moved that 500 copies be printed of the following engrossed House Bills: 1009, 1228, 1305, 1569, 1581 and 1590, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, at the conclusion of the Fifth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 8:30 a.m., Friday, February 23, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

**Mr. Speaker:** Your Committee on Transportation

to whom was referred House Concurrent Resolution

No. 3020, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21 delete the numeral "15" and insert in lieu thereof the numeral "60"

On page 1, line 22 delete the numeral "60" and insert in lieu thereof the numeral "65" and also on line 22 delete the comma and words ", and to allow states" and insert in lieu thereof the following: "; and"

On page 1, after line 22 insert the following:

"BE IT FURTHER RESOLVED, that copies of the resolution be forwarded by the Secretary of State to the North Dakota Congressional Delegation, the United States Secretary of Transportation, and to the Speaker of the House of each state of the United States which has a population density of under 60 people per square mile; and

BE IT FURTHER RESOLVED, that these states are urged to adopt similar resolutions and to send copies to their respective congressional delegations."

On page 2, delete lines 1 and 2

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Erickson Chairman

House Concurrent Resolution No. 3020 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Agriculture

to whom was referred House Concurrent Resolution

~~HR~~ No. 3037, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Concurrent Resolution ~~3037~~ No. 3037 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution

No. 3038, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, after the word "Victims" insert "of Crime"

On page 1, line 24, after the word "Victims" insert "of Crime"

On page 2, line 5, after the word "Victims" insert "of Crime"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



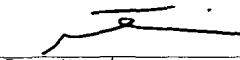
Chairman

House Concurrent Resolution No. 3038 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution

No. 3047, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

House Concurrent Resolution No. 3047 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution

~~3051~~ No. 3051, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

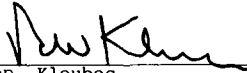
House Concurrent Resolution ~~3051~~ No. 3051 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred House Concurrent Resolution

No. 3054, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Kloubec

House Concurrent Resolution No. 3054 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred House Concurrent Resolution

No. 3057, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Kloubec


House Concurrent Resolution No. 3057 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred House Concurrent Resolution

No. 3078, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Kloubec

House Concurrent Resolution No. 3078 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2014, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1 of the engrossed bill, line 8, delete the numerals "1,749,168" and insert in lieu thereof the numerals "1,744,733"
- On page 1 of the engrossed bill, line 13, delete the numerals "901,960" and insert in lieu thereof the numerals "897,525"
- On page 1 of the engrossed bill, line 17, delete the numerals "1,749,168" and insert in lieu thereof the numerals "1,744,733"

On page 1 of the engrossed bill, line 19, delete the numerals

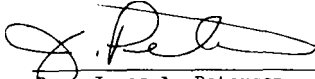
"752,084" and insert in lieu thereof the numerals "747,649"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of this amendment is to reduce the salaries and wages line item by \$4,435 for a final adjustment to the amount necessary to fund the alternate family medical insurance plan.



Chairman

Rep. James A. Peterson

Senate Bill No. 2014 was placed on the 6th order of business on the calendar for the succeeding legislative day.

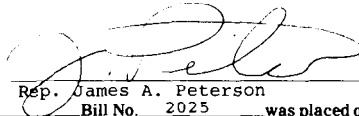
Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2025, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. James A. Peterson

Senate Bill No. 2025 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2071, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate

Bill No. 2071

Rep. Rued

was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2080, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Kloubec Chairman

Senate Bill No. 2080 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred Senate

Bill No. 2129, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

Rep. Knudson Chairman

Senate Bill No. 2129 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate

Bill No. 2158, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

Rep. Haugland Chairman

Senate Bill No. 2158 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2177, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

Rep. Rued Chairman

Senate Bill No. 2177 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2179, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.



Chairman

Senate Bill No. 2179 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2181, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.



Chairman

Senate Bill No. 2181 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2182, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.



Chairman

Senate Bill No. 2182 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2183, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 5, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.



Chairman

Senate Bill No. 2183 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2184, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same



do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 3, after the word "abstracts" delete the word "and" and insert in lieu thereof the word "of"

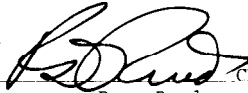
On page 2, line 8, after the word "and" insert the word "the"

On page 3, line 6, after the word "examined," insert the word "and"

On page 3, line 7, delete the first word "the"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass



Chairman

Senate

Bill No. 2184

Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2187, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate

Bill No. 2187

Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2197, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 5; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate

Bill No. 2197

Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2198, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 1, line 19, delete the word "three-hundredths" and insert in lieu thereof the word "two and one-half-hundredths"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2199, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation.

Chairman Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2206, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation.

Chairman Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2207, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Erickson*

Chairman

Rep. Erickson

Senate Bill No. 2207 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred Senate

Bill No. 2259, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle*

Chairman

Rep. Gackle

Senate Bill No. 2259 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources  
to whom was referred Senate

Bill No. 2375, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4 delete "and any bonded appointees of the commissioner" and insert in lieu thereof ", chief game wardens or district game wardens"

On page 1, line 11 delete "AND BONDED APPOINTEES OF COMMISSIONER" and insert in lieu thereof "CHIEF GAME WARDENS OR DISTRICT GAME WARDENS"

On page 1, line 12 delete "and any bonded appointees of the" and insert in lieu thereof "chief game wardens or district game wardens"

On page 1, line 13 delete "commissioner"

On page 1, line 19 after "agencies" insert "or officers"

On page 1, line 21 after "agency" insert "or officer"

On page 2, line 7 delete "and any"

On page 2, line 8 delete "bonded appointees of the commissioner" and insert in lieu thereof "chief game wardens or district game wardens"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Kloubec*

Chairman

Rep. Kloubec

Senate Bill No. 2375 was placed on the 6th

order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2396, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Bill No. 2396 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2414, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Bill No. 2414 was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2436, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Bill No. 2436 was placed on the 14th order of business on the calendar for the succeeding legislative day.

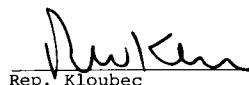
Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2453, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Bill No. 2453 was placed on the 14th order of business on the calendar for the succeeding legislative day.

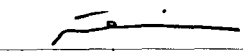
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4001, has had the same under consideration and recommends, by a vote of

Ayes, 6; Nays, 5; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Martinson

Senate Concurrent Resolution No. 4001 was placed on the 14th order of business on the calendar for the succeeding legislative day.

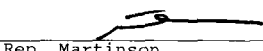
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4013, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Martinson

Senate Concurrent Resolution No. 4013 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate Concurrent Resolution

~~SEN~~ No. 4014, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Nicholas

Senate Concurrent Resolution ~~SEN~~ No. 4014 was placed on the 14th order of business on the calendar for the succeeding legislative day.

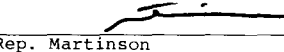
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4026, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Martinson

Senate Concurrent Resolution No. 4026 was placed on the 14th order of business on the calendar for the succeeding legislative day.

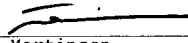
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4031, has had the same under consideration and recommends, by a vote of

Ayes, 7 ; Nays, 5 ; Absent, 3 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4031 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4032 , has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 2 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4032 was placed on the 14th order of business on the calendar for the succeeding legislative day.

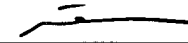
**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4035 , has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4035 was placed on the 14th order of business on the calendar for the succeeding legislative day.


**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4036 , has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4036 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4039 , has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 2 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.



persons to drive, offenses excepted from noncriminal disposition, definition of nonmoving violation, and points assigned for noncriminal disposition.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2339.** — A Bill for an Act to create and enact a new subsection to section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2382.** — A Bill for an Act to create and enact a new section to chapter 39-04 and a new section to chapter 54-27 of the North Dakota Century Code, relating to additional fees for motor vehicles to supplement the county road and bridge funds, and to distribution of the additional fees; providing an appropriation; and providing an effective date.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2398.** — A Bill for an Act to amend and reenact sections 61-21-11 and 61-21-15 of the North Dakota Century Code, relating to the bond required of petitioners wishing to construct a drain and allocation of costs when a petition to drain is denied.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2418.** — A Bill for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to the definition of usury, its prohibition and the maximum contract rate.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2443.** — A Bill for an Act relating to adverse possession of severed mineral interests which have not been developed or are not subject to a lease.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2450.** — A Bill for an Act to provide for parimutuel horse racing conducted by nonprofit charitable, fraternal, religious, and veterans' organizations, civic and service clubs, and other public-spirited organizations; definitions; the creation of a racing commission; appointment of a director of racing; racing commission powers and duties; issuance of licenses; license authorization and fees; allotment of racing days to applicants; bets and certificates; bet payoff formulas; payments to school districts; audits and investigations; reasons and procedure for license refusal, suspension and revocation; and the attorney general to represent the commission in hearings; and providing a penalty.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4041.** — A concurrent resolution to rescind North Dakota's ratification of the Equal Rights Amendment; and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 8:30 a.m., Friday, February 23, 1979.

ROY GILBREATH, Chief Clerk



THIRTY-SEVENTH DAY

Bismarck, February 23, 1979

The House convened at 8:30 a.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Dave Knecht, McCabe Methodist Church, Bismarck.

The roll was called, and all members were present except Reps. Backes, Boyum, Erickson, Gerl, Gorder, Gunsch, Hickle, Knudson, Lee, Martin, Mertens, Nicholas, Olson, Opedahl, and Timm.

A quorum was declared by the Speaker.

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on February 20, 1979 I signed the following House Bill:

1103

Sincerely yours,  
ARTHUR A. LINK  
Governor

**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1005 \_\_\_\_\_
- HB NO. 1007 \_\_\_\_\_
- HB NO. 1010 \_\_\_\_\_
- HB NO. 1011 \_\_\_\_\_
- HB NO. 1028 \_\_\_\_\_
- HB NO. 1029 \_\_\_\_\_
- HB NO. 1126 \_\_\_\_\_
- HB NO. 1215 \_\_\_\_\_
- HB NO. 1223 \_\_\_\_\_
- HB NO. 1326 \_\_\_\_\_
- HB NO. 1339 \_\_\_\_\_
- HB NO. 1413 \_\_\_\_\_
- HB NO. 1438 \_\_\_\_\_
- HB NO. 1531 \_\_\_\_\_

HB NO. 1587 \_\_\_\_\_  
 HB NO. 1631 \_\_\_\_\_  
 HB NO. 1672 \_\_\_\_\_

and find the same correctly } Engrossed

Representative Hanson  
 motion prevailed, and the report was adopted.

*Wayne Duff* Chairman  
 Rep. Stenehjem moved that the report be adopted, which

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1056 \_\_\_\_\_  
 HB NO. 1496 \_\_\_\_\_  
 HB NO. 1566 \_\_\_\_\_  
 HB NO. 1588 \_\_\_\_\_  
 HB NO. 1639 \_\_\_\_\_

and find the same correctly Re } Engrossed

Representative Hanson  
 motion prevailed, and the report was adopted.

*Wayne Duff* Chairman  
 Rep. Stenehjem moved that the report be adopted, which

SECOND READING OF HOUSE BILLS

**House Bill No. 1587.** — A Bill for an Act to amend and reenact section 57-54-16 of the North Dakota Century Code, relating to compensation for the collection of motor fuels tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 44; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN		●	●		●	●		●
●			●	HICKLE	●	●		●	●		●
●			●	HOFNER	●	●		●	●		●
●			●	HOUIMANN	●	●		●	●		●
●			●	HOVE	●	●		●	●		●
●			●	JACOBSON R	●	●		●	●		●
●			●	JACOBSON I	●	●		●	●		●
●			●	KELLY	●	●		●	●		●
●			●	KENNELLY	●	●		●	●		●
●			●	KERMOTT	●	●		●	●		●
●			●	KINGSBURY	●	●		●	●		●
●			●	KLOUBEC	●	●		●	●		●
●			●	KNUDSON	●	●		●	●		●
●			●	KOSKI	●	●		●	●		●
●			●	KRETSCHMAR	●	●		●	●		●
●			●	KUCHERA	●	●		●	●		●
●			●	LANG	●	●		●	●		●
●			●	LANGLEY	●	●		●	●		●
●			●	LARDY	●	●		●	●		●
●			●	LARSON, F. # 24	●	●		●	●		●
●			●	LARSON, G. # 29	●	●		●	●		●
●			●	LARSON, H. # 7	●	●		●	●		●
●			●	LEE	●	●		●	●		●
●			●	LEIGHAN	●	●		●	●		●
●			●	LIPSIEA	●	●		●	●		●
●			●	MAIXNER	●	●		●	●		●
●			●	MARSDEN	●	●		●	●		●
●			●	MARTIN	●	●		●	●		●
●			●	MATTSON	●	●		●	●		●
●			●	MEIERS	●	●		●	●		●
●			●	MELBY	●	●		●	●		●
●			●	MERTENS	●	●		●	●		●
●			●	MEYER	●	●		●	●		●
●			●	MURPHY	●	●		●	●		●
●			●	MUSHIK	●	●		●	●		●
●			●	NICHOLAS	●	●		●	●		●
●			●	OLSON	●	●		●	●		●
●			●	OPEDAH	●	●		●	●		●
●			●	PELTIER	●	●		●	●		●
●			●	PETERSON	●	●		●	●		●
●			●	POWERDY	●	●		●	●		●
●			●	REED	●	●		●	●		●
●			●	RETZER	●	●		●	●		●
●			●	RICHARD	●	●		●	●		●
●			●	RICHE	●	●		●	●		●
●			●	RUEHL	●	●		●	●		●
●			●	RUED	●	●		●	●		●
●			●	SCHINDLER	●	●		●	●		●
●			●	SCOFIELD	●	●		●	●		●
●			●	SOLBERG	●	●		●	●		●
●			●	STENEHJEM	●	●		●	●		●
●			●	STRINDEN	●	●		●	●		●
●			●	SWINTEK	●	●		●	●		●
●			●	THOMPSON	●	●		●	●		●
●			●	THORSGAR	●	●		●	●		●
●			●	TIMM	●	●		●	●		●
●			●	UMHJEM	●	●		●	●		●
●			●	VANDERVORST	●	●		●	●		●
●			●	VIG	●	●		●	●		●
●			●	WAGNER	●	●		●	●		●
●			●	WALD	●	●		●	●		●
●			●	WALSH	●	●		●	●		●
●			●	WEBER	●	●		●	●		●
●			●	WENTZ	●	●		●	●		●
●			●	WESSMAN	●	●		●	●		●
●			●	WINKJER	●	●		●	●		●
●			●	MR. SPEAKER	●	●		●	●		●

HAUSAUER R. #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill lost for want of a constitutional majority.

**House Bill No. 1672.** — A Bill for an Act to provide for a county tax on certain factories and refineries in lieu of a township tax and to provide for a sharing of that tax between the county and townships of the county.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 54; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			HERMAN			MATTSON			• UNHJEM		
• BENEDICT			HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VG		
• BERGE		•	HOUWMANN			• WERTENS			• WAGNER		
• BERGER		•	HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			MURPHY			• WALSH		
• BLACK			• JACOBSON, I			MUSHK			• WEBER		
• BOYUM			KELLY			NICHOLAS			• WENTZ		
• BROKAW			KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			KERMOTT			• OPEDAHL			• WINKJER		
• CONMY		•	KINGSBURY			• PELTIER					
• CRABTREE			KLOUBEC			PETERSON			MR. SPEAKER		•
DICK			KNUSON			• POMEROY					
• DIETZ			• KOSH			REED					
• DOTENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			• RICHARD					
• EAGLES			LANG			RICHIE					
• ERICKSON			LANGLEY			RIEHL					
• FLEMING		•	LARDY			RUED					
• FREBORG		•	LARSON, F #24			SCHINDLER					
• GACKLE			LARSON, G #29			• SCOFIELD					
• GERL		•	LARSON, H #7			• SOLBERG					
• GORDER			LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			STRINDEN					
• GUNSCH		•	• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND		•	MARSDEN			• THORSgard					
• HAUSAUER A. #49			MARTIN			TIMM					
• HAUSAUER R. #25			MARTINSON			• TINJUM					
• HEDSTROM			MATHENY			• TWETEN					

So the bill lost.

**House Bill No. 1005.** Institutions of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota.

Which has been read.

Rep. Wessman requested that he be excused from voting on House Bill No. 1005 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Wessman be allowed to vote on House Bill No. 1005, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 21; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER		•	• MELBY			• VG		
• BERGE			HOUWMANN			• WERTENS			• WAGNER		
• BERGER			HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			MURPHY			• WALSH		
• BLACK			• JACOBSON, I			MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW		•	KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			KINGSBURY			• PELTIER					

● CRABTREE	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	●
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENHEJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	●
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	●
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1007.** State Aid to Junior Colleges — A Bill for an Act making an appropriation for providing assistance to the junior colleges of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 8; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● MATTON			● UNHJEM		
● BACKES	●		● HCKLE			● MEIERS		●	● VANDER VORST		
● BENEDICT			● HOFFNER			● MELBY			● VIG		
● BERG			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER	●	
● BOYUM	●		● KELLY			● NICHOLAS			● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE		●	● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON		●	● LANGLEY			● RIEHL	●				
● FLEMING		●	● LARDY			● RUED		●			
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENHEJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD		●			
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1010.** Department of Health — A Bill for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 3; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● MATTON			● UNHJEM		●
● BACKES	●		● HCKLE			● MEIERS			● VANDER VORST		
● BENEDICT			● HOFFNER			● MELBY			● VIG		
● BERG			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		







● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 28	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSON	● LIPSIEA	● SWONTEK
● HANSON	● MADNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAR
● HAUSAUER, A. # 4	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHEWY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1056.** — A Bill for an Act to set forth legislative intent covering any appropriation for school textbooks; to create and enact a new section for adjusting foundation aid payments; to provide that a portion of oil and gas bonus payments received by the board of university and school lands be apportioned and distributed to the public schools and to provide that a portion of foundation program per-pupil payment increases be contingent on other fund distributions; to amend and reenact sections 15-20.1-10, 15-40.1-03, 15-40.1-04, 15-40.1-05, subsections 2 and 3 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-10, 15-40.1-11, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, 15-59-06, and 15-59.1-05 of the North Dakota Century Code, relating to the payment of state foundation aid payments directly to school districts; to repeal subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction for federal impact payments; to provide an appropriation; and to declare an emergency.

Which has been read.

#### MOTION

Rep. Knudson requested permission to amend the title to engrossed House Bill No. 1056, which request was granted.

Rep. Knudson moved that engrossed House Bill No. 1056 be amended as follows:

On page 1 of the re-engrossed bill, line 6, insert a semicolon after the word "schools", delete the word "and", and after the second word "to" insert the following: "create and enact a new subsection to section 15-40.1-06 of the North Dakota Century Code, to"

And renumber the lines and pages accordingly.

Which motion prevailed.

Rep. Knudson moved that the rules be suspended, and that House Bill No. 1056 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1056.** — A Bill for an Act to set forth legislative intent covering any appropriation for school textbooks; to create and enact a new section for adjusting foundation aid payments; to provide that a portion of oil and gas bonus payments received by the board of university and school lands be apportioned and distributed to the public schools; to create and enact a new subsection to section 15-40.1-06 of the North Dakota Century Code, to provide that a portion of foundation program per-pupil payment increases be contingent on other fund distributions; to amend and reenact sections 15-20.1-10, 15-40.1-03, 15-40.1-04, 15-40.1-05, subsections 2 and 3 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-10, 15-40.1-11, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, 15-59-06, and 15-59.1-05 of the North Dakota Century Code, relating to the payment of state foundation aid payments directly to school districts; to repeal subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota





## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:  
House Bill No. 1157.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2411  
Senate Concurrent Resolution No. 4045  
Senate Concurrent Resolution No. 4051  
Senate Concurrent Resolution No. 4053  
Senate Concurrent Resolution No. 4055  
Senate Concurrent Resolution No. 4056  
Senate Concurrent Resolution No. 4057.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1013  
House Bill No. 1026  
House Bill No. 1035  
House Bill No. 1148  
House Bill No. 1153  
House Bill No. 1155  
House Bill No. 1156.

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1013

- On page 1, line 2 delete the words "indian affairs commission" and insert in lieu thereof the words "Indian Affairs Commission"
- On page 1, line 2 delete the word "state" and insert in lieu thereof the word "State"
- On page 1, line 12 delete the words "indian affairs" and insert in lieu thereof the words "Indian Affairs"
- On page 1, line 13 delete the word "commission" and insert in lieu thereof the word "Commission"
- On page 1, line 13 delete the word "state" and insert in lieu thereof the word "State"
- On page 1, line 17 delete the amount "12,979" and insert in lieu thereof the amount "17,979"
- On page 1, line 20 delete the amount "200,000" and insert in lieu thereof the amount "195,000"
- On page 2, line 15 delete the word "purpose" and insert in lieu thereof the word "purposes"
- And renumber the lines and pages accordingly.

## AMENDMENT TO HOUSE BILL 1026

On page 1, line 21, delete the word "ahould" and insert in lieu thereof the word "should"

## AMENDMENTS TO HOUSE BILL NO. 1035

On page 1, line 8 of the engrossed bill delete the amount "\$619,116" and insert in lieu thereof the amount "\$617,410"

On page 1, line 13 of the engrossed bill delete the amount "\$238,328" and insert in lieu thereof the amount "\$236,613"

On page 1, line 20 of the engrossed bill delete the amount "\$619,116" and insert in lieu thereof the amount "\$617,401"

And renumber lines and pages accordingly.

PURPOSE OF INTENT: to adjust the moneys included in the family medical insurance to the alternate program.

## AMENDMENTS TO HOUSE BILL NO. 1148

On page 2 of the engrossed bill, delete line 10

On page 2, line 11 of the engrossed bill, delete the words "basis or" and insert in lieu thereof the word "on"

And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1153

On page 2, of the engrossed bill, line 7, after the word "lights" insert "in accordance with chapter 28-32"

And renumber the lines accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1155

On page 1, line 12 of the engrossed bill, following the word "district" insert the words and the comma ", except a county commissioner,"

And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1156

On page 1, line 1, after the word "to" insert the following: "state legislative intent concerning estate taxes; to"

On page 1, line 5, insert after the semicolon the following: "to repeal section 57-37.1-03 of the North Dakota Century Code, relating to determination of North Dakota taxable estate;"









• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURN	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POWEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIED	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 25	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHEJEM	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAIKNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1642.** — A Bill for an Act to provide public access to certain law enforcement records and providing exceptions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 7; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT	•		• HICKLE			• MEIERS		•	• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURN			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIED					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 25			• SCOFIELD					
• GERL	•		• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHEJEM		•			
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIKNER			• THOMPSON		•			
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1648.** — A Bill for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to the consumption and possession of alcoholic beverages in motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 11; absent and not voting, 7.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•			•		
•		•	•	HERMAN	•	MATTSON	•	UNHJEM	•		
•		•	•	HICKLE	•	MEIERS	•	VANDER VORST	•		
•		•	•	HOFFNER	•	MELBY	•	VIG	•		
•		•	•	HOUIMANN	•	MERTENS	•	WAGNER	•		
•		•	•	HOVE	•	MEYER	•	WALD	•		
•			•	JACOBSEN R	•	MURPHY	•	WALSH	•		
•			•	JACOBSON I	•	MUSHIK	•	WEBER	•		
•			•	KELLY	•	NICHOLAS	•	WENTZ	•		
•			•	KENNELLY	•	OLSON	•	WESSMAN	•		
•			•	KERMOTT	•	OPEDAHL	•	WINKJER	•		
•			•	KINGSBURY	•	PELTIER	•				
•			•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•		
•			•	KNUDSON	•	POMEROY	•				
•			•	KOSKI	•	REED	•				
•			•	KRETSCHMAR	•	RETZER	•				
•			•	KUCHERA	•	RICHARD	•				
•			•	LANG	•	RICHIE	•				
•			•	LANGLEY	•	RIEHL	•				
•			•	LARDY	•	RUED	•				
•		•	•	LARSON F # 24	•	SCHINDLER	•				
•			•	LARSON G # 25	•	SCOFIELD	•				
•			•	LARSON H # 7	•	SOLBERG	•				
•			•	LEE	•	STENEHJEM	•				
•		•	•	LEIBMAN	•	STRINDEN	•				
•			•	LIPSIA	•	SWONTEK	•				
•			•	MAIXNER	•	THOMPSON	•				
•			•	MARSDEN	•	THORSGARD	•				
•			•	MARTIN	•	TIMM	•				
•			•	MARTINSON	•	TINJUM	•				
•			•	MATHENY	•	TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1669.** — A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officers, and to create and enact subsection 6 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of sheriffs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•			•		
•			•	HERMAN	•	MATTSON	•	UNHJEM	•		
•			•	HICKLE	•	MEIERS	•	VANDER VORST	•		
•			•	HOFFNER	•	MELBY	•	VIG	•		
•			•	HOUIMANN	•	MERTENS	•	WAGNER	•		
•			•	HOVE	•	MEYER	•	WALD	•		
•			•	JACOBSEN R	•	MURPHY	•	WALSH	•		
•			•	JACOBSON I	•	MUSHIK	•	WEBER	•		
•			•	KELLY	•	NICHOLAS	•	WENTZ	•		
•			•	KENNELLY	•	OLSON	•	WESSMAN	•		
•			•	KERMOTT	•	OPEDAHL	•	WINKJER	•		
•			•	KINGSBURY	•	PELTIER	•				
•			•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•		
•			•	KNUDSON	•	POMEROY	•				
•			•	KOSKI	•	REED	•				
•			•	KRETSCHMAR	•	RETZER	•				
•			•	KUCHERA	•	RICHARD	•				
•			•	LANG	•	RICHIE	•				
•			•	LANGLEY	•	RIEHL	•				
•			•	LARDY	•	RUED	•				
•			•	LARSON F # 24	•	SCHINDLER	•				
•			•	LARSON G # 25	•	SCOFIELD	•				
•			•	LARSON H # 7	•	SOLBERG	•				
•			•	LEE	•	STENEHJEM	•				
•			•	LEIBMAN	•	STRINDEN	•				
•			•	LIPSIA	•	SWONTEK	•				
•			•	MAIXNER	•	THOMPSON	•				
•			•	MARSDEN	•	THORSGARD	•				
•			•	MARTIN	•	TIMM	•				
•			•	MARTINSON	•	TINJUM	•				
•			•	MATHENY	•	TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1413.** — A Bill for an Act directing the office of the budget to control appropriations for salaries and wages.



● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A #48	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1598.** — A Bill for an Act to create and enact chapter 14-10.1 of the North Dakota Century Code, relating to the emancipation of minors; and to amend and reenact sections 14-09-20, 14-10-04, 14-10-09, 14-10-10, and 14-10-11, and subsection 2 of section 27-20-03 of the North Dakota Century Code, relating to parents' authority, to the rights and responsibilities of minors, and to the jurisdiction of juvenile courts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 22; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTON			● UNHJEM		
● BENEDICT	●		● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE	●		● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		●
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW	●		● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KINGSBURY			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUTSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD	●		● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUED					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #28			● SCOFIELD					
● GERL			● LARSON, H #7			● SOLBERG					
● GORDER	●		● LEE			● STENEHJEM					
● GUNDERSON	●		● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A #48			● MARTIN			● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1608.** — A Bill for an Act to amend and reenact subsection 6 of section 57-39.2-01 and subsection 5 of section 57-40.2-01 of the North Dakota Century Code, redefining "gross receipts" and "purchase price" to exclude any federal excise taxes on goods.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 7; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER		●	● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KINGSBURY			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		

• DICK	• KNUDSON	• POMEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 25	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEBHAN	• STRINDEN
• GUNSCHE	• LIPSIE	• SWONTEX
• HANSON	• MAIZNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 48	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1622.** — A Bill for an Act to create and enact chapter 50-06.2 of the North Dakota Century Code, providing counseling, training, jobs, services, and health care for displaced homemakers; and providing a termination date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 22; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• SERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER		•	• WALD		•
• BJONHSON			• JACOBSEN R		•	• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE	•		• KLOUBEC		•	• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ	•		• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA		•	• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON	•		• LANGLEY			• RIEHL		•			
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 25			• SCOFIELD		•			
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEBHAN			• STRINDEN					
• GUNSCHE			• LIPSIE			• SWONTEX					
• HANSON			• MAIZNER			• THOMPSON					
• HAUGLAND			• MARSDEN		•	• THORSGARD		•			
• HAUSAUER A # 48			• MARTIN			• TIMM		•			
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Mertens moved that the House reconsider its action whereby House Bill No. 1587 failed to pass, which motion failed on a verification vote.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1002
- House Bill No. 1004
- House Bill No. 1009
- House Bill No. 1024
- House Bill No. 1034





	<u>Department of institution</u>	<u>Type of facility</u>	<u>State funds</u>
Division E: Pg. 2, line 29	Grafton State School	Dental area Addition	168,000
Division F: Pg. 2, lines 30, 31, 32	San Haven State Hospital	Food Service, laundry, and commissary	1,320,000
Division G: Pg. 2, line 33	International Peace Garden	Office building	100,000
Division H: Pg. 2, lines 34 and 35	State fair association	Cultural exhibit building	1,750,000
Division I: Pg. 3, lines 1 and 2	School for the deaf	Three residen- tial cottages	345,000
Division J: Pg. 3, lines 3 and 4	Director of institutions	Liberty memorial building remodel- ing	1,012,780
Division K: Pg. 3, lines 5 and 6	Dickinson State College	Multipurpose classroom building	3,000,000
Division L: Pg. 3, lines 7 and 8	North Dakota state university	Computer center addition	850,000
Division M: Pg. 3, lines 9 and 10	University of North Dakota	Physical education building addition	4,500,000
Division N: Pg. 3, line 11	Minot State College	Ceramics building	250,000
Division O: Pg. 3, line 12	State Hospital	Ward building	7,000,000
Division P: Pg. 3, lines 13, 14 and 15	Industrial School	Vocational education and maintenance shop complex	635,000
Division Q: Pg. 3, lines 16 and 17	School for the blind	Garage and storage addition	150,000

Division R: Page 1, line 13, and Page 3, line 48, changing the figures \$29,611,780.00, to that figure which would be the total of the sums deleting the totals of the individual projects which failed to pass on the divisions listed above.

Division S: The balance of House Bill No. 1531, excluding those divisions listed above.  
violation of this Act; and to provide an expiration date.





• HANSON	• WAIXNER	• THOMPSON
• HAUGLAND	• WARSDEN	• THORSgard
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So Division B was declared passed.

The question then was on the passage of Division C of the divided question.

ROLL CALL

The roll was called and there were ayes, 58; nays, 40; absent and not voting, 2.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		• WATTSON	• UNHJEM		
• BENEDICT		•	• HICKLE		• WEIERS	• VANDER VORST	•	
• BERG		•	• HOFFNER	•	• WELBY	• VIG		
• BERGE		•	• HOUMANN	•	• WERTENS	• WAGNER		
• BERGER		•	• HOVE	•	• MEYER	• WALD		
• BJORNSON	•		• JACOBSEN R		• MURPHY	• WALSH	•	
• BLACK	•		• JACOBSON I		• MURSHK	• WEBER	•	
• BOYUM	•		• KELLY		• NICHOLAS	• WENTZ		
• BROKAW	•		• KENNELLY		• OLSON	• WESSMAN		
• CHRISTENSEN	•		• KERMOYT		• OPEDAHL	• WINKJER	•	
• CONMY	•		• KINGSBURY		• PELTIER			
• CRABTREE	•		• KLOUBEC		• PETERSON	• MR. SPEAKER		
• DICK	•		• KNUDSON		• POMEROY			
• DIETZ	•		• KOSKI	•	• REED			
• DOTZENROD	•		• KRETSCHMAR	•	• RETZER			
• DuBORD	•		• KUCHERA		• RICHARD			
• EAGLES	•		• LANG	•	• RICHIE			
• ERICKSON	•		• LANGLEY		• RIEHL			
• FLEMING	•		• LARDY	•	• RUED			
• FREBERG	•		• LARSON F # 24		• SCHINDLER			
• GACKLE	•		• LARSON G # 29		• SCOFIELD			
• GERL	•		• LARSON H # 7		• SOLBERG			
• GORDER	•		• LEE	•	• STENEHJEM			
• GUNDERSON	•		• LEIBHAN	•	• STRINDEN			
• GUNSCH	•		• LIPSIA		• SWONTEK			
• HANSON	•		• WAIXNER	•	• THOMPSON			
• HAUGLAND	•		• WARSDEN		• THORSgard			
• HAUSAUER A # 49	•		• MARTIN		• TIMM			
• HAUSAUER R # 25	•		• MARTINSON	•	• TINJUM			
• HEDSTROM	•		• MATHENY		• TWETEN			

So Division C was declared passed.

The question then was on the passage of Division D of the divided question.

ROLL CALL

The roll was called and there were ayes, 59; nays, 40; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		• WATTSON	• UNHJEM		
• BENEDICT		•	• HICKLE		• WEIERS	• VANDER VORST	•	
• BERG		•	• HOFFNER	•	• WELBY	• VIG		
• BERGE		•	• HOUMANN	•	• WERTENS	• WAGNER		
• BERGER		•	• HOVE	•	• MEYER	• WALD		
• BJORNSON	•		• JACOBSEN R		• MURPHY	• WALSH	•	
• BLACK	•		• JACOBSON I		• MURSHK	• WEBER	•	
• BOYUM	•		• KELLY		• NICHOLAS	• WENTZ		
• BROKAW	•		• KENNELLY		• OLSON	• WESSMAN		
• CHRISTENSEN	•		• KERMOYT		• OPEDAHL	• WINKJER	•	
• CONMY	•		• KINGSBURY		• PELTIER			
• CRABTREE	•		• KLOUBEC		• PETERSON	• MR. SPEAKER		
• DICK	•		• KNUDSON		• POMEROY			
• DIETZ	•		• KOSKI	•	• REED			
• DOTZENROD	•		• KRETSCHMAR	•	• RETZER			
• DuBORD	•		• KUCHERA		• RICHARD			
• EAGLES	•		• LANG	•	• RICHIE			
• ERICKSON	•		• LANGLEY		• RIEHL			
• FLEMING	•		• LARDY	•	• RUED			
• FREBERG	•		• LARSON F # 24		• SCHINDLER			
• GACKLE	•		• LARSON G # 29		• SCOFIELD			
• GERL	•		• LARSON H # 7		• SOLBERG			
• GORDER	•		• LEE	•	• STENEHJEM			
• GUNDERSON	•		• LEIBHAN	•	• STRINDEN			
• GUNSCH	•		• LIPSIA		• SWONTEK			
• HANSON	•		• WAIXNER	•	• THOMPSON			
• HAUGLAND	•		• WARSDEN		• THORSgard			

● HAUSAUER, A #49	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So Division D was declared passed.  
 The question then was on the passage of Division E of the divided question.

**ROLL CALL**

The roll was called and there were ayes, 71; nays, 26; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY	●	● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE	●		● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM	●		● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OPEDAHL		● WESSMAN
● CHRISTENSEN			● KERMOTT			● PELTIER	●	● WINKLER
● CONMY			● KINGSBURY			● PETERSON		● MR SPEAKER
● CRABTREE			● KLOUBEC			● POMEROY		
● DICK			● KNUDSON			● REED		
● DIETZ			● KOSKI	●		● RETZER		
● DOTZENROD			● KRETSCHMAR			● RICHARD		
● DUBORD			● KUCHERA			● RICHIE	●	
● EAGLES			● LANG			● RIEHL	●	
● ERICKSON	●		● LANGLEY			● RUED		
● FLEMING			● LARDY	●		● SCHINDLER		
● FREBERG	●		● LARSON, F #24			● SCOFIELD		
● GACKLE	●		● LARSON, G #29			● SOLBERG		
● GERL			● LARSON, H #7			● STENEHJEM		
● GORDER			● LEE	●		● STRINDEN		
● GUNDERSON			● LEIBHAN	●		● SWONTEK		
● GUNSCH			● LIPSIA			● THOMPSON		
● HANSON	●		● MAIXNER	●		● THORSGARD		
● HAUGLAND			● MARSDEN			● TIMM		
● HAUSAUER, A #49			● MARTIN	●		● TINJUM		
● HAUSAUER, R #25			● MARTINSON	●		● TWETEN		
● HEDSTROM			● MATHENY	●				

So Division E was declared passed.  
 The question then was on the passage of Division F of the divided question.

**ROLL CALL**

The roll was called and there were ayes, 69; nays, 27; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY	●	● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE	●		● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM	●		● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OPEDAHL		● WESSMAN
● CHRISTENSEN			● KERMOTT			● PELTIER	●	● WINKLER
● CONMY			● KINGSBURY			● PETERSON		
● CRABTREE			● KLOUBEC			● POMEROY		● MR SPEAKER
● DICK			● KNUDSON			● REED		
● DIETZ			● KOSKI	●		● RETZER		
● DOTZENROD			● KRETSCHMAR			● RICHARD		
● DUBORD			● KUCHERA			● RICHIE	●	
● EAGLES			● LANG			● RIEHL	●	
● ERICKSON	●		● LANGLEY			● RUED		
● FLEMING			● LARDY	●		● SCHINDLER		
● FREBERG	●		● LARSON, F #24			● SCOFIELD		
● GACKLE	●		● LARSON, G #29			● SOLBERG		
● GERL			● LARSON, H #7			● STENEHJEM		
● GORDER			● LEE	●		● STRINDEN		
● GUNDERSON			● LEIBHAN	●		● SWONTEK		
● GUNSCH			● LIPSIA			● THOMPSON		
● HANSON	●		● MAIXNER	●		● THORSGARD		
● HAUGLAND			● MARSDEN			● TIMM		
● HAUSAUER, A #49			● MARTIN	●		● TINJUM		
● HAUSAUER, R #25			● MARTINSON	●		● TWETEN		
● HEDSTROM			● MATHENY	●				

So Division F was declared passed.

The question then was on the passage of Division G of the divided question.

ROLL CALL

The roll was called and there were ayes, 44; nays, 51; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
				HERMAN			MATTSON		UNHJEM		
				HICKLE			MEIERS		VANDER VORST		
				HOFFNER			MELBY		VIG		
				HOUMANN			WERTENS		WAGNER		
				HOVE			MEYER		WALD		
				JACOBSEN, R.			MURPHY		WALSH		
				JACOBSON, I.			MUSHK		WEBER		
				KELLY			NICHOLAS		WENTZ		
				KENNELLY			OLSON		WESSMAN		
				KERMOTT			OPEDAHL		WINKJER		
				KINGSBURY			PELTIER				
				KLOUBEC			PETERSON		MR. SPEAKER		
				KNUDSON			POMEROY				
				KOSKI			REED				
				KRETSCHMAR			RETZER				
				KUCHERA			RICHARD				
				LANG			RICHIE				
				LANGLEY			RIEHL				
				LARDY			RUED				
				LARSON, F. # 24			SCHINDLER				
				LARSON, G. # 29			SCOFIELD				
				LARSON, H. # 7			SOLBERG				
				LEE			STENEHJEM				
				LEIGHAN			STRINDEN				
				LIPSIA			SWONTEK				
				MAIXNER			THOMPSON				
				MARSDEN			THORSGARD				
				MARTIN			TIMM				
				MARTINSON			TINJUM				
				MATHENY			TWETEN				

So Division G was declared lost.

The question then was on the passage of Division H of the divided question.

ROLL CALL

The roll was called and there were ayes, 40; nays, 56; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
				HERMAN			MATTSON		UNHJEM		
				HICKLE			MEIERS		VANDER VORST		
				HOFFNER			MELBY		VIG		
				HOUMANN			WERTENS		WAGNER		
				HOVE			MEYER		WALD		
				JACOBSEN, R.			MURPHY		WALSH		
				JACOBSON, I.			MUSHK		WEBER		
				KELLY			NICHOLAS		WENTZ		
				KENNELLY			OLSON		WESSMAN		
				KERMOTT			OPEDAHL		WINKJER		
				KINGSBURY			PELTIER				
				KLOUBEC			PETERSON		MR. SPEAKER		
				KNUDSON			POMEROY				
				KOSKI			REED				
				KRETSCHMAR			RETZER				
				KUCHERA			RICHARD				
				LANG			RICHIE				
				LANGLEY			RIEHL				
				LARDY			RUED				
				LARSON, F. # 24			SCHINDLER				
				LARSON, G. # 29			SCOFIELD				
				LARSON, H. # 7			SOLBERG				
				LEE			STENEHJEM				
				LEIGHAN			STRINDEN				
				LIPSIA			SWONTEK				
				MAIXNER			THOMPSON				
				MARSDEN			THORSGARD				
				MARTIN			TIMM				
				MARTINSON			TINJUM				
				MATHENY			TWETEN				

So Division H was declared lost.

The question then was on the passage of Division I of the divided question.

ROLL CALL

The roll was called and there were ayes, 85; nays, 13; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES				HERMAN			MATTSON			UNHJEM	
BENEDICT				HICKLE			MEIERS			VANDER VORST	
BERG				HOFFNER			MELBY			VIG	
BERGE				HOUWMANN			MERTENS			WAGNER	
BERGER				HOVE			MEYER			WALD	
BJORNSON				JACOBSEN R			MURPHY			WALSH	
BLACK				JACOBSON I			MUSHIK			WEBER	
BOYUM				KELLY			NICHOLAS			WENTZ	
BROKAW				KENNELLY			OLSON			WESSMAN	
CHRISTENSEN				KERMOTT			OPEDAHL			WINKJER	
CONMY				KINGSBURY			PELTIER				
CRABTREE				KLOUBEC			PETERSON			MR SPEAKER	
DICK				KNUDSON			POMEROY				
DIETZ				KOSKI			REED				
DOTZENROD				KRETSCHMAR			RETZER				
DUBORD				KUCHERA			RICHARD				
EAGLES				LANG			RICHIE				
ERICKSON				LANGLEY			RIEHL				
FLEMING				LARDY			RUED				
FREBORG				LARSON F # 24			SCHINDLER				
GACKLE				LARSON G # 29			SCOFIELD				
GERL				LARSON H # 7			SOLBERG				
GORDER				LEE			STENHEIM				
GUNDERSON				LEIBMAN			STRINDEN				
GUINSH				LIPSIEA			SWIONTEK				
HANSON				MAIXNER			THOMPSON				
HAUGLAND				MARSDEN			THORSSGARD				
HAUSAUER A # 49				MARTIN			TIMM				
HAUSAUER R # 25				MARTINSON			TINJUM				
HEDSTROM				MATHENY			TWETEN				

So Division I was declared passed.

Rep. Winkjer moved that the vote by which Division H of House Bill No. 1531 was lost be reconsidered, and the motion to reconsider be laid on the table, which motion failed on a verification vote.

The question then was on the passage of Division J of the divided question.

ROLL CALL

The roll was called and there were ayes, 44; nays, 52; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES				HERMAN			MATTSON			UNHJEM	
BENEDICT				HICKLE			MEIERS			VANDER VORST	
BERG				HOFFNER			MELBY			VIG	
BERGE				HOUWMANN			MERTENS			WAGNER	
BERGER				HOVE			MEYER			WALD	
BJORNSON				JACOBSEN R			MURPHY			WALSH	
BLACK				JACOBSON I			MUSHIK			WEBER	
BOYUM				KELLY			NICHOLAS			WENTZ	
BROKAW				KENNELLY			OLSON			WESSMAN	
CHRISTENSEN				KERMOTT			OPEDAHL			WINKJER	
CONMY				KINGSBURY			PELTIER				
CRABTREE				KLOUBEC			PETERSON			MR SPEAKER	
DICK				KNUDSON			POMEROY				
DIETZ				KOSKI			REED				
DOTZENROD				KRETSCHMAR			RETZER				
DUBORD				KUCHERA			RICHARD				
EAGLES				LANG			RICHIE				
ERICKSON				LANGLEY			RIEHL				
FLEMING				LARDY			RUED				
FREBORG				LARSON F # 24			SCHINDLER				
GACKLE				LARSON G # 29			SCOFIELD				
GERL				LARSON H # 7			SOLBERG				
GORDER				LEE			STENHEIM				
GUNDERSON				LEIBMAN			STRINDEN				
GUINSH				LIPSIEA			SWIONTEK				
HANSON				MAIXNER			THOMPSON				
HAUGLAND				MARSDEN			THORSSGARD				
HAUSAUER A # 49				MARTIN			TIMM				
HAUSAUER R # 25				MARTINSON			TINJUM				
HEDSTROM				MATHENY			TWETEN				

So Division J was declared lost.

The question then was on the passage of Division K of the divided question.

ROLL CALL

The roll was called and there were ayes, 37; nays, 58; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•		•	HERMAN	•		•	MATTSON		•	UNHJEM	
•	•		•	HICKLE		•	MEIERS	•	•	VANDER VORST	•
•	•		•	HOFFNER	•	•	MELBY	•	•	VIG	
•	•		•	HOUHMANN	•	•	MERTENS	•	•	WAGNER	
•	•		•	HOVE	•	•	MEYER	•	•	WALD	
•	•		•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	•
•	•		•	JACOBSON I	•	•	MUSHIK	•	•	WEBER	•
•	•		•	KELLY	•	•	NICHOLAS	•	•	WENTZ	
•	•		•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•
•	•		•	KERMOTT	•	•	OPEDAHL	•	•	WINKJER	•
•	•		•	KINGSBURY	•	•	PELTIER	•			
•	•		•	KLOUBEC	•	•	PETERSON	•		MR SPEAKER	•
•	•		•	KNUDSON	•	•	POMEROY	•			
•	•		•	KOSKI	•	•	REED	•			
•	•		•	KRETSCHMAR	•	•	RETZER	•			
•	•		•	KUCHERA	•	•	RICHARD	•			
•	•		•	LANG	•	•	RICHIE	•			
•	•		•	LANGLEY	•	•	RIEHL	•			
•	•		•	LARDY	•	•	RUED	•			
•	•		•	LARSON F # 24	•	•	SCHINDLER	•			
•	•		•	LARSON G # 28	•	•	SCOFIELD	•			
•	•		•	LARSON H # 7	•	•	SOLBERG	•			
•	•		•	LEE	•	•	STENEHJEM	•			
•	•		•	LEIBHAN	•	•	STRINDEN	•			
•	•		•	LIPSIEA	•	•	SWIONTEK	•			
•	•		•	MAIXNER	•	•	THOMPSON	•			
•	•		•	MARSDEN	•	•	THORSGARD	•			
•	•		•	MARTIN	•	•	TIMM	•			
•	•		•	MARTINSON	•	•	TINJUM	•			
•	•		•	MATHENY	•	•	TWETEN	•			

So Division K was declared lost.

Rep. Mushik moved that the House reconsider its action whereby Division H of House Bill No. 1531 failed to pass, which motion prevailed on a verification vote.

The question then was on the passage of Division H of the divided question.

ROLL CALL

The roll was called and there were ayes, 46; nays, 49; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•		•	HERMAN	•		•	MATTSON		•	UNHJEM	
•	•		•	HICKLE		•	MEIERS	•	•	VANDER VORST	•
•	•		•	HOFFNER	•	•	MELBY	•	•	VIG	
•	•		•	HOUHMANN	•	•	MERTENS	•	•	WAGNER	
•	•		•	HOVE	•	•	MEYER	•	•	WALD	
•	•		•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	•
•	•		•	JACOBSON I	•	•	MUSHIK	•	•	WEBER	•
•	•		•	KELLY	•	•	NICHOLAS	•	•	WENTZ	
•	•		•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•
•	•		•	KERMOTT	•	•	OPEDAHL	•	•	WINKJER	•
•	•		•	KINGSBURY	•	•	PELTIER	•			
•	•		•	KLOUBEC	•	•	PETERSON	•		MR SPEAKER	•
•	•		•	KNUDSON	•	•	POMEROY	•			
•	•		•	KOSKI	•	•	REED	•			
•	•		•	KRETSCHMAR	•	•	RETZER	•			
•	•		•	KUCHERA	•	•	RICHARD	•			
•	•		•	LANG	•	•	RICHIE	•			
•	•		•	LANGLEY	•	•	RIEHL	•			
•	•		•	LARDY	•	•	RUED	•			
•	•		•	LARSON F # 24	•	•	SCHINDLER	•			
•	•		•	LARSON G # 28	•	•	SCOFIELD	•			
•	•		•	LARSON H # 7	•	•	SOLBERG	•			
•	•		•	LEE	•	•	STENEHJEM	•			
•	•		•	LEIBHAN	•	•	STRINDEN	•			
•	•		•	LIPSIEA	•	•	SWIONTEK	•			
•	•		•	MAIXNER	•	•	THOMPSON	•			
•	•		•	MARSDEN	•	•	THORSGARD	•			
•	•		•	MARTIN	•	•	TIMM	•			
•	•		•	MARTINSON	•	•	TINJUM	•			
•	•		•	MATHENY	•	•	TWETEN	•			

So Division H was declared lost.

EXPLANATION OF VOTE

Rep. Kuchera: Mr. Speaker:

"I would like to explain that while I voted 'Nay' on Division K, it was my intention to vote 'Aye', and I would like the record to show this fact."

Rep. Winkjer moved that the vote by which Division H of House Bill No. 1531 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question then was on the passage of Division L of the divided question.

ROLL CALL

The roll was called, and there were ayes, 32; nays, 62; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES		•	•	HERMAN		•	•	MATTSON		•	•	UNHJEM
BENEDICT		•	•	HICKLE		•	•	WEIERS		•	•	VANDER VORST
BERG		•	•	HOFFNER		•	•	MELBY		•	•	VG
BERGE		•	•	HOLMANN		•	•	WERTENS		•	•	WAGNER
BERGER		•	•	HOVE		•	•	MEYER		•	•	WALD
• BJORNSON		•	•	JACOBSEN R		•	•	MURPHY		•	•	WALSH
BLACK		•	•	JACOBSON I		•	•	MUSHIK		•	•	WEBER
BOYUM		•	•	KELLY		•	•	NICHOLAS		•	•	WENTZ
BROKAW		•	•	KENNELLY		•	•	OLSON		•	•	WESSMAN
CHRISTENSEN		•	•	KERMOTT		•	•	OPEDAHL		•	•	WINKJER
CONMY		•	•	KINGSBURY		•	•	PELTIER				
CRABTREE		•	•	KLOUBEC		•	•	PETERSON				MR. SPEAKER
DICK		•	•	KNUDSON		•	•	POMEROY				
• DIETZ		•	•	KOSKI		•	•	REED				
DOTZENROD		•	•	KRETSCHMAR		•	•	RETZER		•	•	
• DUBORD		•	•	KUCHERA		•	•	RICHARD		•	•	
• EAGLES		•	•	LANG		•	•	RICHIE		•	•	
ERICKSON		•	•	LANGLEY		•	•	RIEHL		•	•	
FLEWING		•	•	LARDY		•	•	RUED		•	•	
FREBORG		•	•	LARSON F #24		•	•	SCHINDLER		•	•	
GACKLE		•	•	LARSON G #28		•	•	SCOFIELD		•	•	
GERL		•	•	LARSON H #7		•	•	SOLBERG		•	•	
GORDER		•	•	LEE		•	•	STENHJEM		•	•	
• GUNDERSON		•	•	LEIBMAN		•	•	STRONDEJ		•	•	
• GUNSCH		•	•	LIPSEA		•	•	SWONTEK		•	•	
HANSON		•	•	MAIXNER		•	•	THOMPSON		•	•	
• HAUGLAND		•	•	MARSDEN		•	•	THORSGARD		•	•	
HAUSAUER A #49		•	•	MARTIN		•	•	TIMM		•	•	
HAUSAUER R #25		•	•	MARTINSON		•	•	TINJUM		•	•	
• HEDSTROM		•	•	MATHENY		•	•	TWETEN		•	•	

So Division L was declared lost.

The question then was on the passage of Division M of the divided question.

ROLL CALL

The roll was called and there were ayes, 28; nays, 69; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES		•	•	HERMAN		•	•	MATTSON		•	•	UNHJEM
BENEDICT		•	•	HICKLE		•	•	WEIERS		•	•	VANDER VORST
BERG		•	•	HOFFNER		•	•	MELBY		•	•	VG
BERGE		•	•	HOLMANN		•	•	WERTENS		•	•	WAGNER
BERGER		•	•	HOVE		•	•	MEYER		•	•	WALD
• BJORNSON		•	•	JACOBSEN R		•	•	MURPHY		•	•	WALSH
• BLACK		•	•	JACOBSON I		•	•	MUSHIK		•	•	WEBER
BOYUM		•	•	KELLY		•	•	NICHOLAS		•	•	WENTZ
BROKAW		•	•	KENNELLY		•	•	OLSON		•	•	WESSMAN
CHRISTENSEN		•	•	KERMOTT		•	•	OPEDAHL		•	•	WINKJER
CONMY		•	•	KINGSBURY		•	•	PELTIER				
CRABTREE		•	•	KLOUBEC		•	•	PETERSON				MR. SPEAKER
DICK		•	•	KNUDSON		•	•	POMEROY				
• DIETZ		•	•	KOSKI		•	•	REED				
DOTZENROD		•	•	KRETSCHMAR		•	•	RETZER		•	•	
• DUBORD		•	•	KUCHERA		•	•	RICHARD		•	•	
• EAGLES		•	•	LANG		•	•	RICHIE		•	•	
ERICKSON		•	•	LANGLEY		•	•	RIEHL		•	•	
FLEWING		•	•	LARDY		•	•	RUED		•	•	
FREBORG		•	•	LARSON F #24		•	•	SCHINDLER		•	•	
GACKLE		•	•	LARSON G #28		•	•	SCOFIELD		•	•	
GERL		•	•	LARSON H #7		•	•	SOLBERG		•	•	



• GUNSCHE	•	LIPSIEA	•	• SWIONTEK
• HANSON	•	• MAIXNER	•	• THOMPSON
• HAUGLAND	•	• MARSDEN	•	• THORSGARD
• HAUSAUER, A # 49	•	• MARTIN	•	• TIMM
• HAUSAUER, R # 25	•	• MARTINSON	•	• TINJUM
• HEDSTROM	•	• MATHENY	•	• TWETEN

So Division O was declared lost.

Rep. Gackle moved that the House reconsider its action whereby Division K of House Bill No. 1531 failed to pass, which motion failed.

The question then was on the passage of Division P of the divided question.

ROLL CALL

The roll was called and there were ayes, 41; nays, 53; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEERS	•	• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOFFMANN			• WERTENS	•	• WAGNER
• BERGER			• HOYE	•		• MEYER	•	• WALD
• BJORNSON	•		• JACOBSEN, R			• MURPHY		• WALSH
• BLACK			• JACOBSON, I			• MUSHIK	•	• WEBER
• BOYUM	•		• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN	•		• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE	•		• KLOUBEC	•		• PETERSON	•	
• DICK	•		• KNUDSON			• POMEROY		• MR SPEAKER
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG	•		• RICHIE		
• ERICKSON	•		• LANGLEY	•		• RIEHL		
• FLEMING	•		• LARDY	•		• RUED		
• FREBORG	•		• LARSON, F # 24			• SCHINDLER		
• GACKLE	•		• LARSON, G # 29			• SCOFIELD		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER	•		• LEE	•		• STENEHJEM		
• GUNDERSON	•		• LEIBHAN			• STRINDEN		
• GUNSCHE	•		• LIPSIEA			• SWIONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER, A # 49			• MARTIN			• TIMM		
• HAUSAUER, R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So Division P was declared lost.

The question then was on the passage of Division Q of the divided question.

ROLL CALL

The roll was called and there were ayes, 60; nays, 34; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY	•	• VIG
• BERGE			• HOFFMANN			• WERTENS		• WAGNER
• BERGER			• HOYE	•		• MEYER		• WALD
• BJORNSON	•		• JACOBSEN, R			• MURPHY		• WALSH
• BLACK			• JACOBSON, I			• MUSHIK	•	• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN	•		• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE	•		• KLOUBEC	•		• PETERSON	•	• MR SPEAKER
• DICK	•		• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG	•		• RICHIE		
• ERICKSON	•		• LANGLEY	•		• RIEHL		
• FLEMING	•		• LARDY	•		• RUED		
• FREBORG	•		• LARSON, F # 24			• SCHINDLER		
• GACKLE	•		• LARSON, G # 29			• SCOFIELD		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER	•		• LEE	•		• STENEHJEM		



GUNDERSON	•	LEIHAN	•	STRINDEN	
• GUNSCHE		• LIPSIA		• SWONTEK	
HANSON	•	• MAIXNER	•	• THOMPSON	•
• HAUGLAND		• MARSDEN		• THORSGARD	
• HAUSAUER A. #48	•	• MARTIN	•	• TIMM	•
• HAUSAUER R. #25	•	• MARTINSON	•	• TINJUM	•
• HEDSTROM		• MATHENY	•	• TWETEN	

So Division Q was declared passed.

Rep. Brokaw moved that the House reconsider its action whereby Division G of House Bill No. 1531 failed to pass, which motion prevailed.

The question then was on the passage of Division G of the divided question.

ROLL CALL

The roll was called and there were ayes, 65; nays, 31; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER		•	• WELBY		•	• VIG		
• BERGE			• HOUWMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER			• WALD		
• BJORNSON	•		• JACOBSEN R.			• MURPHY			• WALSH		•
• BLACK			• JACOBSON I.			• MUSHIK			• WEBER		•
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAH			• WINKJER		•
• CONNY		•	• KINGSBURY			• PELTIER					
• CRABTREE		•	• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON		•	• POMEROY					
• DIETZ			• KOSKI		•	• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER		•			
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE		•			
• ERICKSON		•	• LANGLEY			• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREBORG		•	• LARSON F. #24			• SCHINDLER					
• GACKLE			• LARSON G. #29			• SCOFIELD					
• GERL			• LARSON H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIHAN		•	• STRINDEN					
• GUNSCHE			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER		•	• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A. #48			• MARTIN		•	• TIMM					
• HAUSAUER R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So Division G was declared passed.

Rep. Tweten moved that the House reconsider its action whereby Division B of House Bill No. 1531 passed, which motion failed on a verification vote.

Rep. Tweten moved that the House reconsider its action whereby Division A of House Bill No. 1531 passed, which motion failed on a verification vote.

The question then was on the passage of Division R of the divided question.

ROLL CALL

The roll was called, and there were ayes, 68; nays, 29; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		•
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUWMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER			• WALD		•
• BJORNSON			• JACOBSEN R.			• MURPHY			• WALSH		•
• BLACK			• JACOBSON I.			• MUSHIK			• WEBER		•
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN		•	• KERMOTT			• OPEDAH			• WINKJER		•
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON		•	• POMEROY		•			
• DIETZ			• KOSKI		•	• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					



• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F. # 24	• SCHINDLER
• GACKLE	• LARSON G. # 29	• SCOFIELD
• GERL	• LARSON H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHEW
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNTSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

House Bill No. 1531, including Divisions A, B, C, D, E, F, G, I, Q, R and S was lost.

### MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

### MESSAGE FROM THE SENATE

#### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2001

Senate Bill No. 2026

Senate Bill No. 2038

Senate Bill No. 2085

Senate Bill No. 2099

Senate Bill No. 2310

Senate Bill No. 2439

Senate Concurrent Resolution No. 4042

Senate Concurrent Resolution No. 4052

Senate Concurrent Resolution No. 4059

Senate Concurrent Resolution No. 4060

Senate Concurrent Resolution No. 4062

Senate Concurrent Resolution No. 4064

Senate Concurrent Resolution No. 4065

Senate Concurrent Resolution No. 4068

Senate Concurrent Resolution No. 4075

Senate Concurrent Resolution No. 4081

LEO LEIDHOLM, Secretary

### POINT OF PERSONAL PRIVILEGE

Rep. Rued:

“Mr. Speaker and members of this Assembly:

“It was good to leave here yesterday after the session and be with my family and friends without the threats of verbal abuse and physical harm that this legislator has been subjected to from members and director of an organization called ‘Independent Community Banks of North Dakota.’

“I have become accustomed to members of the general public who, sometimes, become a little excited about bills down here. This I expect and I invite input from the citizens of North Dakota. However, it has gone too far when an officer of a North Dakota Bank threatens physical harm.

“This concludes the first time I have ever spoken on a point of personal privilege and I sincerely hope it is my last on such a distasteful matter. I wish my remarks printed in the journal.”

SECOND READING OF HOUSE BILLS

**House Bill No. 1605.** — A Bill for an Act to authorize service of process by mail by federal marshals; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 13.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● SACKES	●		● HERMAN			● MATTHEWSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER	●	
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIED		
● FLEMING			● LARDY			● RUF		
● FREBORG			● LARSON F #24			● SCHINDLER		
● GACKLE			● LARSON G #29			● SCOFIELD		
● GERL			● LARSON H #7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN	●	
● GUNSCHE			● LIPSIE			● SWINTEK	●	
● HANSON			● MAIKNER			● THOMPSON		
● HAUGLAN			● MARSDEN			● THORSGAR	●	
● HAUSAUER A #49			● MARTIN			● TIMM		
● HAUSAUER R #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN	●	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1617.** — A Bill for an Act to amend and reenact sections 11-18-16, 11-18-17, and 11-18-20 of the North Dakota Century Code, relating to buried transmission facilities; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 15; absent and not voting, 5.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● SACKES			● HERMAN			● MATTHEWSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER	●	
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIED		
● FLEMING			● LARDY			● RUF		
● FREBORG			● LARSON F #24			● SCHINDLER		
● GACKLE			● LARSON G #29			● SCOFIELD		
● GERL			● LARSON H #7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		

• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A #49	• MARTIN	• TIMM
• HAUSAUER, R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Rep. Wald: "Mr. Speaker:

"I request that the record show I voted wrong on House Bill No. 1496. I intended to vote 'Aye' and mistakenly voted 'Nay'."

SECOND READING OF HOUSE BILLS

**House Bill No. 1627.** — A Bill for an Act to prohibit littering, to provide for the placement and use of litter receptacles, definitions, to create a litter control account, to provide for enforcement by the state highway department; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 70; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN		•	• MATTSON		•	• UNKJEM		
• BENEDICT		•	• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER		•	• MELBY		•	• VG		•
• BERGE		•	• HOUWMANN		•	• WERTENS		•	• WAGNER		•
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS		•	• WENTZ		•
• BROKAW		•	• KENNELLY		•	• OLSON		•	• WESSMAN		•
• CHRISTENSEN		•	• KERMOITT		•	• OPEDAHL		•	• WINKLER		•
• CONNY		•	• KINGSBURY		•	• PELTIER		•			
• CRABTREE		•	• KLOUBEC		•	• PETERSON		•	• MR. SPEAKER		•
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DuBORD		•	• KUCHERA		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG		•	• LARSON, F # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G # 25		•	• SCOFIELD		•			
• GERL		•	• LARSON, H # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEW		•			
• GUNDERSON		•	• LEIBMAN		•	• STRINDEN		•			
• GUNSCH		•	• LIPSIA		•	• SWONTEK		•			
• HANSON		•	• MAXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGARD		•			
• HAUSAUER, A #49		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, R #25		•	• MARTINSON		•	• TINJUM		•			
• HEDSTROM		•	• MATHENY		•	• TWETEN		•			

So the bill lost.

**House Bill No. 1639.** — A Bill for an Act to provide minimum raises for all state employees; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSON		•	• UNKJEM		
• BENEDICT		•	• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER		•	• MELBY		•	• VG		•
• BERGE		•	• HOUWMANN		•	• WERTENS		•	• WAGNER		•
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WFRFR		•



ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 60; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			WATTSON		UNHJEM
BACKES	•		HICKLE			WEIERS		VANDER VORST
BENEDICT			HOFFNER			WELBY		VIG
BERG	•		HOUAMANN			WERTENS		WAGNER
BERGE	•		HOVE			MEYER	•	WALD
BERGER			JACOBSEN, R.			MURPHY		WALSH
BJORNSON	•		JACOBSON, I.			MUSHIK		WEBER
BLACK			KELLY			NICHOLAS		WENTZ
BOYUM			KENNELLY			OLSON		WESSMAN
BROKAW			KERMOTT			OPEDAHL		WINKJER
CHRISTENSEN	•		KINGSBURY			PELTIER		
CONMY	•		KLOUBEC			PETERSON		MR. SPEAKER
CRABTREE	•		KNUDSON			POMEROY		
DICK	•		KOSKI			REED		
DIETZ	•		KRETSCHMAR			RETZER		
DOTZENROD			KUCHERA			RICHARD		
DUBORD			LANG			RICHE		
EAGLES	•		LANGLEY			RIEHL		
ERICKSON			LARDY			RUED		
FLEMING	•		LARSON, F. # 24			SCHINDLER		
FREBORG	•		LARSON, G. # 29			SCOFIELD		
GACKLE	•		LARSON, H. # 7			SOLBERG		
GERL			LEE			STENEHJEM		
GORDER	•		LEIBHAN			STRINDEN		
GUNDERSON	•		LIPSIEA			SWONTEK		
GUNSCH			MAIXNER			THOMPSON		
HANSON			MARSDEN			THORSGARD		
HAUGLAND			MARTIN			TIMM		
HAUSAUER, A. # 49	•		MARTINSON			TINJUM		
HAUSAUER, R. # 25	•		MATHENY			TWETEN		
HEDSTROM	•							

So the bill lost.

**House Bill No. 1657.** — A Bill for an Act to provide for tuition grants to national guard members who enroll in private colleges and universities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 3.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			HERMAN			WATTSON		UNHJEM
BACKES	•		HICKLE			WEIERS		VANDER VORST
BENEDICT			HOFFNER			WELBY		VIG
BERG	•		HOUAMANN			WERTENS		WAGNER
BERGE	•		HOVE			MEYER	•	WALD
BERGER			JACOBSEN, R.			MURPHY		WALSH
BJORNSON	•		JACOBSON, I.			MUSHIK		WEBER
BLACK			KELLY			NICHOLAS		WENTZ
BOYUM			KENNELLY			OLSON		WESSMAN
BROKAW			KERMOTT			OPEDAHL		WINKJER
CHRISTENSEN	•		KINGSBURY			PELTIER		
CONMY	•		KLOUBEC			PETERSON		MR. SPEAKER
CRABTREE	•		KNUDSON			POMEROY		
DICK	•		KOSKI			REED		
DIETZ	•		KRETSCHMAR			RETZER		
DOTZENROD			KUCHERA			RICHARD		
DUBORD			LANG			RICHE		
EAGLES	•		LANGLEY			RIEHL		
ERICKSON			LARDY			RUED		
FLEMING	•		LARSON, F. # 24			SCHINDLER		
FREBORG	•		LARSON, G. # 29			SCOFIELD		
GACKLE	•		LARSON, H. # 7			SOLBERG		
GERL			LEE			STENEHJEM		
GORDER	•		LEIBHAN			STRINDEN		
GUNDERSON	•		LIPSIEA			SWONTEK		
GUNSCH			MAIXNER			THOMPSON		
HANSON			MARSDEN			THORSGARD		
HAUGLAND			MARTIN			TIMM		
HAUSAUER, A. # 49	•		MARTINSON			TINJUM		
HAUSAUER, R. # 25	•		MATHENY			TWETEN		
HEDSTROM	•							

So the bill passed and the title was agreed to.







ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 31; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		●	HERMAN		●	MATTSON		●	UNHJEM	
BENEDICT		●	●	HICKLE		●	MEIERS		●	VANDER VORST	
BERG	●		●	HOFFNER		●	MELBY		●	YIG	
BERGE		●	●	HOUWMANN		●	MERTENS		●	WAGNER	
BERGER		●	●	HOVE		●	MEYER		●	WALD	
BJORNSON			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
BLACK			●	JACOBSON, I.		●	MUSHIK		●	WEBER	●
BOYUM			●	KELLY		●	NICHOLAS		●	WENTZ	●
BROKAW		●	●	KENNELLY		●	OLSON		●	WESSMAN	
CHRISTENSEN			●	KERMOTT		●	OPEDAHL		●	WENTZ	
CONNY		●	●	KINGSBURY		●	PELTIER		●	WINKLER	
CRABTREE			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	
DICK	●		●	KNUDSON		●	POMEROY		●		
DIETZ				KOSKI		●	REED		●		
DOTZENROD			●	KRETSCHMAR		●	RETZER		●		
DuBORD			●	KUCHERA		●	RICHARD		●		
EAGLES			●	LANG		●	RICHIE		●		
ERICKSON			●	LANGLEY		●	RIEHL		●		
FLEMING		●	●	LARDY		●	RUED		●		
FREBORO			●	LARSON, F. # 24		●	SCHINDLER		●		
GACKLE			●	LARSON, G. # 29		●	SCOFIELD		●		
GERL			●	LARSON, H. # 7		●	SOLBERG		●		
GORDER		●	●	LEG		●	STENHJEM		●		
GUNDERSON			●	LEIBHAN		●	STRINDEN		●		
GUNSCH			●	LIPSIE		●	SWONTEK		●		
HANSON		●	●	MAIXNER		●	THOMPSON		●		
HAUGLAND			●	MARSDEN		●	THORSgard		●		
HAUSAUER A. # 49		●	●	MARTIN		●	TIMM		●		
HAUSAUER R. # 25			●	MARTINSON		●	TINJUM		●		
HEDSTROM			●	MATHENY		●	TWETEN		●		

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that House Bill No. 1385 be moved to the head of the calendar, which motion prevailed.

Rep. F. Larson moved that the House reconsider its action whereby House Bill No. 1319 passed, which motion failed on a verification vote.

SECOND READING OF HOUSE BILLS

**House Bill No. 1385.** — A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 24; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		●	HERMAN		●	MATTSON		●	UNHJEM	
BENEDICT		●	●	HICKLE		●	MEIERS		●	VANDER VORST	
BERG	●		●	HOFFNER		●	MELBY		●	YIG	
BERGE		●	●	HOUWMANN		●	MERTENS		●	WAGNER	
BERGER		●	●	HOVE		●	MEYER		●	WALD	
BJORNSON			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
BLACK			●	JACOBSON, I.		●	MUSHIK		●	WEBER	●
BOYUM			●	KELLY		●	NICHOLAS		●	WENTZ	●
BROKAW		●	●	KENNELLY		●	OLSON		●	WESSMAN	
CHRISTENSEN			●	KERMOTT		●	OPEDAHL		●	WINKLER	
CONNY		●	●	KINGSBURY		●	PELTIER		●		
CRABTREE			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	
DICK	●		●	KNUDSON		●	POMEROY		●		
DIETZ				KOSKI		●	REED		●		
DOTZENROD			●	KRETSCHMAR		●	RETZER		●		
DuBORD		●	●	KUCHERA		●	RICHARD		●		
EAGLES			●	LANG		●	RICHIE		●		
ERICKSON			●	LANGLEY		●	RIEHL		●		
FLEMING		●	●	LARDY		●	RUED		●		
FREBORO			●	LARSON, F. # 24		●	SCHINDLER		●		
GACKLE			●	LARSON, G. # 29		●	SCOFIELD		●		



● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONNLY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	MR SPEAKER ●
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG ●	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 20	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1215.** — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct bingo, raffles, pull tabs, jars, punchboards, paddle wheel, twenty-one, and sports pools; and to provide for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games, bookkeeping requirements, expense requirements, a tax based on adjusted gross proceeds, examination of books and records, licensure of distributors, form and display of licensure, and rules and regulations; to provide a criminal penalty for the violation of this Act; and to provide an expiration date.

Which has been read.

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1215, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 33; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
●		●	●		●	●			●		●
●			●			●			●		
●		●	●		●	●			●		●
●			●			●			●		●
●		●	●		●	●			●		●
●			●			●			●		●
●			●			●			●		●
●		●	●		●	●			●		●
●			●			●			●		●
●		●	●		●	●			●		●
●			●			●			●		●
●		●	●		●	●			●		●
●			●			●			●		●
●		●	●		●	●			●		●
●			●			●			●		●
●		●	●		●	●			●		●
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**House Bill No. 1223.** — A Bill for an Act to create and enact four new sections to chapter 55-08 of the North Dakota Century Code, relating to noncriminal park violations, administrative hearing, procedures, appeals, stay orders, regulations, uniform complaint and summons, promise to appear, and providing for statutory costs by the North Dakota parks and recreation department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 5; nays, 87; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM	•
BENEDICT		•	HICKLE	•		MEIERS		•	VANDER VORST	•
BERG		•	HOFFNER		•	MELBY		•	VIG	•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER	•
BERGER		•	HOVE		•	MEYER		•	WALD	•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH	•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER	•
BOYUM		•	KELY		•	NICHOLAS		•	WENTZ	•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	•
CONMY		•	KINGSBURY		•	PELTIER		•		
CRABTREE		•	KLOUBEC		•	PETERSON	•		MR SPEAKER	•
DICK		•	KNUDSON		•	POMEROY		•		
DIETZ		•	KOSKI		•	REED		•		
DOTZENROD		•	KRETSCHMAR		•	RETZER		•		
DuBORD		•	KUCHERA		•	RICHARD		•		
EAGLES		•	LANG		•	RICHIE		•		
ERICKSON		•	LANGLEY	•		RIEHL		•		
FLEMING		•	LARDY		•	RUED		•		
FREBORG	•		LARSON F #24		•	SCHINDLER		•		
GACKLE		•	LARSON G #29		•	SCOFIELD		•		
GERL		•	LARSON H #7		•	SOLBERG		•		
GORDER		•	LEE		•	STENEHJEM		•		
GUNDERSON		•	LEIBMAN		•	STRINDEN		•		
GUNSCH		•	LIPSEA		•	SWINTEK		•		
HANSON		•	MAIKNER		•	THOMPSON		•		
HAUGLAND		•	MARSDEN		•	THORSGAR		•		
HAUSAUER A #4	•		MARTIN		•	TIMM		•		
HAUSAUER R #25	•		MARTINSON		•	TINUM		•		
HEDSTROM		•	MATHENY		•	TWETEN		•		

So the bill lost.

**House Bill No. 1296.** — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to the closing or limiting of hunting in counties by the action of the board of county commissioners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 69; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM	•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST	•
BERG		•	HOFFNER		•	MELBY		•	VIG	•
BERGE		•	HOUWMANN		•	MERTENS		•	WAGNER	•
BERGER		•	HOVE		•	MEYER		•	WALD	•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH	•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER	•
BOYUM		•	KELY		•	NICHOLAS		•	WENTZ	•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	•
CONMY		•	KINGSBURY		•	PELTIER		•		
CRABTREE		•	KLOUBEC		•	PETERSON	•		MR SPEAKER	•
DICK		•	KNUDSON		•	POMEROY		•		
DIETZ		•	KOSKI		•	REED		•		
DOTZENROD		•	KRETSCHMAR		•	RETZER		•		
DuBORD		•	KUCHERA		•	RICHARD		•		
EAGLES		•	LANG		•	RICHIE		•		
ERICKSON		•	LANGLEY		•	RIEHL		•		

• FLEWING	• LARDY	• RUED
• FREBORN	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill lost.

**House Bill No. 1331.** — A Bill for an Act to amend and reenact subsection 2 of section 15-38.1-13 of the North Dakota Century Code, providing for machinery for the resolution of impasses in professional negotiations in the public schools; and to provide an effective date.

Which has been read.

Rep. Hanson requested that he be excused from voting on House Bill No. 1331 because of a conflict of interest.

Rep. Backes moved that Rep. Hanson be allowed to vote on House Bill No. 1331, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 48; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	•	MATTSON		•	UNHJEM	•
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST	•
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
	• BERGE	•		• HOUMANN		•	• MERTENS		•	WAGNER	
	• BERGER	•		• HOVE		•	• MEYER		•	• WALD	•
	• BJORNSON	•		• JACOBSEN, R	•		• MURPHY		•	• WALSH	
•	• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WEBER	•
	• BOYUM		•	• KELLY		•	• NICHOLAS		•	• WENTZ	
	• BROKAW	•	•	• KENNELLY		•	• OLSON		•	• WESSMAN	
	• CHRISTENSEN		•	• KERMOIT	•		• OPEDAHL		•	• WINKJER	•
•	• CONNY		•	• KINGSBURY		•	• PELTIER		•		
	• CRABTREE	•		• KLOUBEC		•	• PETERSON		•	• MR SPEAKER	
	• DICK	•		• KNUDSON		•	• POMEROY				
	• DIETZ		•	• KOSK		•	• REED				
	• DOTZENROD		•	• KRETSCHMAR		•	• RETZER				
	• DUBORD		•	• KUCHERA		•	• RICHARD				
	• EAGLES		•	• LANG		•	• RICHIE				
	• ERICKSON	•	•	• LANGLEY		•	• RIEHL				
	• FLEWING		•	• LARDY		•	• RUED				
	• FREBORN		•	• LARSON, F # 24		•	• SCHINDLER				
	• GACKLE		•	• LARSON, G # 29		•	• SCOFIELD				
	• GERL		•	• LARSON, H # 7		•	• SOLBERG				
	• GORDER		•	• LEE		•	• STENEHJEM				
	• GUNDERSON		•	• LEIBMAN		•	• STRINDEN				
	• GUNSCH	•		• LIPSIEA		•	• SWIONTEK				
	• HANSON		•	• MAIXNER		•	• THOMPSON				
	• HAUGLAND		•	• MARSDEN		•	• THORSGAARD				
	• HAUSAUER A # 49		•	• MARTIN		•	• TIMM				
	• HAUSAUER R # 25		•	• MARTINSON		•	• TINJUM				
	• HEDSTROM	•		• MATHENY		•	• TWETEN				

So the bill lost.

**House Bill No. 1579.** — A Bill for an Act to amend and reenact sections 26-02-44 and 39-24-03 of the North Dakota Century Code, relating to the rights of an insurer making payments under uninsured motorist coverage, and to motor vehicle registration, application, issuance, fees, and renewal; to repeal chapter 39-17 of the North Dakota Century Code, relating to the unsatisfied judgment fund; to establish an effective date for applications against the unsatisfied judgment fund and for disposition of cases; and to provide for the transfer of unsatisfied judgment funds to the general fund.

Which has been read.



• GERL	• LARSON, H. #7	• SOLBERG
• GORDER	• LEE	• STENEHJEW
• GUNDERS	• LEIBMAN	• STRINDEN
• GUNSCHE	• LIPSEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A. #48	• MARTIN	• TIMM
• HAUSAUER R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

#### MOTION

Rep. Strinden moved that the rules be suspended, and that the following House Bills be messaged to the Senate immediately: House Bills Nos. 1005, 1007, 1010, 1011, 1028, 1029, 1056, 1126, 1221, 1319, 1326, 1413, 1438, 1496, 1566, 1598, 1605, 1608, 1617, 1622, 1624, 1631, 1634, 1639, 1642, 1648, 1657, 1661, 1669, 1671, 1385, 1198, 1215, and 1588, which motion prevailed.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1198  
 House Bill No. 1215  
 House Bill No. 1385  
 House Bill No. 1588  
 House Bill No. 1639  
 House Bill No. 1657  
 House Bill No. 1661  
 House Bill No. 1671

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1005  
 House Bill No. 1007  
 House Bill No. 1010  
 House Bill No. 1011  
 House Bill No. 1028  
 House Bill No. 1029  
 House Bill No. 1056  
 House Bill No. 1126  
 House Bill No. 1221  
 House Bill No. 1319  
 House Bill No. 1326  
 House Bill No. 1413  
 House Bill No. 1438  
 House Bill No. 1496  
 House Bill No. 1566  
 House Bill No. 1598  
 House Bill No. 1605  
 House Bill No. 1608  
 House Bill No. 1617  
 House Bill No. 1622  
 House Bill No. 1624  
 House Bill No. 1631  
 House Bill No. 1634



House Bill No. 1642  
House Bill No. 1648  
House Bill No. 1669

ROY GILBREATH, Chief Clerk  
MOTION

Rep. Kretschmar moved that 500 copies be printed of engrossed House Bills Nos. 1005, 1010, 1011, 1028, 1029, 1056, 1215, 1588, 1605, 1624, 1631 and 1642, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Monday, February 26, 1979, which motion prevailed.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2002.** Superintendent of Public Instruction — A Bill for an Act making an appropriation for defraying the expenses of the department of public instruction of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2013.** — A Bill for an Act making an appropriation for defraying the expenses of the state hospital of the state of North Dakota; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2095.** — A Bill for an Act relating to appointments to vacant state offices and the office of United States senator.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2150.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide an exemption for coal used for space heating purposes.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2160.** — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an adjustment to taxable income for individuals and fiduciaries with respect to unemployment compensation benefits.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2233.** — A Bill for an Act to create and enact section 49-22-08.1 of the North Dakota Century Code, relating to applications for route permits and the designation of transmission facility routes; to amend and reenact section 49-22-02, subsections 1, 5, 10, 11, and 12 of section 49-22-03, sections 49-22-05.1, 49-22-07, 49-22-07.2, 49-22-08, 49-22-09, 49-22-13, 49-22-14.1, 49-22-16, and 49-22-18, subsections 3 and 4 of section 49-22-21, and section 49-22-22 of the North Dakota Century Code, relating to the statement of policy; definitions; the inventory of exclusion and avoidance areas; criteria; certificates of site compatibility and route permits; the waiver of procedures and time schedules; applications for certificates; the designation of sites and corridors; factors to be considered in evaluating applications and the designation of sites, corridors, and routes; public hearings; cooperation with state

and federal agencies; the effect of issuance of certificates or permits; local land-use, zoning, or building rules, regulations, or ordinances; state agency rules; rules and regulations; penalties; and application fees; to repeal sections 49-22-10, 49-22-11, 49-22-12.1, and 49-22-15 of the North Dakota Century Code, relating to the designation of sites and corridors, the approval of specific routes, emergency certification, and public participation.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Bill No. 2283.** — A Bill for an Act to create and enact section 27-20-51.1 of the North Dakota Century Code, relating to the release of the name and age of a child involved in a juvenile court proceeding and the nature of the allegations against him under certain conditions; and to amend and reenact sections 27-20-51 of the North Dakota Century Code, relating to the inspection of a juvenile's court files and records under the Uniform Juvenile Court Act.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2286.** — A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to the fees charged and collected by the sheriff on behalf of the county.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2309.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to a credit for contributions to nonprofit private institutions of secondary education.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2327.** — A Bill for an Act to require the state board of higher education to purchase a working ranch unit for the Dickinson experiment station; to create a committee to select the working ranch unit; to authorize the state board of higher education to sell certain land presently used by the Dickinson experiment station; to authorize the board of university and school lands to invest permanent funds of the common schools in the working ranch unit; to provide an appropriation; and to declare an emergency.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 2358.** — A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code, relating to qualifications for voting in school district elections for school officers and for eligibility for school district offices; and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2367.** — A Bill for an Act to authorize the state health officer of the state department of health to sell or trade one tract of land owned by the state of North Dakota and used by the state hospital.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2371.** — A Bill for an Act to amend and reenact section 52-06-36 of the North Dakota Century Code, relating to the factors considered in determining suitability for work and good cause

for voluntarily leaving with respect to unemployment compensation benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2394.** — A Bill for an Act to create and enact a new subsection to section 27-20-51 of the North Dakota Century Code, relating to the confidentiality of juvenile court records and files and the inspection of those files by certain school officials.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2404.** — A Bill for an Act to create and enact five new sections to chapter 51-13 of the North Dakota Century Code, relating to retail installment contract prohibited provisions, payments to last known contract holders, statements of unpaid balance, authority to purchase contracts, and applicability; and to amend and reenact sections 51-13-01, 51-13-02, 51-13-03, and 51-13-06 of the North Dakota Century Code, relating to retail installment contract definitions, contents, finance charges, and refinancing.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Bill No. 2413.** — A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code as amended by chapter 480 of the 1977 Session Laws of North Dakota, relating to salaries of elected state officials; and providing a contingent effective date.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2428.** — A Bill for an Act to amend and reenact section 16-11-06 of the North Dakota Century Code, relating to the arrangement of names on ballots; or, in the alternative, to amend and reenact section 16.1-06-07 of the North Dakota Century Code as created by section 4 of House Bill No. 1138 as approved by the forty-sixth legislative assembly, relating to the arrangement of names on ballots; and providing an effective date.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2433.** — A Bill for an Act to create and enact a new section to chapter 12.1-26 of the North Dakota Century Code, relating to the carrying of loaded firearms in motor vehicles and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2444.** — A Bill for an Act to require a final court decision if the constitutionality of a proposed public school Christmas program containing a religious theme, content, or songs is challenged in court, and providing a declaration of legislative intent.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 2452.** — A Bill for an Act to amend and reenact section 15-18-07 of the North Dakota Century Code, relating to state aid for junior colleges or educational centers.

Which was read the first time and referred to the Committee on Education.

**Senate Bill No. 2460.** — A Bill for an Act to establish the office of federal aid coordinator and to provide for the powers and duties of that office and the assumption of the responsibilities of the division of economic opportunity, the state planning division, the office of energy management, the special projects coordinator, and the natural resources council; to amend and reenact subsection 3 of section 20.1-02-17.1, and sections 20.1-02-18.1, 23-11-30, 23-18.2-27, 54-01-05.4, 54-01.1-08, 54-40.1-01, subsection 2 of section 54-40.1-02, subsection 6 of section 54-40.1-04, and section 54-54-49.1-02 of the North Dakota Century Code, relating to various responsibilities of the state planning division; and to repeal sections 54-07-06, 54-34.1-01, 54-34.1-02, 54-34.1-03, 54-34.1-04, 54-34.1-05, 54-34.1-08, 54-34.1-09, and 54-34.1-15 of the North Dakota Century Code, relating to the division of economic opportunity and the state planning division; and to provide an appropriation.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Bill No. 2465.** — A Bill for an Act to amend and reenact sections 15-18-03, 15-18-04.2, and 15-18-07 of the North Dakota Century Code, relating to mill levies and state aid for junior colleges and off-campus educational centers.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Bill No. 2469.** — A Bill for an Act to create and enact subsection 6.1 to section 6-01-02 of the North Dakota Century Code, relating to definition of corporate central credit unions; to amend and reenact section 6-06-19 of the North Dakota Century Code, relating to exemption of North Dakota central credit union from borrowing limitations; to amend and reenact section 6-06-21 of the North Dakota Century Code, relating to reserving requirements of corporate central credit unions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**Senate Concurrent Resolution No. 4004.** — A concurrent resolution to amend section 182 of the Constitution of the State of North Dakota, relating to the security of bonds issued or guaranteed by the state.

Which was read the first time and referred to the Committee on Constitutional Revision.

**Senate Concurrent Resolution No. 4025** — A concurrent resolution directing the legislative council to study the alternative methods available for the assessment of railroad operating property by the state board of equalization.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Concurrent Resolution No. 4030.** — A concurrent resolution urging Congress to discontinue government assistance to striking employees.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4033.** — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to prohibit federal estate taxes.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4034.** — A concurrent resolution urging the governor to request an emergency condition designation for North Dakota from the Environmental Protection Agency to control or eliminate blackbird depredation of sunflowers and other crops.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Concurrent Resolution No. 4049.** — A concurrent resolution directing a Legislative Council study of residential developments in rural areas near cities and the incorporation of cities.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Concurrent Resolution No. 4050.** — A concurrent resolution directing a Legislative Council study of the use of special funds and cash accounts maintained in the state treasury and of the state's accounting system.

Which was read the first time and referred to the Committee on Appropriations.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Monday, February 26, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-EIGHTH DAY

Bismarck, February 26, 1979

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

The prayer was offered by Fr. Tom Kramer, Cathedral of the Holy Spirit, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gunsch, Hove, Kingsbury, Lee, Lipsiea, Martin, Peterson and Timm.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-seventh Day and finds the same to be correct.

Handwritten signature of Steven J. Swontek, Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

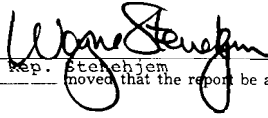
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- List of bills: HB NO. 1018, HB NO. 1022, HB NO. 1038, HB NO. 1039, HB NO. 1040, HB NO. 1041, HB NO. 1057, HB NO. 1077, HB NO. 1081, HB NO. 1085, HB NO. 1109, HB NO. 1113, HB NO. 1120, HB NO. 1124, HB NO. 1127, HB NO. 1133

- HB NO. 1139 \_\_\_\_\_
- HB NO. 1140 \_\_\_\_\_
- HB NO. 1141 \_\_\_\_\_
- HB NO. 1143 \_\_\_\_\_
- HB NO. 1178 \_\_\_\_\_
- HB NO. 1180 \_\_\_\_\_
- HB NO. 1188 \_\_\_\_\_
- HB NO. 1189 \_\_\_\_\_


and find the same correctly } Enrolled

Representative Meyer \_\_\_\_\_  
 motion prevailed, and the report was adopted.

 Chairman  
 Rep. Steinhjem moved that the report be adopted, which

Mr. Speaker: Your Procedural Committee on Delayed Bills

recommends that HCR 3083 and 3084 and HB 1693 and 1694 be introduced.

 Chairman  
 Rep. Earl Strinden

Rep. Bill Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

**FIRST READING OF HOUSE BILLS**

Rep. Strinden introduced:  
**House Bill No. 1693.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide for a partial exemption from such tax on coal used for the production of methanol.

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

Rep. Strinden introduced:  
**House Bill No. 1694.** — A Bill for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to making new public buildings and facilities accessible and usable by the physically handicapped.

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

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Rep. Strinden introduced:  
**House Concurrent Resolution No. 3083.** — A concurrent resolution directing the Legislative Council to conduct a study of the Old West Regional Commission's activities which impact North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

Rep. Strinden introduced:

**House Concurrent Resolution No. 3084.** — A concurrent resolution directing the Legislative Council to study the budgeting systems of the institutions of higher education.

Was read the first time and referred to the Committee on Appropriations.

#### MOTIONS

Rep. Strinden moved that House Concurrent Resolution No. 3047 be moved to the foot of the calendar, which motion prevailed.

Rep. Strinden moved that House Concurrent Resolutions No. 3028, 3050, 3052, 3057, 3058 and 3078 be placed on the Consent Calendar, the 10th Order of Business, which motion prevailed.

Rep. Strinden moved that Senate Concurrent Resolution No. 4014 be placed at the head of the calendar, which motion prevailed.

Rep. Gackle moved that the House not concur on Senate amendments to House Bill No. 1156, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of the following to a conference committee on House Bill No. 1156:

Reps. Crabtree, Lipsiea and Kelly.

#### MOTIONS

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1013, which motion prevailed.

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1026, which motion prevailed.

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1035, which motion prevailed.

#### RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Sybil Kelly, and Rep. Kelly was thereupon introduced to the House.

#### MOTIONS

Rep. Gorder moved that House Concurrent Resolution No. 3034 be returned to the House from the Committee on State and Federal Government for the purpose of withdrawal, which motion prevailed.

Rep. Gorder requested permission to withdraw House Concurrent Resolution No. 3034. There being no objection, it was so ordered by the Speaker.

Rep. Erickson moved that the House do concur in the Senate amendments to House Bill No. 1153, which motion prevailed.

Rep. Lang moved that the House do concur in the Senate amendments to House Bill No. 1148, which motion prevailed.

Rep. Lang moved that the House do concur in the Senate amendments to House Bill No. 1155, which motion prevailed.

Rep. Unhjem moved that House Concurrent Resolution No. 3069 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. Unhjem requested permission to withdraw House Concurrent Resolution No. 3069. There being no objection, it was so ordered by the Speaker.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4014.** — A concurrent resolution urging the Secretary of Interior to proceed with the design, planning and construction of the Garrison Diversion Project.





Committee To Save North Dakota's recent ads listing mitigating acreage.

"I have registered my concerns privately with many of you two years ago, and as a member of the Overview Committee, stated my belief to our Congressional Delegation, Garrison Conservancy District people and others at a Washington, D.C. meeting which I and Senator Nething attended last winter. The purpose of the meeting was to discuss alternatives to get the Garrison Diversion Project moving again.

"At that meeting, I stated that once we resolved the problems of overcoming the Carter Administration's reluctance to the project and the legal complications of the Audubon Society's court actions, we still had the problem of selling this project to North Dakotans. We realized that this would be especially difficult once the people realized that there would be a tremendous grab of North Dakota lands by the Fish and Wildlife Service in the name of mitigation. I felt my plea to face up to this issue fell on deaf ears.

"Although the Conservancy District has passed resolutions concerning the mitigation feature, it has had no effect. The strongest effort to meet the problem has been by the Governor in his policy of no authorization of Fish and Wildlife purchases until the purchased acreage is credited to Garrison Diversion Mitigation.

"Passage of Legislation 2016 and 2018 in the last session limiting Fish and Wildlife purchases by approval of local county boards has been effective on private purchases, but does not cover purchases by the Bureau of Reclamation or Corps of Engineers.

"I must touch upon why I feel this is such a major problem that it could be the eventual death of the Garrison Diversion Project. The demands of the Federal Government to comply with loan requirements include Fish and Wildlife Mitigation. The demand under the present authorized project is for 146 thousand acres of which approximately 8000 has been purchased. The arbitrary criteria used is more than one for one on what the service considers lost habitat.

"First, the assumption that the project would destroy Wildlife habitat is ridiculous when just the opposite would probably be closer to the truth. The open ditches, canals and lakes of the project could best be termed a wildlife bonanza.

"I understand the rules of the game have been changed since signing of the master contract in 1965. At that time, much of the acreage to be credited to mitigation involved project features such as west bay at Devils Lake and others. Somehow, that is not true today and the service now wants only drained wetlands for restoration. With such a criteria, only the best and most productive farmlands would be purchased. The virtually unanimous opposition to fish and wildlife purchases by farmers has good reasons.

"First, nobody wants to sell part of his farm and secondly, no farmer appreciates bidding against the government with its unlimited resources for a neighbor's land. Probably the most undesirable feature of federal fish and wildlife lands in an area is its impact on surrounding acreage.

"The placement of a quarter section in every township may not have severe economic impact if only the production of that quarter is considered as a loss as is computed by cost benefit ratios.

"The loss to surrounding acreage due to wildlife is many times the production of the purchased acreage. A prime example would be the effects on sunflower production. Producers now plan their acreage away from standing water and cattail sloughs because of blackbird depredation. A quarter section in the center of a township managed to support wildlife by

holding water and creating marshlands would effectively eliminate production of this new and profitable crop.

"To expect North Dakota to give up another 140 thousand acres just for federal loan guarantees is just too much when we have sacrificed so much already. It is ironic to hear complaints from supporters of this project about cross ranch being too much acreage in state ownership when this project takes 15 times as much land for no useable purpose.

"Not only does the Fish and Wildlife Service own millions of North Dakota acres already, but we sacrificed dearly when Garrison and Oahe Reservoirs were created to the tune of over 500,000 acres.

"Not only have we lost this fine productive land that studies indicate cost 90 million a year in production, but we do not even get a reasonable share of the hydro-electric power of these dams. All the benefits of these dams have accrued to downstream interests in flood control, navigation and power.

"One would think we should have satisfied all mitigation requirements in these two resources alone. We do not even charge for the water out of these reservoirs which benefits accrue to other than North Dakotans.

"It is our duty to see that North Dakota does not get ripped off again by what I referred to as federal loansharking. The benefits derived from the project as now planned are, I feel, lost by the exorbitant demands of wildlife mitigation.

"If we do not face up to the issue now, mitigation purchases will resume at an accelerated pace due to the contract feature which states purchases shall be equal to the percentage of project completion using that formula, the service is 20,000 acres behind on purchases, and I'm sure determined to catch up fast. The irony of the situation is that if the project should fail, the acreage already purchased does not revert back as demonstrated by a case such as this in the Starkwater Project.

"I can assure you that if every newspaper in North Dakota would headline 140 thousand acres to be taken for mitigation — The storm of protest would kill the project.

"We face such a reality in the near future. Let's be ahead of it."

#### MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 2445.

LEO LEIDHOLM, Secretary

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments of House Bills No. 1013, 1026, 1035, 1148, 1153, 1155, but refused to concur in the Senate amendment of House Bill No. 1156.

The Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1156:

Rep. Crabtree

Rep. Lipsiea

Rep. Kelly.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1018

House Bill No. 1022

House Bill No. 1038

House Bill No. 1039

House Bill No. 1040

- House Bill No. 1041
- House Bill No. 1057
- House Bill No. 1077
- House Bill No. 1081
- House Bill No. 1085
- House Bill No. 1109
- House Bill No. 1113
- House Bill No. 1120
- House Bill No. 1124
- House Bill No. 1127
- House Bill No. 1133
- House Bill No. 1139
- House Bill No. 1140
- House Bill No. 1141
- House Bill No. 1143
- House Bill No. 1178
- House Bill No. 1180
- House Bill No. 1188
- House Bill No. 1189.

The Speaker signed the same in the presence of the House of Representatives.

**SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS**

**House Concurrent Resolution No. 3037.** — A concurrent resolution urging that the construction of the Garrison Diversion Project and the condemnation of land for mitigation acreage required by the project be halted until certain information has been provided to the people of North Dakota.

Was read the second time.

Rep. Strinden requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 18; navs, 74; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•			•			•			•
•			HERMAN			MATTSON					UNHJEM
		•	HICKLE		•	MEIERS		•			VANDER VORST
		•	HOFFNER			MEIBY		•			VIG
		•	HOUMANN		•	MERTENS		•			WAGNER
		•	HOVE		•	MEYER		•			WALD
		•	JACOBSEN, R.		•	MURPHY		•			WALSH
		•	JACOBSON, I.		•	MUSHIK		•			WEBER
		•	KELLY		•	NICHOLAS		•			WENTZ
		•	KENNELLY		•	OLSON		•			WESSMAN
		•	KERMOTT		•	OPEDAHL		•			WINKJER
		•	KINGSBUR		•	PELTIER		•			
		•	KLOUBEC		•	PETERSON		•			MR. SPEAKER
		•	KNUDSON		•	POMEROY		•			
		•	KOSKI		•	REED		•			
		•	KRETSCHMAR		•	RETZER		•			
		•	KUCHERA		•	RICHARD		•			
		•	LANG		•	RICHIE		•			
		•	LANGLEY		•	RIEHL		•			
		•	LARDY		•	RUED		•			
		•	LARSON, F. #24		•	SCHINDLER		•			
		•	LARSON, G. #29		•	SCOFIELD		•			
		•	LARSON, H. #7		•	SOLBERG		•			
		•	LEE		•	STENEHJEM		•			
		•	LEIBHAN		•	STRINDEN		•			
		•	LIPSIEA		•	SWONTEK		•			
		•	MAIXNER		•	THOMPSON		•			
		•	MARSDEN		•	THORSGARD		•			
		•	MARTIN		•	TIMM		•			
		•	MARTINSON		•	TINJUM		•			
		•	MATHENY		•	TWETEN		•			

So the House Concurrent Resolution was declared lost.

POINT OF PERSONAL PRIVILEGE

Rep. Freborg: "Mr. Speaker and Members of the Assembly:

"I rise on a point of personal privilege to explain my vote on House Concurrent Resolution No. 3037.

"Mr. Speaker, I was very sorry to have to vote NO on this resolution. This resolution had great potential and could have been of utmost importance to the people in my District. McLean County has lost nearly 200,000 acres to the Garrison Diversion project. The McClusky Canal goes through the midst of my District and has severed farms and caused untold hardships. Now that the Canal has gone through I could not, in good conscience, vote to halt construction and make null and void the sacrifices these people have made. If in fact there are any benefits to be derived from Garrison Diversion, to leave an empty ditch would be the height of folly.

"Now, to add to the loss of land from District 8, the U.S. Fish & Wildlife Service is asking for more land to replace the land already taken. I had hoped that this resolution could have been amended to speak to this problem of land acquisition by the U.S. Fish & Wildlife. In fact, Mr. Speaker, I would have liked to have had the opportunity of supporting an amendment to stop all condemnation of land."

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3040.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making public the lending criteria utilized by financial institutions.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 20; nays, 69; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS	•		VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOLMANN		•	MERTENS	•		WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSCH		•
BLACK		•	JACOBSEN, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON	•		MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F. #24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. #29		•	SCOFIELD		•			
GERL		•	LARSON, H. #7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSON		•	LIPSIEA		•	SWONTEK		•			
HANSON		•	MAUNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGAR		•			
HAUSAUER, A. #48		•	MARTIN		•	TIMM		•			
HAUSAUER, R. #25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHEWY		•	TWETEN		•			

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3049.** — A concurrent resolution directing the Legislative Council to conduct a study of North Dakota

gambling laws, the gambling laws of other states, and their procedures for licensure, taxation, and auditing.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 26; nays, 64; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON	•	UNHJEM
BENEDICT		•	HICKLE	•		MEIERS	•	VANDER VORST
BERG		•	HOFFNER	•		MELBY	•	VIG
BERGE	•		HOUMANN	•		MERTENS	•	WAGNER
BERGER	•		HOVE	•		MEYER	•	WALD
BJORNSON	•		JACOBSEN, R	•		MURPHY	•	WALSH
BLACK		•	JACOBSON, I	•		MUSHIK	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROKAW		•	KENNELLY			OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•	•	OPEDAHL		WINKJER
CONNY		•	KINGSBURN			PELTIER	•	
CRABTREE		•	KLOUBEK			PETERSON		MR. SPEAKER
DICK	•		KNUDSON	•		POMEROY	•	
DIETZ		•	KOSKI		•	REED	•	
DOTZENROD	•		KRETSCHMAR			RETZER	•	
DUBORD	•		KUCHERA	•		RICHARD	•	
EAGLES		•	LANG			RICHE	•	
ERICKSON	•		LANGLEY	•		RIEHL	•	
FLEMING	•		LARDY	•		RUED	•	
FREBORG		•	LARSON, F # 24	•		SCHINDLER	•	
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•	
GERL		•	LARSON, H # 7	•		SOLBERG	•	
GORDER	•		LEE	•	•	STENEHJEM	•	
GUNDERSON	•		LEIBHAN	•		STRINDEN	•	
GUNSCH		•	LIPSIE	•	•	SWIONTEK	•	
HANSON	•		MAIXNER	•	•	THOMPSON	•	
HAUGLAND		•	MARSDEN			THORSGARD	•	
HAUSAUER A # 49	•		MARTIN	•		TIMM	•	
HAUSAUER R # 25	•		MARTINSON	•	•	TINJUM	•	
HEDSTROM	•		MATHENY	•		TWETEN	•	

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3053.** — A concurrent resolution directing the Legislative Council to conduct a study of the effect of the Federal Bankruptcy Act on state laws.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 38; nays, 51; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON	•	UNHJEM
BENEDICT		•	HICKLE	•		MEIERS	•	VANDER VORST
BERG		•	HOFFNER	•		MELBY	•	VIG
BERGE	•		HOUMANN	•		MERTENS	•	WAGNER
BERGER	•		HOVE	•		MEYER	•	WALD
BJORNSON	•		JACOBSEN, R	•		MURPHY	•	WALSH
BLACK		•	JACOBSON, I	•		MUSHIK	•	WEBER
BOYUM	•		KELLY	•		NICHOLAS	•	WENTZ
BROKAW		•	KENNELLY			OLSON	•	WESSMAN
CHRISTENSEN	•		KERMOTT	•	•	OPEDAHL		WINKJER
CONNY		•	KINGSBURN			PELTIER	•	
CRABTREE		•	KLOUBEK			PETERSON		MR. SPEAKER
DICK	•		KNUDSON	•		POMEROY	•	
DIETZ		•	KOSKI		•	REED	•	
DOTZENROD	•		KRETSCHMAR			RETZER	•	
DUBORD	•		KUCHERA	•		RICHARD	•	
EAGLES		•	LANG			RICHE	•	
ERICKSON	•		LANGLEY	•		RIEHL	•	
FLEMING	•		LARDY	•		RUED	•	
FREBORG		•	LARSON, F # 24	•		SCHINDLER	•	
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•	
GERL		•	LARSON, H # 7	•		SOLBERG	•	
GORDER	•		LEE	•	•	STENEHJEM	•	
GUNDERSON	•		LEIBHAN	•		STRINDEN	•	
GUNSCH		•	LIPSIE	•	•	SWIONTEK	•	
HANSON	•		MAIXNER	•	•	THOMPSON	•	
HAUGLAND		•	MARSDEN			THORSGARD	•	

HAUSAUER A #49	MARTIN	TIMM
HAUSAUER R #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3056.** — A concurrent resolution directing a Legislative Council study of binding arbitration between school teachers and school boards.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 20; nays, 70; absent and not voting, 10.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN		MATTSON			UNHJEM
BENEDICT			HICKLE		MEIERS			VANDER VORST
BERG			HOFFNER		MELBY			VIG
BERGE			HOUWMANN		MERTENS			WAGNER
BERGER			HOVE		MEYER			WALD
BJORNSON			JACOBSEN R		MURPHY			WALSH
BLACK			JACOBSON I		MUSHIK			WEBER
BOYUM			KELLY		NICKOLAS			WENTZ
BROKAN			KENNELLY		OLSON			WESSMAN
CHRISTENSEN			KERMOTT		OPEDAHL			WINKLER
CONNY			KINGSBURN		PELTIER			
CRABTREE			KLOUBEC		PETERSON			MR. SPEAKER
DICK			KNUDSON		POMEROY			
DIETZ			KOSKI		REED			
DOTZENROD			KRETSCHMAR		RETZER			
DUBORD			KUCHER		RICHARD			
EAGLES			LANG		RICHIE			
ERICKSON			LANGLEY		RIEHL			
FLEMING			LARDY		RUED			
FREBERG			LARSON F #24		SCHINDLER			
GACKLE			LARSON G #29		SCOFIELD			
GERL			LARSON H #7		SOLBERG			
GORDER			LEE		STENHJEM			
GUNDERSON			LEIBMAN		STRINDEN			
GUNSCH			LIPSIEA		SWONTEK			
HANSON			MAXNER		THOMPSON			
HAUGLAND			MARSDEN		THORSGARD			
HAUSAUER A #49			MARTIN		TIMM			
HAUSAUER R #25			MARTINSON		TINJUM			
HEDSTROM			MATHENY		TWETEN			

So the House Concurrent Resolution was declared lost.

**SIXTH ORDER OF BUSINESS**

Rep. Peterson moved that the amendments to Senate Bill No. 2014 as recommended by the Committee on Appropriations as printed on pages 1141 and 1142 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2184 as recommended by the Committee on Industry, Business and Labor as printed on pages 1144 and 1145 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2198 as recommended by the Committee on Industry, Business and Labor as printed on pages 1145 and 1146 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2375 as recommended by the Committee on Natural Resources as printed on page 1147 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Concurrent Resolution No. 3020 as recommended by the Committee on Transportation as printed on page 1139 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Concurrent Resolution No. 3038 as recommended by the Committee on Political Subdivisions as printed on page 1140 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3031.** — A concurrent resolution urging the President and Congress to provide assistance to railroads linking agricultural areas and urban market areas of the nation.

Was read the second time.

The question being on the final adoption of the resolution, as amended.

So the House Concurrent Resolution was declared adopted on a voice vote.

**House Concurrent Resolution No. 3051.** A concurrent resolution urging Congress to maintain Farmers Home Administration county offices in North Dakota.

Was read the second time.

The question being on the final adoption of the resolution, as amended.

So the House Concurrent Resolution was declared adopted on a voice vote.

**House Concurrent Resolution No. 3054.** — A concurrent resolution directing the Legislative Council to conduct a study of the taxation of sales of water in North Dakota.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 79; nays, 9; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE ●			● HOUWMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE			● WEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAH			● WINKJER		
● CONMY			● KINGSBUR			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● LINDSON			● POWEROY					
● DIETZ ●			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA ●			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY ●			● RIEHL					
● FLEMING			● LARDY			● RUED ●					
● FREBERG			● LARSON F # 74			● SCHINDLER					
● GACKLE			● LARSON G # 79			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● HUNSCHE			● LIPKHA		●	● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● WARSDEN			● THORSGAR					
● HAUSAUER A # 49			● MARTIN ●			● TIMM ●					
● HAUSAUER R - 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN ●					

So the House Concurrent Resolution was declared adopted.

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

- House Bill No. 1052
- House Bill No. 1181
- House Bill No. 1206
- House Bill No. 1277.

LEO LEIDHOLM, Secretary



## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1023  
 House Bill No. 1043  
 House Bill No. 1054  
 House Bill No. 1064  
 House Bill No. 1084  
 House Bill No. 1106  
 House Bill No. 1110  
 House Bill No. 1112  
 House Bill No. 1116  
 House Bill No. 1119  
 House Bill No. 1135  
 House Bill No. 1136  
 House Bill No. 1161  
 House Bill No. 1204  
 House Bill No. 1207  
 House Bill No. 1208  
 House Bill No. 1212  
 House Bill No. 1213  
 House Bill No. 1214  
 House Bill No. 1218  
 House Bill No. 1233  
 House Bill No. 1235  
 House Bill No. 1237  
 House Bill No. 1243  
 House Bill No. 1259  
 House Bill No. 1264  
 House Bill No. 1282.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1014  
 House Bill No. 1065  
 House Bill No. 1073  
 House Bill No. 1107  
 House Bill No. 1152  
 House Bill No. 1240

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1014

- On page 1, line 8 of the engrossed bill delete the amount "\$261,295" and insert in lieu thereof the amount "\$273,766"
- On page 1, line 13 of the engrossed bill delete the amount "\$214,535" and insert in lieu thereof the amount "\$227,006"
- On page 1, line 19 of the engrossed bill delete the amount "\$261,295" and insert in lieu thereof the amount "\$273,766"

And renumber the lines and pages accordingly.

MONDAY, FEBRUARY 26, 1979

1219

AMENDMENTS TO HOUSE BILL NO. 1065

On page 1, line 18 of the engrossed bill, after the period delete the rest of the line.

On page 1 of the engrossed bill, delete lines 19-21

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1073

On page 1, line 4, delete the numerals and comma "15-62.1-13,"

On page 11, delete all of lines 9 through 24

And renumber the lines, sections and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1107

On page 1, line one, delete the word "and"

AMENDMENTS TO HOUSE BILL NO. 1152

On page 1, line 3, after the word "game" insert the following  
"; and declaring an emergency"

On page 1, line 16, insert the following section  
"SECTION 2. EMERGENCY.) This Act is hereby  
declared to be an emergency measure and shall be in effect  
from and after its passage and approval."

On page 1, line 11, before the word "DOGS" insert the word "UNATTENDED"  
and on that same line after the word "HARRASSING" delete the  
comma and the word ", PURSUING"

On page 1, line 12, after the word "any" delete the words and comma  
"peace officer," and on that same line after the word "warden"  
delete the words "or any other employee"

On page 1, line 13, delete the words "of the department" and on that  
same line after the word "any" insert the word "unattended"  
and after the word "dog" delete the word and comma "pursuing,"

And renumber the lines and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1240

On page 3, line 26, of the engrossed bill following the word "from"  
delete the strike-through on the words "~~serious-physical~~"

On page 3, line 27, of the engrossed bill following the word "harm"  
delete the strike-through on the words "~~or-traumatic-abuse~~"  
and on the same line delete the following: "to his physical or  
mental"

On page 3, line 28, of the engrossed bill, delete the word "health"  
and on the same line delete the strike-through on the words  
"~~other-than-accidental-means-by-a~~"

On page 3, line 29, of the engrossed bill, delete the strike-through  
on the words "~~person-responsible-for-the-child's-health-or  
welfare~~"

On page 3, of the engrossed bill, delete all of lines 30 through 31

On page 5, line 7, of the engrossed bill, following the word "without" delete the word "remuneration" and insert in lieu thereof the word "remuneration"

And renumber the lines and pages accordingly

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:

- House Bill No. 1018
- House Bill No. 1022
- House Bill No. 1038
- House Bill No. 1039
- House Bill No. 1040
- House Bill No. 1041
- House Bill No. 1057
- House Bill No. 1077
- House Bill No. 1081
- House Bill No. 1085
- House Bill No. 1109
- House Bill No. 1113
- House Bill No. 1120
- House Bill No. 1124
- House Bill No. 1127
- House Bill No. 1133
- House Bill No. 1139
- House Bill No. 1140
- House Bill No. 1141
- House Bill No. 1143
- House Bill No. 1178
- House Bill No. 1180
- House Bill No. 1188
- House Bill No. 1189

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 2088.** — A Bill for an Act to amend and reenact sections 53-02-05 and 53-02-08 of the North Dakota Century Code, relating to permits to hold public dances or music festivals and the presence of law officers at public dances or music festivals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 73; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	HERMAN		•	MATTSON		•	UNHEM		•
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST	
	•	BERG		•	HOPNER		•	MELBY		•	VIG
•	•	BERGE		•	HOLMANN		•	MERTENS		•	WAGNER
•	•	BERGER		•	HOVE		•	MEYER		•	WALD
•	•	BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH
	•	•	•	JACOBSON, I.		•	MUSHK		•	•	WEBER
•	•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ
•	•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN
	•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKER
	•	•		•	KINGSBURY		•	PELTIER		•	
	•	CRABTREE		•	KLUDBEC		•	PETERSON		•	MR. SPEAKER
•	•	DICK		•	KNUDSON		•	•		•	
	•	DIETZ		•	KOSKI		•	REED		•	
	•	DOOTZENROD		•	KRETSCHMAR		•	RETZER		•	

DUBORD	•	KUCHERA	•	RICHARD	•
EAGLES	•	LANG	•	RICHIE	•
ERICKSON	•	LANGLEY	•	RIEHL	•
FLEMING	•	LARDY	•	RUED	•
• FREBORG	•	• LARSON, F #24	•	SCHINDLER	•
• GACKLE	•	• LARSON, G #29	•	SCOFIELD	•
GERL	•	• LARSON, H #7	•	SOLBERG	•
GORDER	•	• LEE	•	STENEHIEM	•
• GUNDERSON	•	• LEIBHAN	•	STRINDEN	•
GUNSCH	•	• LIPSIEA	•	SWIONTEK	•
HANSON	•	• MAIXNER	•	• THOMPSON	•
HAUGLAND	•	• MARSDEN	•	• THORSGARD	•
HAUSAUER, A #49	•	• MARTIN	•	TIMM	•
HAUSAUER, R #25	•	• MARTINSON	•	TINJUM	•
HEDSTROM	•	• MATHENY	•	TWETEN	•

So the bill lost.

**Senate Bill No. 2091.** — A Bill for an Act to amend and reenact subsection 4 of section 63-01.1-02, subsection 2 of section 63-01.1-03, and section 63-01.1-04 of the North Dakota Century Code, relating to definition of noxious weed, determination of which weeds are noxious statewide and countywide, and giving the county control authority power to declare county noxious weed for county purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 82; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTSON	•		• UNHIEM	•	
• BENEDICT	•		• HICKLE	•		• MEIERS	•		• VANDER VORST	•	
• BERG	•		• HOFFNER	•		• MELBY	•		• VIG	•	
• BERGE	•		• HOJUMANN	•		• MERTENS	•		• WAGNER	•	
• BERGER	•		• HOVE	•		• MEYER	•		• WALD	•	
• BJORNSON	•		• JACOBSEN, R	•		• MURPHY	•		• WALSH	•	
• BLACK	•		• JACOBSON, I	•		• MUSHIK	•		• WEBER	•	
• BOYUM	•		• KELLY	•		• NICHOLAS	•		• WENTZ	•	
• BROKAW	•		• KENNELLY	•		• OLSON	•		• WESSMAN	•	
• CHRISTENSEN	•		• KERWOTT	•		• OPEDAHL	•		• WINKLER	•	
• CONMY	•		• KINGSBUR	•		• PELTIER	•				
• CRABTREE	•		• KLOUBEC	•		• PETERSON	•		MR SPEAKER		
• DICK	•		• KNUDSON	•		• POMEROY	•				
• DIETZ	•		• KOSKI	•		• REED	•				
• DOTZENROD	•		• KRETSCHMAR	•		• RETZER	•				
• DUBORD	•		• KUCHERA	•		• RICHARD	•				
• EAGLES	•		• LANG	•		• RICHIE	•				
• ERICKSON	•		• LANGLEY	•		• RIEHL	•				
• FLEMING	•		• LARDY	•		• RUED	•				
• FREBORG	•		• LARSON, F #24	•		• SCHINDLER	•				
• GACKLE	•		• LARSON, G #29	•		• SCOFIELD	•				
• GERL	•		• LARSON, H #7	•		• SOLBERG	•				
• GORDER	•		• LEE	•		• STENEHIEM	•				
• GUNDERSON	•		• LEIBHAN	•		• STRINDEN	•				
• GUNSCH	•		• LIPSIEA	•		• SWIONTEK	•				
• HANSON	•		• MAIXNER	•		• THOMPSON	•				
• HAUGLAND	•		• MARSDEN	•		• THORSGARD	•				
• HAUSAUER, A #49	•		• MARTIN	•		• TIMM	•				
• HAUSAUER, R #25	•		• MARTINSON	•		• TINJUM	•				
• HEDSTROM	•		• MATHENY	•		• TWETEN	•				

So the bill lost.

**Senate Bill No. 2025.** Civil Air Patrol — A Bill for an Act making an appropriation for defraying the expenses of the civil air patrol of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTSON	•		• UNHIEM	•	
• BENEDICT	•		• HICKLE	•		• MEIERS	•		• VANDER VORST	•	
• BERG	•		• HOFFNER	•		• MELBY	•		• VIG	•	

• BERGE	• HULMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R.	• MURPHY	• WALSH
• BLACK	• JACOBSON I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOBECC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWIONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2042.** — A Bill for an Act to amend and reenact section 1 of chapter 4 of the 1977 Session Laws of North Dakota, relating to the appropriation for the personal property tax replacement and homestead tax credit; and making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT	•		• HICKLE			• MEIERS			• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY			• VIG		
• BERGE	•		• HULMANN			• MERTENS	•		• WAGNER		
• BERGER	•		• HOVE			• MEYER			• WALD		
• BJORNSON	•		• JACOBSEN R.			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON I.			• MUSHIK			• WEBER	•	
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW	•		• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN	•		• KERMOITT			• OPEDAHL			• WINKJER		
• CONMY	•		• KINGSBURY			• PELTIER					
• CRABTREE	•		• KLOBECC			• PETERSON	•		• MR SPEAKER		
• DICK	•		• KNUDSON			• POMEROY					
• DIETZ	•		• KOSKI			• REED					
• DOTZENROD	•		• KRETSCHMAR			• RETZER					
• DUBORD	•		• KUCHERA			• RICHARD					
• EAGLES	•		• LANG			• RICHE					
• ERICKSON	•		• LANGLEY			• RIEHL					
• FLEMING	•		• LARDY			• RUED					
• FREBORG	•		• LARSON # 24			• SCHINDLER					
• GACKLE	•		• LARSON G # 29			• SCOFIELD					
• GERL	•		• LARSON H # 7			• SOLBERG					
• GORDER	•		• LEE			• STENEHJEM					
• GUNDERSON	•		• LEIBHAN			• STRINDEN	•				
• GUNSCH	•		• LIPSIA			• SWIONTEK					
• HANSON	•		• MAXNER			• THOMPSON					
• HAUGLAND	•		• MARSDEN			• THORSGARD					
• HAUSAUER A # 49	•		• MARTIN			• TIMM	•				
• HAUSAUER R # 25	•		• MARTINSON			• TINJUM					
• HEDSTROM	•		• MATHENY			• TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2071.** — A Bill for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to requirements governing the sale or purchase of banking institutions.

Which has been read.



• DICK	• KNUDSON	• POMEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA •	• RICHARD
• EAGLES	• LANG	• RICHE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING •	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN •	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2087.** — A Bill for an Act to amend and reenact section 40-48-05 of the North Dakota Century Code, relating to members of the planning commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 13; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT			• HICKLE		•	• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY		•	• VIG		•
• BERGE		•	• HOUWANN			• MERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY		•	• WALSH		
• BLACK		•	• JACOBSEN, J			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS		•	• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOY			• OPEDAH	•		• WINKJER		
• CONMY			• KINGSBUR	•		• PELTIER			• MR SPEAKER		
• CRABTREE			• KLOUBEC			• PETERSON					
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA •			• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING •			• LARDY			• RUED					
• FREBORG			• LARSON F # 24		•	• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER		•	• LEE			• STENEHJEM		•			
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH		•	• LIPSIA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN •			• TIMM		•			
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2093.** — A Bill for an Act to amend and reenact subsection 3 of section 39-21-40 of the North Dakota Century Code, relating to restrictions on tire equipment.

which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT •			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWANN		•	• MERTENS			• WAGNER		

• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBUR	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 28	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIE	• SWONTEK	
• HANSON	• MAIKNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2115.** — A Bill for an Act to amend and reenact section 26-03-49 of the North Dakota Century Code, relating to the inception and expiration dates for insurance policies; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 4; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOEN			• UNHJEM		
• BENEJOICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HUMANN		•	• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK		•	• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS	•		• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL	•		• WINKJER		
• CONNY			• KINGSBUR			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR		•	• RETZER					
• DUBORD			• KUCHERA		•	• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 28			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIE			• SWONTEK					
• HANSON			• MAIKNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard	•				
• HAUSAUER, A # 49			• MARTIN		•	• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**MOTIONS**

Rep. Strinden moved that Senate Concurrent Resolution No. 4014 be messaged to the Senate immediately, which motion prevailed.

Rep. Strinden moved that the rules be suspended and the bills placed on the Consent Calendar be considered at this time, which motion prevailed.

**SECOND READING OF  
HOUSE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR**





House Bill No. 1038  
 House Bill No. 1039  
 House Bill No. 1040  
 House Bill No. 1041  
 House Bill No. 1057  
 House Bill No. 1077  
 House Bill No. 1081  
 House Bill No. 1085  
 House Bill No. 1109  
 House Bill No. 1113  
 House Bill No. 1120  
 House Bill No. 1124  
 House Bill No. 1127  
 House Bill No. 1133  
 House Bill No. 1139  
 House Bill No. 1140  
 House Bill No. 1141  
 House Bill No. 1143  
 House Bill No. 1178  
 House Bill No. 1180  
 House Bill No. 1188  
 House Bill No. 1189

Which the President has signed.

LEO LEIDHOLM, Secretary

FIRST READING OF  
 SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4081.** — A concurrent resolution to proclaim the week of July 30, 1979, through August 5, 1979, as National High School Rodeo Week in the State of North Dakota.

Was read the first time.

Rep. Strinden moved that the rules be suspended, that Senate Concurrent Resolution No. 4081 not be referred to committee, not be read in its entirety, and placed on second reading and final passage, which motion prevailed.

SECOND READING OF  
 SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4081.** — A concurrent resolution to proclaim the week of July 30, 1979, through August 5, 1979, as National High School Rodeo Week in the State of North Dakota.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

MESSAGE TO THE SENATE  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4014

ROY GILBREATH, Chief Clerk


Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order of Business, the House stand adjourned until 1:00 p.m., Tuesday, February 27, 1979, which motion prevailed.

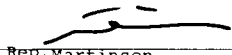
## JOURNAL OF THE HOUSE

## REPORT OF STANDING COMMITTEE

**Mr. Speaker:** Your Committee on Industry, Business and Labor  
to whom was referred House Concurrent Resolution  
No. 3055, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.

  
\_\_\_\_\_  
Chairman  
House Concurrent Resolution No. 3055 Rep. Rued  
was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
to whom was referred House Concurrent Resolution  
No. 3060, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 0; Absent, 4, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.

  
\_\_\_\_\_  
Chairman  
House Concurrent Resolution No. 3060 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate  
Bill No. 2015, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 4, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 2 of the engrossed bill, after line 32, insert the following:

"Subdivision 11.

COMMISSION ON UNIFORM STATE LAWS

Fees and services	\$ <u>12,600</u>
Total general fund appropriation	\$ <u>12,600</u>

On page 2 of the engrossed bill, line 34, delete the numerals

"364,085" and insert in lieu thereof the numerals "376,685"

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.

**Statement of the Purpose of the Amendment:**

This amendment reinstates the Commission on Uniform State Laws which the Senate amended out.



Rep. James A. Peterson Chairman

Senate Bill No. 2015 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2051, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Rep. Martinson Chairman

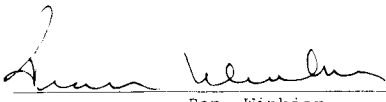
Senate Bill No. 2051 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2055, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Rep. Winkjer Chairman


Senate Bill No. 2055 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred Senate

Bill No. 2060, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Rep. Knudson Chairman


Senate Bill No. 2060 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2074, has had the same under consideration and recommends, by a vote of

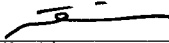
Ayes, 10; Nays, 1; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman


Senate Rep. Martinson  
Bill No. 2074 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
to whom was referred Senate  
Bill No. 2075, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 1; Absent, 4, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.

 Chairman

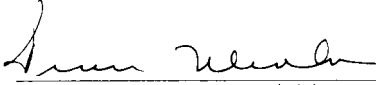
Senate Rep. Martinson  
Bill No. 2075 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor  
to whom was referred Senate  
Bill No. 2185, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.

 Chairman

Senate Rep. Rued  
Bill No. 2185 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate  
Bill No. 2212, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 0; Absent, 7, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.

 Chairman

Senate Rep. Winkjer  
Bill No. 2212 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

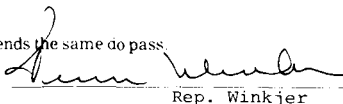
**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate  
Bill No. 2340, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 4; Absent, 2, that the same  
 do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

On page 3, line 19 of the engrossed bill delete the word "third" and insert in lieu thereof the word "second"

On page 5, line 9 delete the word "third" and insert in lieu thereof the word "second"

And renumber the lines accordingly

And when so amended, recommends the same do pass



Chairman

Rep. Winkjer

Senate Bill No. 2340 was placed on the 6th order of business on the calendar for the succeeding legislative day.

### FIRST READING OF SENATE BILLS

**Senate Bill No. 2001.** Elected State Officials — A Bill for an Act making an appropriation for defraying the expenses of various elected officials of the state of North Dakota; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2026.** Insurance Tax to Fire Departments — A Bill for an Act making an appropriation for the payment of insurance premium taxes to fire departments.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2038.** Judicial Branch — A Bill for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the State of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2085.** — A Bill for an Act to provide state assistance for airports served by commercial air carriers and to provide procedures for the distribution of funds to such airports; to amend sections 57-56-01.1 and 57-56-03 of the North Dakota Century Code, relating to a tax on sales of jet aviation motor fuel and the distribution of proceeds; and to provide an appropriation.

Which was read the first time and referred to the Committee on Transportation.

**Senate Bill No. 2099.** — A Bill for an Act to amend and reenact section 18-04-04 and section 18-04-05 of the North Dakota Century Code, relating to distribution of insurance premium tax to cities and rural fire protection districts.

Which was read the first time and referred to the Committee on Political Subdivisions.

**Senate Bill No. 2310.** — A Bill for an Act creating the West River Water Supply District in order to coordinate and facilitate the development and implementation of a plan for the supplementation of the water resources of Dickinson and southwestern North Dakota with water from the Missouri River; and providing an appropriation.

Which was read the first time and referred to the Committee on Appropriations.

**Senate Bill No. 2411.** — A Bill for an Act to create and enact a new subsection to section 25-03.1-30 and subsection 14 of section 25-03.1-40 of the North Dakota Century Code, relating to modification of treatment orders and to the rights of patients; to amend and reenact sections 12-

47-27, 12-47-28, 12-47-29, 25-03.1-04, 25-03.1-05, 25-03.1-06, 25-03.1-08, 25-03.1-09, 25-03.1-10, 25-03.1-11, 25-03.1-13, 25-03.1-14, 25-03.1-16, 25-03.1-19, 25-03.1-21, 25-03.1-22, 25-03.1-23, 25-03.1-24, 25-03.1-25, 25-03.1-26, 25-03.1-27, and 25-03.1-31, subsection 3 of section 25-03.1-34, subsection 13 of section 25-03.1-40, section 25-03.1-41, and subsection 2 of section 25-03.1-42 of the North Dakota Century Code, and to amend and reenact in the alternative sections 25-03.1-02, 25-03.1-03, and 25-03.1-29 of the North Dakota Century Code, all sections relating to the transfer of penitentiary inmates to the state hospital or other treatment facility, delivery of the written order by the warden, recovery of the person transferred, definitions, jurisdiction, voluntary admission, discharge of voluntary patients, right to release on application, petition for involuntary treatment, review of petition for involuntary treatment, involuntary treatment, examination and report on involuntary treatment, right to counsel, duty of state's attorney, medication pending treatment order, involuntary treatment hearing, alternatives to hospitalization, involuntary treatment orders, petition for continuing treatment orders, right to treat, emergency detention or hospitalization, emergency procedure, notice and statement of rights, appeal, review of the current status of continuing treatment, transfer of patients, rights of patients, limitations and restrictions of patient's rights, and limitation of liability; and to repeal section 25-03.1-32 of the North Dakota Century Code, relating to a periodic hearing and petition for discharge.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Bill No. 2439.** — A Bill for an Act to set forth legislative intent covering any appropriation for school textbooks, to provide that a portion of oil and gas bonus payments received by the board of university and school lands be apportioned and distributed to the public schools, to provide that a portion of foundation program per-pupil payment increases be contingent on other fund distributions, and to provide for the contingent transfer of unused Vietnam bonus funds for the foundation program; to amend and reenact section 4 of chapter 476 of the 1975 Session Laws of North Dakota, relating to legislative intent concerning the Vietnam bonus sinking fund; to amend and reenact sections 15-40.1-06, 15-40.1-16, and 54-17.1-12 of the North Dakota Century Code, relating to the level of educational support per pupil for the 1979-81 biennium, aid for school bus transportation, and Vietnam bonus funds; and to declare an emergency.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4042.** — A concurrent resolution for the amendment of section 84 of the North Dakota Constitution, relating to the salaries of public officers.

Which was read the first time and referred to the Joint Committee on Constitutional Revision.

**Senate Concurrent Resolution No. 4045.** — A concurrent resolution directing the Legislative Council to study the potential for agricultural crop residue or waste known as biomass residue, as an energy source, with emphasis on the economic feasibility, the cost of production, evaluation of the technology, and the possibility of state and federal grants and tax incentives and relief, to further the development of agricultural crop residue powered systems.

Which was read the first time and referred to the Committee on Agriculture.

**Senate Concurrent Resolution No. 4051.** — A concurrent resolution to establish a procedure for calling the Forty-sixth Legislative Assembly back into regular session after July 1, 1979, should the remaining constitutional time allotted for the regular session be needed.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4052.** — A concurrent resolution directing a Legislative Council study of state aid to nonpublic schools.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4053.** — A concurrent resolution requesting the legislative council to study the laws relating to residence for poor relief purposes, North Dakota Century Code chapters 50-01 and 50-02, and to determine the adequacy of the provisions of these chapters.

Which was read the first time and referred to the Committee on Social Services and Veterans Affairs.

**Senate Concurrent Resolution No. 4055.** — A concurrent resolution directing the Legislative Council to study and review motor vehicle registration and title registration.

Which was read the first time and referred to the Committee on Transportation.

**Senate Concurrent Resolution No. 4056.** — A concurrent resolution expressing the support of the Forty-sixth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4057.** — A concurrent resolution urging the United States Congress to permanently suspend the carryover basis rules enacted under the 1976 Tax Reform Act and to restore the stepped-up basis rules applicable to the basis of property acquired from a decedent dying after 1976 to apply the same basis rules which were applicable prior to the 1976 Tax Reform Act.

Which was read the first time and referred to the Committee on Finance and Taxation.

**Senate Concurrent Resolution No. 4059.** — A concurrent resolution directing the Legislative Council to study state employees retirement.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4060.** — A concurrent resolution directing a Legislative Council study of the community placement program at the Grafton State School.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4062.** A concurrent resolution urging the State Board of Higher Education and the state educational institutions under its control and administration to participate in programs sponsored by the National Science Foundation.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4064.** — A concurrent resolution



directing the Legislative Council to conduct a performance review in the area of higher education during the 1979-81 biennium.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4065.** — A concurrent resolution directing the Legislative Council to study cost information systems at institutions of higher education.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4068.** — A concurrent resolution directing a Legislative Council study of reciprocity agreements for students enrolled in out-of-state vocational and professional education programs.

Which was read the first time and referred to the Committee on Education.

**Senate Concurrent Resolution No. 4075.** — A concurrent resolution directing the Legislative Council to study the organization and financing of special education.

Which was read the first time and referred to the Committee on Education.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Tuesday, February 27, 1979.

ROY GILBREATH, Chief Clerk

THIRTY-NINTH DAY

Bismarck, February 27, 1979

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

The prayer was offered by Rev. Chuck Hill, United Church of Christ, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gerl, Lee, Opedahl and Tweten.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-eighth

day and recommends that the same be corrected as follows:

On page 1223, line 45, delete "2078" and insert in lieu thereof "2076"

On page 1225, line 73, delete "4041" and insert in lieu thereof "4014"

And when so corrected recommends that the same be approved.

Rep. Swiontek Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HCR NO. 3020

HCR NO. 3038

and find the same correctly } Engrossed

Rep. Stefek Chairman

Representative Lipsiea moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1013

and find the same correctly } Engrossed

Wayne Stenseth Chairman  
Rep. Stenseth moved that the report be adopted, which

Representative Dietz motion prevailed, and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills

recommends that HCR 3085 be introduced.

Earl Strinden Chairman  
Rep. Earl Strinden

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1072 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that HB 1072 be amended as follows:

On page 2, line 10, of the engrossed bill after the word "If" insert the following "the speaker of the house from the previous session is not reelected and if"

And renumber the lines and pages accordingly

For the Senate  
James M. Larson  
Sen. Albers  
Sen. Rait  
Rep. Martinson

For the House  
Rep. Martinson  
Rep. Henderson  
Rep. Anderson  
Rep. Pomeroy

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

House Bill No. 1072 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Strinden introduced:

House Concurrent Resolution No. 3085. - A concurrent resolution directing the Legislative Council to conduct a study of the four-year medical program of the University of North Dakota Medical School.

Was read the first time and referred to the Committee on Education.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2015 as recommended by the Committee on Appropriations as printed on page 1228 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2340 as recommended by the Committee on Judiciary as printed on pages 1230 and 1231 of the House Journal be adopted, which motion prevailed.

MOTIONS

Rep. Kretschmar moved that Senate Bill No. 2445 be returned to the House from the Committee on Social Services and Veterans Affairs, which motion prevailed.

Rep. Kretschmar moved that the House accede to the Senate's request for the return of Senate Bill No. 2445, which motion prevailed.

Rep. Kretschmar moved that House Concurrent Resolution No. 3047 be laid over one legislative day, which motion prevailed.

Rep. Marsden moved that House Concurrent Resolution No. 3026 be returned to the House from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

Rep. Marsden requested permission to withdraw House Concurrent Resolution No. 3026. There being no objection, it was so ordered by the Speaker.

Rep. Unhjem moved that House Concurrent Resolution No. 3073 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Unhjem requested permission to withdraw House Concurrent Resolution No. 3073. There being no objection, it was so ordered by the Speaker.

Rep. Martinson moved that the House not concur on Senate amendments to House Bill No. 1073, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1073:

- Rep. Martinson
- Rep. Gunderson
- Rep. Pomeroy

SECOND READING OF HOUSE BILLS

**House Bill No. 1013.** — A Bill for an Act making an appropriation for defraying the expenses of the Indian Affairs Commission of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTSON		
● BENEDICT			● HICKLE			● MEIERS		● UNHJEM
● BERG			● HOFFNER			● MELBY		● VANDER VORST
● BERGE			● HOUMANN			● MERTENS		● VIG
● BERGER			● HOVE			● MEYER		WAGNER
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALD
● BLACK			● JACOBSON, I			● MUSHK		● WALSH
● BOYUM			● KELLY			● NICHOLAS		● WEBER
● BROKAW			● KENNELLY			● OLSON		● WENTZ
● CHRISTENSEN			● KERWOTT			● OPEDAHL		● WESSMAN
● CONMY			● KINGSBURY			● PELTIER		● WINKJER

● CRABTREE	● KLOUBEC	PETERSON ●	● WR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY ●	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 28	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER ●	● LEE ●	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN ●	
● GUNSCH	● LIPSIEA	● SWIONTEK	
● HANSON	● MAXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD ●	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1026.** Abandoned Motor Vehicles — A Bill for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● WIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOYT			● OPEDAHL ●			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER			● WR SPEAKER		
● CRABTREE			● KLOUBEC			● PETERSON ●					
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● RETZER					
● DOTZENROD			● KRETSCHMAR			● RICHARD					
● DuBORD			● KUCHERA			● RICHIE					
● EAGLES			● LANG			● RIEHL					
● ERICKSON			● LANGLEY			● RUED					
● FLEMING			● LARDY			● SCHINDLER					
● FREBORG			● LARSON, F # 24			● SCOFIELD					
● GACKLE			● LARSON, G # 28			● SOLBERG					
● GERL			● LARSON, H # 7			● STENEHJEM					
● GORDER			● LEE ●			● STRINDEN ●					
● GUNDERSON			● LEIBHAN			● SWIONTEK					
● GUNSCH			● LIPSIEA			● THOMPSON					
● HANSON			● MAXNER			● THORSGARD					
● HAUGLAND			● MARSDEN			● TIMM					
● HAUSAUER, A # 49			● MARTIN			● TINJUM					
● HAUSAUER, R # 25			● MARTINSON			● TWETEN					
● HEDSTROM			● MATHENY								

So the bill passed and the title was agreed to.

**House Bill No. 1035.** Teachers' Fund for Retirement — A Bill for an Act making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● WIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		

• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R.	• MURPHY	• WALSH
• BLACK	• JACOBSON I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOIT	• OPEDAHN	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POWEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEW	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1148.** — A Bill for an Act to amend and reenact section 18-10-10 of the North Dakota Century Code, relating to rural fire protection districts entering into contracts with other rural fire protection districts or state and local government agencies and requiring federal, state, and local agencies to reimburse the districts for fire protection services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATSON	•		• UNHJEM	•	
• BENEDICT	•		• HICKLE	•		• MEIERS	•		• VANDERVOEST	•	
• BERG	•		• HOFFNER	•		• MELBY	•		• VIG	•	
• BERGE	•		• HOUMANN	•		• MERTENS	•		• WAGNER	•	
• BERGER	•		• HOVE	•		• MEYER	•		• WALD	•	
• BJORNSON	•		• JACOBSEN R.	•		• MURPHY	•		• WALSH	•	
• BLACK	•		• JACOBSON I.	•		• MUSHIK	•		• WEBER	•	
• BOYUM	•		• KELLY	•		• NICHOLAS	•		• WENTZ	•	
• BROKAW	•		• KENNELLY	•		• OLSON	•		• WESSMAN	•	
• CHRISTENSEN	•		• KERMOIT	•		• OPEDAHN	•		• WINKJER	•	
• CONNY	•		• KINGSBURY	•		• PELTIER	•				
• CRABTREE	•		• KLOUBEC	•		• PETERSON	•		• MR. SPEAKER		
• DICK	•		• KNUDSON	•		• POWEROY	•				
• DIETZ	•		• KOSKI	•		• REED	•				
• DOTZENROD	•		• KRETSCHMAR	•		• RETZER	•				
• DUBORD	•		• KUCHERA	•		• RICHARD	•				
• EAGLES	•		• LANG	•		• RICHIE	•				
• ERICKSON	•		• LANGLEY	•		• RIEHL	•				
• FLEMING	•		• LARDY	•		• RUED	•				
• FREBORG	•		• LARSON F # 24	•		• SCHINDLER	•				
• GACKLE	•		• LARSON G # 29	•		• SCOFIELD	•				
• GERL	•		• LARSON H # 7	•		• SOLBERG	•				
• GORDER	•		• LEE	•		• STENEHJEW	•				
• GUNDERSON	•		• LEIBHAN	•		• STRINDEN	•				
• GUNSCHE	•		• LIPSIEA	•		• SWONTEK	•				
• HANSON	•		• MAIXNER	•		• THOMPSON	•				
• HAUGLAND	•		• MARSDEN	•		• THORSGARD	•				
• HAUSAUER A # 49	•		• MARTIN	•		• TIMM	•				
• HAUSAUER R # 25	•		• MARTINSON	•		• TINJUM	•				
• HEDSTROM	•		• MATHENY	•		• TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1153.** — A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 39-01-01 and section 39-10-03.2 of the North Dakota Century Code, relating to the definition of class C emergency vehicles, and authorizing class C vehicles to display a blue light in place of a red light.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWITT			● OPEDAHI	●		● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUČERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY		●	● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE		●	● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEP					
● GUNSCHE			● LIPSIE			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHEWY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1155.** — A Bill for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to membership of water management district boards of commissioners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 2; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM		●	● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWITT			● OPEDAHI	●		● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUČERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE		●	● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEP					
● GUNSCHE			● LIPSIE			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHEWY			● TWETEN					

So the bill passed and the title was agreed to.







NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUWMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●					
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●					
GERL ●			LARSON H # 7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHJEM ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					
GUNSCH ●			LIPSEA ●			SWINTEK ●					
HANSON ●			MAXNER ●			THOMPSON ●					
HAUSLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A # 48 ●			MARTIN ●			TIMM ●					
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the bill passed and the title was agreed to.

**Senate Bill No. 2051.** — A Bill for an Act to amend and reenact sections 12-46-04, 12-47-05, 12-47-06, 12-47-15, 12-47-34, 12-48-03, 12-48-14, and 12-51-09 of the North Dakota Century Code, relating to the appointment and removal of state industrial school officers, the penitentiary officers, the appointment and term of penitentiary officers, the absence of the penitentiary warden and deputy wardens, escapes from the penitentiary, the manner of employing penitentiary inmates, compensation of penitentiary inmates, and the transfer of inmates between the state farm and the penitentiary; and to repeal chapter 12-49 of the North Dakota Century Code, relating to the penitentiary twine and cordage plant.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 1; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUWMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●					
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●					
GERL ●			LARSON H # 7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHJEM ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					







relating to the age a person must be before he may apply for a big game hunting license.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 3; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		MATTSON	●		UNHJEM	●	
BENEDICT	●		HICKLE	●	●	MEIERS	●		VANDER VORST	●	
BERG	●		HOFFNER	●		MELBY	●		VIG	●	
BERGE	●		HOUWMANN	●		MERTENS	●		WAGNER	●	
BERGER	●		HOVE	●		MEYER	●		WALD	●	●
BJORNSON	●		JACOBSEN R	●		MURPHY	●	●	WALSH	●	
BLACK	●		JACOBSON I	●		MUSHIK	●		WEBER	●	●
BOYUM	●		KELLY	●		NICHOLAS	●		WENTZ	●	
BROKAW	●		KENNELLY	●	●	OLSON	●		WESSMAN	●	
CHRISTENSEN	●		KERMOTT	●		OPEDAH	●		WINKJER	●	
CONMY	●		KINGSBURY	●		PELTER	●				
CRABTREE	●		KLOUBEC	●		PETERSON	●		MR SPEAKER	●	
DICK	●		KNUDSON	●		POMEROY	●				
DIETZ	●		KOSKI	●		REED	●				
DOTZENROD	●		KRETSCHMAR	●		RETZER	●				
DUBORD	●		KUCHERA	●		RICHARD	●				
EAGLES	●		LANG	●		RICHIE	●				
ERICKSON	●		LANGLEY	●		RIEHL	●				
FLEMING	●		LARDY	●		RUED	●				
FREBORG	●		LARSON F # 24	●		SCHINDLER	●				
GACKLE	●		LARSON G # 29	●		SCOFIELD	●				
GERL	●	●	LARSON H # 7	●		SOLBERG	●				
GORDER	●		LEE	●		STENEHJEM	●				
GUNDERSON	●		LEIBMAN	●		STRAINER	●				
GUNSCH	●		LIPSA	●		SWINTEK	●				
HANSON	●		MAXNER	●		THOMPSON	●				
HAUGLAND	●		MARSDEN	●		THORSGARD	●				
HAUSAUER A # 49	●		MARTIN	●		TIMM	●				
HAUSAUER R # 25	●		MARTINSON	●		TINJUM	●				
HEDSTROM	●		MATHENY	●	●	TWETEN	●				

So the bill passed and the title was agreed to.

**Senate Bill No. 2146.** — A Bill for an Act to create and enact a new section to chapter 20.1-03 and three new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to frog licenses and frog license fees; and to amend and reenact subsection 31 of section 20.1-03-12 and section 20.1-06-17 of the North Dakota Century Code, relating to resident frog license fees and regulations governing commercial frogging.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 11; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		MATTSON	●		UNHJEM	●	
BENEDICT	●		HICKLE	●	●	MEIERS	●		VANDER VORST	●	
BERG	●		HOFFNER	●		MELBY	●		VIG	●	
BERGE	●		HOUWMANN	●		MERTENS	●		WAGNER	●	
BERGER	●		HOVE	●		MEYER	●		WALD	●	●
BJORNSON	●		JACOBSEN R	●		MURPHY	●	●	WALSH	●	
BLACK	●		JACOBSON I	●		MUSHIK	●		WEBER	●	●
BOYUM	●		KELLY	●		NICHOLAS	●		WENTZ	●	
BROKAW	●		KENNELLY	●	●	OLSON	●		WESSMAN	●	
CHRISTENSEN	●		KERMOTT	●		OPEDAH	●		WINKJER	●	
CONMY	●		KINGSBURY	●		PELTER	●				
CRABTREE	●		KLOUBEC	●		PETERSON	●		MR SPEAKER	●	
DICK	●		KNUDSON	●		POMEROY	●				
DIETZ	●		KOSKI	●		REED	●				
DOTZENROD	●		KRETSCHMAR	●		RETZER	●				
DUBORD	●		KUCHERA	●		RICHARD	●				
EAGLES	●		LANG	●		RICHIE	●				
ERICKSON	●		LANGLEY	●		RIEHL	●				
FLEMING	●		LARDY	●		RUED	●				
FREBORG	●		LARSON # 24	●		SCHINDLER	●				
GACKLE	●		LARSON G # 29	●		SCOFIELD	●				

● GERL	● LARSON H #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBMAN	● STRINDEK
● GUNSON	● LIPSEA	● SWONTEK
● HANSON	● MAINER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHEWY	● TWETEN

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that the House request the return of House Bill No. 1004 from the Senate, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2155.** — A Bill for an Act to amend and reenact section 4-35-21 of the North Dakota Century Code, relating to reports of pesticide accidents or loss.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 3; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG			● HOFFNER			● WELBY		● VIG
● BERGE			● HOLMANN			● WERTENS		● WAGNER
● BERGER			● HOWE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON	●	● WESSMAN
● CHRISTENSEN			● KERMOY			● OPEDAH	●	● WINKJER
● CONNY			● KINGSBURY			● PELTIER	●	
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY	●		● RUED		
● FREBORG			● LARSON # 24			● SCHINDLER		
● GACKLE			● LARSON G # 26			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE			● STENEHJEM		
● GUNDERSON			● LEIBMAN			● STRINDEK		
● GUNSON			● LIPSEA			● SWONTEK		
● HANSON			● MAINER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A #49			● MARTIN			● TIMM		
● HAUSAUER R #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHEWY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2158.** — A Bill for an Act to amend and reenact section 50-09-07 of the North Dakota Century Code, relating to county social service board investigations of applicants for aid to dependent children.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG			● HOFFNER			● WELBY		● VIG
● BERGE			● HOLMANN			● WERTENS		● WAGNER
● BERGER			● HOWE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH

● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWOTT	● OPEDAHL ●	● WINKJER
● CONWY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON ●	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZGER	
● DUBORD	● KUCHERA ●	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUEO	
● FREBORG ●	● LARSON, F ● # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE ●	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN ●	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGAR ●	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2168.** — A Bill for an Act to limit the establishment of radioactive waste material repositories in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER ●			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL ●			● WINKJER		
● CONWY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZGER					
● DUBORD			● KUCHERA ●			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUEO					
● FREBORG			● LARSON, F ● # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN ●					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAR ●					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2174.** — A Bill for an Act to amend and reenact section 6-06-08 of the North Dakota Century Code, relating to the supervision of credit unions by the state credit union board, examinations, and fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 68; nays, 19; absent and not voting, 13.





Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 14.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOUIMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN, R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON, I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●		WINKJER ●
CONMY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON, F # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON, G # 29 ●			SCOFIELD ●		
GERL ●			LARSON, H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDE ●		
GUNSCH ●			LIPSIA ●			SWIONTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSgard ●		
HAUSAUER, A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER, R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the bill passed and the title was agreed to.

**Senate Bill No. 2179.** — A Bill for an Act to amend and reenact section 7-01-04 of the North Dakota Century Code, relating to capital of savings and loan associations.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 1; absent and not voting, 11.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOUIMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN, R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON, I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●		WINKJER ●
CONMY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON, F # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON, G # 29 ●			SCOFIELD ●		
GERL ●			LARSON, H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDE ●		
GUNSCH ●			LIPSIA ●			SWIONTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSgard ●		
HAUSAUER, A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER, R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHENY ●			TWETEN ●		

So the bill passed and the title was agreed to.

**Senate Bill No. 2181.** — A Bill for an Act to amend and reenact section 6-03-70 of the North Dakota Century Code, relating to submission of reports to the commissioner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

REGULAR SESSION			NORTH DAKOTA HOUSE OF REPRESENTATIVES						1979 LEGISLATURE		
ROLL-CALL			ROLL-CALL			ROLL-CALL			ROLL-CALL		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		•	HERMAN		•	MATTISON		•	UNHJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER		•	MR SPEAKER	
•	CRABTREE		•	KLOUBEC		•	PETERSON				
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON F # 24		•	SCHINDLER				
•	GACKLE		•	LARSON G # 29		•	SCOFIELD				
•	GERL		•	LARSON H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEN				
•	GUNSCH		•	LIPSIEA		•	SWONTEK				
•	HANSON		•	MAIKNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A. # 49		•	MARTIN		•	TIMM				
•	HAUSAUER, R. # 75		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHEWY		•	WETEN				

So the bill passed and the title was agreed to.

**Senate Bill No. 2182.** — A Bill for an Act to amend and reenact section 6-03-59 of the North Dakota Century Code, relating to loan limitation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 7; absent and not voting, 14.

REGULAR SESSION			NORTH DAKOTA HOUSE OF REPRESENTATIVES						1979 LEGISLATURE		
ROLL-CALL			ROLL-CALL			ROLL-CALL			ROLL-CALL		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		•	HERMAN		•	MATTISON		•	UNHJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER		•	MR SPEAKER	
•	CRABTREE		•	KLOUBEC		•	PETERSON				
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON F # 24		•	SCHINDLER				
•	GACKLE		•	LARSON G # 29		•	SCOFIELD				
•	GERL		•	LARSON H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEN				

• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAINER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER #48	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2183.** — A Bill for an Act to amend and reenact section 6-03-27 of the North Dakota Century Code, relating to list of shareholders and requirement of notification of change in control.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTONSON			• UNHJEM	•	
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOPFNER			• MELBY			• VIG		
• BERGE			• HOLMANN	•		• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER	•	
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #29			• SCOFIELD					
• GERL			• LARSON H #7			• SOLBERG	•				
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIGHAN			• STRINDEN	•				
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAINER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER #48			• MARTIN			• TIMM					
• HAUSAUER R #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2184.** — A Bill for an Act to create and enact a new section to chapter 13-05 of the North Dakota Century Code, relating to biennial report of collection agencies; and to amend and reenact sections 6-01-10, 7-05-03, 13-03-10, and 13-03-1.10 of the North Dakota Century Code, relating to the biennial reports of the state banking board, state credit union board, and department of banking and financial institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 2; absent and not voting, 16.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTONSON			• UNHJEM	•	
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOPFNER			• MELBY			• VIG		
• BERGE			• HOLMANN	•		• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW	•		• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER	•	

● CONMY	● KINGSBURY	● PELTIER ●	
● CRABTREE	● KLOUBEC	● PETERSON ●	● MR. SPEAKER
● DICK ●	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE ●	● LARSON G # 26	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG ●	
● GORDER	● LEE ●	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEM ●	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER ●	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN ●	

So the bill passed and the title was agreed to.

**Senate Bill No. 2185.** — A Bill for an Act to amend and reenact section 6-01-18 of the North Dakota Century Code, relating to reports and examinations of institutions insured in federal deposit insurance corporation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON			● UNHJEM ●		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● YIG ●		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOWE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS ●			● WENZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHM ●			● WINKLER ●		
● CONMY			● KINGSBURY			● PELTIER ●					
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
● DICK ●			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 26			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG ●					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEM ●					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER ●			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN ●					

So the bill passed and the title was agreed to.

**Senate Bill No. 2187.** — A Bill for an Act to amend and reenact section 6-01-09 of the North Dakota Century Code, relating to the supervision and examination of banks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON			● UNHJEM		

• BENEDICT	• HICKLE	• MEIERS	• VANDER VORST
• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOLUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAH	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNSON	• LIPSEA	• SWINTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 46	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2194.** — A Bill for an Act to create and enact a new section to chapter 26-03 of the North Dakota Century Code, relating to the coordination of benefits by insurance companies, hospital service corporations, or medical service corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		•
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOLUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS	•		• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAH	•		• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG	•				
• GORDER			• LEE	•		• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN	•				
• GUNSON			• LIPSEA			• SWINTEK					
• HANSON			• MAXNER	•		• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 46			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1283

House Bill No. 1286

House Bill No. 1287  
 House Bill No. 1290  
 House Bill No. 1308  
 House Bill No. 1311  
 House Bill No. 1318  
 House Bill No. 1320  
 House Bill No. 1330  
 House Bill No. 1340  
 House Bill No. 1341  
 House Bill No. 1345  
 House Bill No. 1354  
 House Bill No. 1356  
 House Bill No. 1361  
 House Bill No. 1375  
 House Bill No. 1376  
 House Bill No. 1416  
 House Bill No. 1432  
 House Bill No. 1452  
 House Bill No. 1470  
 House Bill No. 1497  
 House Bill No. 1512  
 House Bill No. 1525  
 House Bill No. 1526  
 House Bill No. 1532  
 House Bill No. 1592  
 House Bill No. 1635  
 House Bill No. 1655  
 House Concurrent Resolution No. 3005  
 House Concurrent Resolution No. 3010

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass.

House Concurrent Resolution No. 3006  
 House Concurrent Resolution No. 3029

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1156:

Senator Wright  
 Senator Farrington  
 Senator Shablow

LEO LEIDHOLM, Secretary

#### MOTIONS

Rep. Rued moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2197, which motion prevailed.

Rep. Rued moved that Senate Bill No. 2197 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2198.** — A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for the examination of banks.





So the bill passed and the title was agreed to.

MOTION

Rep. Kloubec moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2206, and that Senate Bill No. 2206 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Concurrent Resolution No. 3007

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3007

- On page 1, line 5 after the first comma, insert the word "and"
- On page 1, line 5 delete the words and the comma ", and Employment"
- On page 1, line 6 delete the words "Security Bureau retirement program"
- On page 1, line 8 after the second comma, insert the word "and"
- On page 1, line 9 delete the words and the comma ", and the Employment Security"
- On page 1, line 10 delete the words "Bureau retirement program"
- On page 1, line 18 after the comma, insert the word "and"
- On page 1, line 19 delete the words and the comma ", and the Employment Security Bureau retirement program"
- On page 2, line 12 after the second comma, insert the word "and"
- On page 2, line 13 delete the words and the comma ", and the Employment Security"
- On page 2, line 14 delete the words "Bureau retirement program"

And renumber the lines, pages, and sections accordingly

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1073.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1073:

Rep. Martinson  
Rep. Gunderson  
Rep. Pomeroy

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1065.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1065:

Rep. Vander Vorst  
Rep. Wald  
Rep. Gerl

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House respectfully requests the return of House Bill No. 1004.

ROY GILBREATH, Chief Clerk

MOTION

Rep. Kretschmar moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate respectfully requests the return of House Bill No. 1035.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following: House Bill No. 1004 as requested.

LEO LEIDHOLM, Secretary

MOTIONS

Rep. R. Hausauer moved that the House reconsider its action whereby House Bill No. 1035 was passed, which motion prevailed.

Rep. R. Hausauer moved that the House reconsider its action whereby the House concurred in the Senate amendments to House Bill No. 1035, which motion prevailed.

Rep. R. Hausauer moved that the House accede to the request of the Senate for the return of House Bill No. 1035, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return House Bill No. 1035, which the Senate has requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 2207.** — A Bill for an Act to provide for the removal of harvested hay on the rights of way of the state highway system and providing for the forfeiture of the hay upon failure to remove.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 43; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOLMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN, R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSON, I ●			MUSHIK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●		WINKJER ●
CONNY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON, F # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON, G # 29 ●			SCOFIELD ●		
GERL ●			LARSON, H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENCHJEM ●		
GUNDERSON ●			LEIBMAN ●			STRINDEN ●		
GUNSCH ●			LIPSIEA ●			SWIONTEK ●		
HANSON ●			MAIXNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		

HAUSAUER, A #49 ●	MARTIN ●	TIMM ●
HAUSAUER, R #25 ●	MARTINSON ●	TINJUM ●
HEDSTROM ●	MATHENY ●	TWETEN ●

So the bill passed and the title was agreed to.

**Senate Bill No. 2212.** — A Bill for an Act to amend and reenact section 16-11-07 of the North Dakota Century Code, relating to the ballot order of measures to be submitted to electors; or, in the alternative, to amend and reenact section 16.1-06-09 of the North Dakota Century Code, as created by section 4 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the ballot order of measures to be submitted to the electors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V	NAYS	YEAS	N.V	NAYS	YEAS	N.V	NAYS	YEAS	N.V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUIMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENMÖD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON, F #24 ●			SCHINDLER ●					
GACKLE ●			LARSON, G #29 ●			SCOFIELD ●					
GERL ●			LARSON, H #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHJEM ●					
GUNDERSON ●			LEIBHAN ●			STRINDE ●					
GUNSCH ●			LIPSIEA ●			SWONTEK ●					
HANSON ●			MAXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER, A #49 ●			MARTIN ●			TIMM ●					
HAUSAUER, R #25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the bill passed and the title was agreed to.

**Senate Bill No. 2223.** — A Bill for an Act to amend and reenact section 6-01-07 of the North Dakota Century Code, relating to records of state banking board, state credit union board and commissioner of banking and financial institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V	NAYS	YEAS	N.V	NAYS	YEAS	N.V	NAYS	YEAS	N.V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUIMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					



• BERGE	• HOU Mann	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	MR SPEAKER •
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBERG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEJEW	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2255.** — A Bill for an Act to amend and reenact section 58-03-11 of the North Dakota Century Code, relating to the zoning regulations and restrictions of organized townships.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 18; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNJEM		
• BENEDECT			• HICKLE		•	• MEIERS		•	• VANDER VORST		
• BERG			• HOFFNER		•	• MELBY		•	• VIG		
• BERGE		•	• HOU Mann			• MERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN R		•	• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON		•	• WESSMAN		•
• CHRISTENSEN			• KERWOTT			• OPEDAHL	•		• WINKJER		•
• CONNY			• KINGSBURY			• PELTIER	•				
• CRABTREE			• KLOUBEC			• PETERSON	•				
• DICK			• KNUDSON			• POMEROY	•		• MR. SPEAKER		
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY	•		• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG		•	• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL	•		• LARSON H # 7			• SOLBERG					
• GORDER			• LEE	•		• STENEJEW					
• GUNDERSON		•	• LEIBHAN			• STRINDEN	•				
• GUNSCHE		•	• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD		•			
• HAUSAUER, A. # 49			• MARTIN			• TIMM		•			
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM		•			
• HEDSTROM		•	• MATHENY			• TWETEN		•			

So the bill passed and the title was agreed to.

**Senate Bill No. 2259.** — A Bill for an Act to create and enact a new subsection to section 25-09-05, a new section to chapter 57-35, a new section to chapter 57-35.1, and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to confidentiality of tax information; and to amend and reenact subsection 4 of section 50-09-08, subsection 2 of section 57-37.1-22, and subsection 3 of section 57-38-57 of the North Dakota Century Code, relating to confidentiality of tax information.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOUMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN, R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSEN, I ●			MUSHK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●		WINKJER ●
CONMY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON, # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON, G # 26 ●			SCOFIELD ●		
GERL ●			LARSON, H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSC ●			LIPSIE ●			SWONTEK ●		
HANSON ●			MAINNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER, A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER, R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHEWY ●			TWETEN ●		

So the bill passed and the title was agreed to.

**Senate Bill No. 2290.** — A Bill for an Act to amend and reenact section 36-21.1-09 of the North Dakota Century Code, relating to restrictions on giving away animals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 12; absent and not voting, 12.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●		UNHJEM ●
BENEDICT ●			HICKLE ●			MEIERS ●		VANDER VORST ●
BERG ●			HOFFNER ●			MELBY ●		VIG ●
BERGE ●			HOUMANN ●			MERTENS ●		WAGNER ●
BERGER ●			HOVE ●			MEYER ●		WALD ●
BJORNSON ●			JACOBSEN, R ●			MURPHY ●		WALSH ●
BLACK ●			JACOBSEN, I ●			MUSHK ●		WEBER ●
BOYUM ●			KELLY ●			NICHOLAS ●		WENTZ ●
BROKAW ●			KENNELLY ●			OLSON ●		WESSMAN ●
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●		WINKJER ●
CONMY ●			KINGSBURY ●			PELTIER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●		MR. SPEAKER ●
DICK ●			KNUDSON ●			POMEROY ●		
DIETZ ●			KOSKI ●			REED ●		
DOTZENROD ●			KRETSCHMAR ●			RETZER ●		
DUBORD ●			KUCHERA ●			RICHARD ●		
EAGLES ●			LANG ●			RICHIE ●		
ERICKSON ●			LANGLEY ●			RIEHL ●		
FLEMING ●			LARDY ●			RUED ●		
FREBORG ●			LARSON, # 24 ●			SCHINDLER ●		
GACKLE ●			LARSON, G # 26 ●			SCOFIELD ●		
GERL ●			LARSON, H # 7 ●			SOLBERG ●		
GORDER ●			LEE ●			STENEHJEM ●		
GUNDERSON ●			LEIBHAN ●			STRINDEN ●		
GUNSC ●			LIPSIE ●			SWONTEK ●		
HANSON ●			MAINNER ●			THOMPSON ●		
HAUGLAND ●			MARSDEN ●			THORSGARD ●		
HAUSAUER, A # 49 ●			MARTIN ●			TIMM ●		
HAUSAUER, R # 25 ●			MARTINSON ●			TINJUM ●		
HEDSTROM ●			MATHEWY ●			TWETEN ●		









GACKLE	•	LARSON G # 26	•	SCOFIELD	•
GERL	•	LARSON H # 7	•	SOLBERG	•
GORDER	•	LEE	•	STENEHJEM	•
GUNDERSON	•	LEIBHAN	•	STRINDEN	•
GUNSCH	•	LIPSIEA	•	SWINTEK	•
HANSON	•	MAIXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSGARD	•
HAUSAUER A # 49	•	MARTIN	•	TMM	•
HAUSAUER R # 25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHENY	•	TWETEN	•

So the bill lost.

**Senate Bill No. 2396.** — A Bill for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to powers of boards of county commissioners.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 10; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDERVORST	
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOUHMANN		•	MERTENS		•	WAGNER	
•			•	HOVE	•	•	MERF		•	WALD	
•			•	JACOBSE # P		•	MURPHY		•	WALSH	
•			•	JACOBSON		•	MUSHK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WESSMAN	•
•			•	KENNELLY		•	OLSON		•	WINKLER	
•			•	KERMOTT		•	OPEDAH		•		
•			•	KINGSBURY	•	•	PELTIER		•		
•			•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
•			•	KNUDSON		•	POMEROY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHER		•	RICHARD				
•			•	LANG		•	RICHIE				
•			•	LANGLEY		•	RIEHL				
•			•	LARDY		•	RUED				
•			•	LARSON # 24		•	SCINDLER				
•			•	LARSON G # 29		•	SCOFIELD				
•			•	LARSON H # 7		•	SOLBERG				
•			•	LEE		•	STENEHJEM				
•			•	LEIBHAN		•	STRINDEN				
•			•	LIPSIEA		•	SWINTEK				
•			•	MAIXNER		•	THOMPSON				
•			•	MARSDEN	•	•	THORSGARD				
•			•	MARTIN		•	TMM				
•			•	MARTINSON		•	TINJUM				
•			•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**MOTIONS**

Rep. Gackle moved that Senate Bill No. 2160 be returned to the House from the Committee on Finance and Taxation, and be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Rep. Kretschmar moved that the House reconsider the action whereby House Bill 1004 passed, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1004 be re-referred to the Committee on Appropriations, which motion prevailed.

**ANNOUNCEMENT**

Rep. Kretschmar asked that the record show that Reps. Strinden and Backes are absent from the Assembly to attend a meeting in Washington, D.C. with our Congressional Delegation regarding the Garrison Diversion Project.

**MOTIONS**

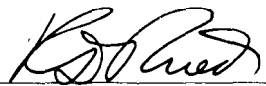
Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the 5th Order of Business, and at the conclusion of the 5th Order, the House stand adjourned until 1:00 p.m., Wednesday, February 28, 1979, which motion prevailed.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred House Concurrent Resolution

No. 3064, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

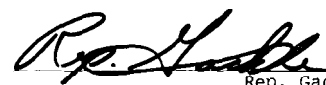


Chairman  
House Concurrent Resolution No. 3064 Rep. Rued  
was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House Concurrent Resolution

No. 3068, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman  
Rep. Gackle  
House Concurrent Resolution No. 3068 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House Concurrent Resolution

No. 3071, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

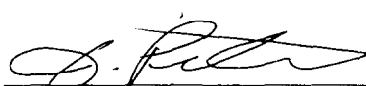


Chairman  
Rep. Gackle  
House Concurrent Resolution No. 3071 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate  
Bill No. 2017, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.  
 be amended as follows:

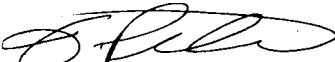


Chairman  
Rep. James A. Peterson  
Senate Bill No. 2017 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2029, has had the same under consideration and recommends, by a vote of Ayes, 18; Nays, 0; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:


  
 \_\_\_\_\_ Chairman  
 Rep. James A. Peterson  
 Bill No. 2029 was placed on the 14th  
Senate

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2034, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 0; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

  
 \_\_\_\_\_ Chairman  
 Rep. James A. Peterson  
 Bill No. 2034 was placed on the 14th  
Senate

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2052, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 16 of the engrossed bill after the word "Cannabis" insert the words "with or without its adhering plant parts"

On page 1, line 19 after the numeral "2." insert the word "AMENDMENT."

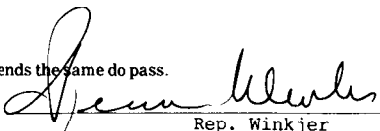
On page 2, line 15 after the numeral "3." insert the word "AMENDMENT."

On page 3, line 3 after the numeral "4." insert the word "AMENDMENT."

On page 4, line 30 delete the numerals "19-13.1-30" and insert in lieu thereof the numerals "19-03.1-30"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Chairman  
 Rep. Winkjer

Senate Bill No. 2052 was placed on the 6th order of business on the calendar for the succeeding legislative day.

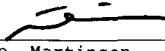
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2084, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Rep. Martinson

Senate Bill No. 2084 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2230, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15, strike the word "and" and insert in lieu thereof "which are statutorily"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Chairman  
Rep. Rued

Senate Bill No. 2230 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2258, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Rep. Gackle

Senate Bill No. 2258 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2260, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 2, after the word "this" delete the word "section" and insert in lieu thereof the word "Act"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

Rep. Gackle

Senate Bill No. 2260 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2262, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle*

Chairman

Rep. Gackle

Senate Bill No. 2262 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2324, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Winkjer*

Chairman

Rep. Winkjer

Senate Bill No. 2324 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2412, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2 of the engrossed bill, delete the word "criminal" and insert in lieu thereof the word "judicial"

On page 2, line 10 delete the word "judicial" and after the word "proceeding" insert the words "before any court, department, board, commission, agency, or licensing authority of the state, or any department, board, commission, agency, or licensing authority of a political subdivision"

## JOURNAL OF THE HOUSE

On page 2, after line 24 insert the following new subsections:

- "3. Whenever any deaf person is a party to or receiving services from any health, welfare, or educational agency under the authority of the state or political subdivision of the state, the appointing authority shall appoint a qualified interpreter for the deaf to interpret or translate the actions of any personnel providing such service and to assist the deaf person in communicating with each person.
4. Whenever a deaf person is interested in any administrative or judicial proceeding in which an interpreter would be required for a principal party in interest, the person shall be entitled to utilize an interpreter to translate the proceeding and to assist in the presentation or testimony."

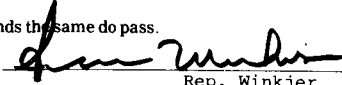
On page 3, line 21 delete the word "electronically" and insert in lieu thereof the word "visually"

On page 3, line 32 after the word "the" insert the words "national registry of interpreters for the deaf or the North Dakota association of the deaf or the"

On page 3, line 33 after the word "superintendent" insert the words "of the North Dakota school for the deaf"


And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Rep. Winkjer Chairman  
 Senate Bill No. 2412 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision  
 to whom was referred Senate Concurrent Resolution  
 No. 4042, has had the same under consideration and recommends, by a vote of  
 Ayes, 7; Nays, 1; Absent, 2, that engrossed

Senate Concurrent Resolution No. 4042 do pass.

  
 \_\_\_\_\_ Rep. Conny  
 \_\_\_\_\_ Senator Wenstrom Co-Chairman  
 Senate Concurrent Resolution No. 4042 was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Wednesday, February 28, 1979.

ROY GILBREATH, Chief Clerk

FORTIETH DAY

Bismarck, February 28, 1979

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

The prayer was offered by Rev. Wesley Hart, United Methodist Church, Sterling, North Dakota.

The roll was called, and all members were present except Reps. Backes, Bjornson, Dick, Dietz, Gerl, Gorder, R. Jacobsen, Lee, Maixner, Nicholas, Scofield and Strinden.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-ninth Day and finds the same to be correct.

Handwritten signature of Steven J. Swortek, Chairman

Rep. Swortek

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1023 HB NO. 1259
HB NO. 1043 HB NO. 1264
HB NO. 1054 HB NO. 1282
HB NO. 1064
HB NO. 1084
HB NO. 1106
HB NO. 1110
HB NO. 1112
HB NO. 1116
HB NO. 1119
HB NO. 1135
HB NO. 1136
HB NO. 1161
HB NO. 1204
HB NO. 1207



- HB NO. 1208 \_\_\_\_\_
- HB NO. 1212 \_\_\_\_\_
- HB NO. 1213 \_\_\_\_\_
- HB NO. 1214 \_\_\_\_\_
- HB NO. 1218 \_\_\_\_\_
- HB NO. 1233 \_\_\_\_\_
- HB NO. 1235 \_\_\_\_\_
- HB NO. 1237 \_\_\_\_\_
- HB NO. 1243 \_\_\_\_\_

and find the same correctly } Enrolled

Representative Hanson \_\_\_\_\_  
 motion prevailed, and the report was adopted.

*Wayne Stenfelm* Chairman  
 Rep. Stenfelm moved that the report be adopted, which

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1148 \_\_\_\_\_
- HB NO. 1153 \_\_\_\_\_
- HB NO. 1155 \_\_\_\_\_
- HB NO. 1240 \_\_\_\_\_

and find the same correctly Re } Engrossed

Representative Hanson \_\_\_\_\_  
 motion prevailed, and the report was adopted.

*Wayne Stenfelm* Chairman  
 Rep. Stenfelm moved that the report be adopted, which

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR 3086 be introduced.

*Earl Strinden* Chairman  
 Rep. Earl Strinden

Rep. Kretschmar \_\_\_\_\_ moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Reps. Erickson, Scofield and Rued and Senator Solberg introduced:

**House Concurrent Resolution No. 3086.** — A concurrent resolution urging the Federal Aviation Administration to abandon the proposed "controlled visual flight" rules.

Was read the first time and referred to the committee on Transportation.

MOTION

Rep. Erickson moved that the rules be suspended, and that House Concurrent Resolution No. 3086 not be printed as a resolution, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Martinson moved that the amendments to House Bill No. 1072 as recommended by the Conference Committee on State and Federal Government as printed on page 1236 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2052 as recommended by the Committee on Judiciary as printed on page 1269 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2230 as recommended by the Committee on Industry, Business and Labor as printed on page 1270 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2260 as recommended by the Committee on Finance and Taxation as printed on pages 1270 and 1271 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2412 as recommended by the Committee on Judiciary as printed on pages 1271, 1272 and 1273 of the House Journal be adopted, which motion prevailed.

MOTIONS

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1014, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3007, which motion prevailed.

Rep. Kretschmar moved that House Concurrent Resolution No. 3047 and Senate Bills Nos. 2015 and 2340 be laid over one legislative day and Senate Bill No. 2324 and Senate Concurrent Resolution No. 4031 be moved to the foot of the calendar, which motion prevailed.

Rep. Martinson moved that Senate Bill No. 2084 be laid over one legislative day, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby Senate Bill No. 2386 failed to pass, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby it accepted the Committee Report on Senate Bill No. 2386 and that Senate Bill No. 2386 be re-referred to the Committee on Agriculture, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1107.** — A Bill for an Act to repeal section 6-09-06 of the North Dakota Century Code, relating to authorization of Bank of North Dakota to transact business after delivery of two million dollars in bonds as capital.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUJANN			● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER ●		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY ●			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKLER ●
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #29			● SCOFIELD ●		
● GERL			● LARSON, H. #7			● SOLBERG		
● GORDE			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN ●		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON ●		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A. #49			● MARTIN			● TIMM		
● HAUSAUER R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1152.** — A Bill for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the killing of dogs pursuing or killing big game; and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 4; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUJANN			● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER ●		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY ●			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKLER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #29			● SCOFIELD ●		
● GERL			● LARSON, H. #7			● SOLBERG		
● GORDE			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN ●		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON ●		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A. #49			● MARTIN			● TIMM		
● HAUSAUER R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1240.** — A Bill for an Act to create and enact four new sections to chapter 50-25.1 of the North Dakota Century Code, relating to the reporting of child abuse and neglect; and to amend and reenact sections 50-25.1-02, subsection 1 of section 50-25.1-03, 50-25.1-04, 50-25.1-05, and subsection 3 of section 50-25.1-11 of the North Dakota Century Code, relating to the reporting of child abuse and neglect.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 6; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE	●		● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWITT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			MR SPEAKER		●
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG		●	● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE	●		● LARSON, G. # 29			● SCOFIELD	●				
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN	●				
● GUNSCH			● LIPSIE			● SWIONTEK					
● HANSON			● MAIKNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSRGARD	●				
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHEHY			● TWETEN					

So the bill passed and the title was agreed to.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3064.** — A concurrent resolution directing the Legislative Council to study the membership of occupational and professional regulatory agencies, boards, and commissions.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 52; nays, 38; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		●
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER	●		● WALD		●
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWITT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			MR SPEAKER		●
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					

DOTZENROD	•	•	KRETSCHMAR	•	•	RETZER	•
DUBORD	•	•	KUCHERA	•	•	RICHARD	•
EAGLES	•	•	LANG	•	•	RICHIE	•
ERICKSON	•	•	LANGLEY	•	•	RIEHL	•
FLEMING	•	•	LARDY	•	•	RUED	•
FREBORG	•	•	LARSON F # 24	•	•	SCHINDLER	•
GACKLE	•	•	LARSON G # 29	•	•	SCOFIELD	•
GERL	•	•	LARSON H # 7	•	•	SOLBERG	•
GORDER	•	•	LEE	•	•	STENEHJEW	•
GUNDERSON	•	•	LEIBHAN	•	•	STRINDEK	•
GUNSCH	•	•	LIPSIA	•	•	SWONTEK	•
HANSON	•	•	MAIXNER	•	•	THOMPSON	•
HAUGLAND	•	•	MARSDEN	•	•	THORSGARD	•
HAUSAUER A # 49	•	•	MARTIN	•	•	TIMM	•
HAUSAUER R # 25	•	•	MARTINSON	•	•	TINJUM	•
HEDSTROM	•	•	MATHENY	•	•	TWETEN	•

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3068.** — A concurrent resolution directing the Legislative Council to study the energy tax structure of the state.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	•	MATTSON	•	•	UNHJEM	
•			•	HICKLE	•	•	MEIERS	•	•	VANDER VORST	
•			•	HOFFNER	•	•	WELBY	•	•	VIG	
•			•	HOLMANN	•	•	WERTENS	•	•	WAGNER	
•			•	HOVE	•	•	MEYER	•	•	WALD	
•			•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	
•			•	JACOBSON I	•	•	MUSHIK	•	•	WEBER	
•			•	KELLY	•	•	NICHOLAS	•	•	WENTZ	
•			•	KENNELLY	•	•	OLSON	•	•	WESSMAN	
•			•	KERMOTT	•	•	OPEDAH	•	•	WINKJER	
•			•	KINGSBURY	•	•	PELIER	•	•		
•			•	KLOUBEC	•	•	PETERSON	•	•	MR. SPEAKER	
•			•	KNUDSON	•	•	POMEROY	•	•		
•			•	KOSKI	•	•	RECO	•	•		
•			•	KRETSCHMAR	•	•	RETZER	•	•		
•			•	KUCHERA	•	•	RICHARD	•	•		
•			•	LANG	•	•	RICHIE	•	•		
•			•	LANGLEY	•	•	RIEHL	•	•		
•			•	LARDY	•	•	RUED	•	•		
•			•	LARSON F # 24	•	•	SCHINDLER	•	•		
•			•	LARSON G # 29	•	•	SCOFIELD	•	•		
•			•	LARSON H # 7	•	•	SOLBERG	•	•		
•			•	LEE	•	•	STENEHJEW	•	•		
•			•	LEIBHAN	•	•	STRINDEK	•	•		
•			•	LIPSIA	•	•	SWONTEK	•	•		
•			•	MAIXNER	•	•	THOMPSON	•	•		
•			•	MARSDEN	•	•	THORSGARD	•	•		
•			•	MARTIN	•	•	TIMM	•	•		
•			•	MARTINSON	•	•	TINJUM	•	•		
•			•	MATHENY	•	•	TWETEN	•	•		

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3071.** — A concurrent resolution directing the Legislative Council to conduct a study of the effects of energy development on state and local government.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	•	MATTSON	•	•	UNHJEM	
•			•	HICKLE	•	•	MEIERS	•	•	VANDER VORST	
•			•	HOFFNER	•	•	WELBY	•	•	VIG	
•			•	HOLMANN	•	•	WERTENS	•	•	WAGNER	
•			•	HOVE	•	•	MEYER	•	•	WALD	
•			•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	
•			•	JACOBSON I	•	•	MUSHIK	•	•	WEBER	

● HANSON	● MUTCH	● SCHIRADO	● WRIGHT
● HOFFNER	● NAAEDN	● SHABLOW	MR. PRESIDENT
● HOLMBERG	● NELSON	● SMYKOWSKI	

The proposed amendments were adopted,

**CONSIDERATION OF AMENDMENTS**

Senator Lodoen moved that the amendments to House Bill No. 1489 as recommended by the Committee on Political Subdivisions as printed on page 1261 of the Senate Journal be adopted, which motion prevailed.

Senator Christensen moved that the amendments to House Bill No. 1566 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 1262 of the Senate Journal be adopted, which motion prevailed.

**MOTION**

Senator Wright moved that the Conference Committee Report on House Bill No. 1156 as printed on page 1187 of the Senate Journal be adopted, which motion prevailed.

Senator Wright moved that the rules be suspended, that House Bill No. 1156 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1156.** — A Bill for an Act to state legislative intent concerning estate taxes; to amend and reenact subsection 8 of section 57-37.1-01 and section 57-37.1-04 of the North Dakota Century Code, relating to estate tax definitions and providing that the rate of the estate tax shall equal the maximum federal estate tax credit for state death taxes; to repeal section 57-37.1-03 of the North Dakota Century Code, relating to determination of North Dakota taxable estate; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 8; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ALBERS			● ISZLER			● NETHING			● SOLBERG		
● BARTH		●	● JACOBSON			● OLIN			● SCRIM		
● BERUBE			● JONES			● ORANGE		●	● STRAND		
● CHRISTENSEN			● KRAUTER		●	● PETERSON			● STRINDEN		
● CUSSENS			● LASHKOWITZ			● RAIT		●	● TALLACKSON		●
● DOTZENROD			● LEE			● REDLIN		●	● TENNEFOS		
● ERDMAN		●	● LIPS			● REITEN			● THANE		
● FARRINGTON			● LODOEN			● ROEN			● VOSPER		
● FRITZELL			● MELLAND			● SANDNESS			● WALSH		●
● GOODMAN			● MILLER		●	● SANDS			● WENSTROM		
● HANSON			● MUTCH			● SCHIRADO			● WRIGHT		
● HOFFNER			● NAAEDN			● SHABLOW			MR. PRESIDENT		
● HOLMBERG			● NELSON			● SMYKOWSKI					

So the bill passed and the title was agreed to, and the emergency clause carried.

**MOTION**

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2016 as printed on pages 1265, 1266 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2016:

- Senator Fritzell
- Senator Lips
- Senator Erdman

House Bill No. 1110  
 House Bill No. 1112  
 House Bill No. 1116  
 House Bill No. 1119  
 House Bill No. 1135  
 House Bill No. 1136  
 House Bill No. 1161  
 House Bill No. 1204  
 House Bill No. 1207  
 House Bill No. 1208  
 House Bill No. 1212  
 House Bill No. 1213  
 House Bill No. 1214  
 House Bill No. 1218  
 House Bill No. 1233  
 House Bill No. 1235  
 House Bill No. 1237  
 House Bill No. 1243  
 House Bill No. 1259  
 House Bill No. 1264  
 House Bill No. 1282

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1023  
 House Bill No. 1043  
 House Bill No. 1054  
 House Bill No. 1064  
 House Bill No. 1084  
 House Bill No. 1106  
 House Bill No. 1110  
 House Bill No. 1112  
 House Bill No. 1116  
 House Bill No. 1119  
 House Bill No. 1135  
 House Bill No. 1136  
 House Bill No. 1161  
 House Bill No. 1204  
 House Bill No. 1207  
 House Bill No. 1208  
 House Bill No. 1212  
 House Bill No. 1213  
 House Bill No. 1214  
 House Bill No. 1218  
 House Bill No. 1233  
 House Bill No. 1235  
 House Bill No. 1237  
 House Bill No. 1243  
 House Bill No. 1259  
 House Bill No. 1264  
 House Bill No. 1282

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk





● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER ●
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON ●	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROOD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD ●	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE ●	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN ●	
● GUNSCH ●	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2034.** Bonding Fund and Fire and Tornado Fund -- A Bill for an Act making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSOON			● UNNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOJMAN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSEN, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN ●		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROOD			● KRETSCHMAR			● RETZER ●					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD ●					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN ●					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2258.** — A Bill for an Act to create and enact a new section to chapter 57-58 of the North Dakota Century Code, relating to personal property replacement money; to amend and reenact subsection 2 of section 57-02-08.1, sections 57-05-01, 57-13-03, 57-34-02 and 57-34-03 of the North Dakota Century Code, relating to a minimum amount of refund for senior citizens, the assessment date of railroad property, the annual meeting place of the state board of equalization, reports of telephone companies, and the computation of telephone company tax by the tax commissioner.

Which has been read.



Senate Bill No. 2414. — A Bill for an Act to amend and reenact subsection 4 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL-CALL (YEAS, N-V, NAYS), 1979 LEGISLATURE (YEAS, N-V, NAYS). Lists names of representatives and their voting status.

So the bill passed and the title was agreed to.

Senate Bill No. 2436. — A Bill for an Act to amend and reenact sections 2-07-09.1, 11-11-28, 15-34.2-07, 39-03-08.3, 40-22-20, 40-28-07, 40-29-07, 40-31-03, 40-54-01, 48-02-04, and 61-19-08 of the North Dakota Century Code, relating to submission of bidders' bonds in envelopes separate from bids.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 9; absent and not voting, 5.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL-CALL (YEAS, N-V, NAYS), 1979 LEGISLATURE (YEAS, N-V, NAYS). Lists names of representatives and their voting status.

● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSON	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2453.** — A Bill for an Act to amend and reenact section 61-04-14 of the North Dakota Century Code, relating to extending time for application to beneficial use.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● UNHJEM		
● BENEDICT			● HICKLE			● VANDER VOORT		
● BERG			● HOFFNER			● VIG		
● BERGE			● HOJMAN			● WAGNER		
● BERGER			● HOVE			● WALD		
● BJORNSON			● JACOBSEN, R.			● WALSH		
● BLACK			● JACOBSON, I.			● WEBER		
● BOYUM			● KELLY			● WENTZ		
● BROKAW			● KENNELLY			● WESSMAN		
● CHRISTENSEN			● KERMOY			● WINKJER		
● CONMY			● KINGSBURY			● MR. SPEAKER		
● CRABTREE			● KLOUBEC					
● DICK			● KNUDSON					
● DIETZ			● KOSKI					
● DOTZENROD			● KRETSCHMAR					
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #29			● SCOFIELD		
● GERL			● LARSON, H. #7			● SOLBERG		
● GORDER			● LEE			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSON			● LIPSIEA			● SWIONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A. #49			● MARTIN			● TIMM		
● HAUSAUER, R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

- House Bill No. 1107
- House Bill No. 1152
- House Bill No. 1240.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1073 Senators Jones, Roen, Rait.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

- House Bill No. 1091
- House Bill No. 1299
- House Bill No. 1315

House Bill No. 1448.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Concurrent Resolution No. 4014.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1017  
House Bill No. 1049  
House Bill No. 1059  
House Bill No. 1060  
House Bill No. 1061  
House Bill No. 1098  
House Bill No. 1128  
House Bill No. 1160  
House Bill No. 1167  
House Bill No. 1186  
House Bill No. 1276  
House Bill No. 1334  
House Bill No. 1363  
House Bill No. 1445  
House Bill No. 1449  
House Bill No. 1451  
House Bill No. 1463  
House Bill No. 1474  
House Bill No. 1518  
House Bill No. 1536  
House Bill No. 1560  
House Bill No. 1572  
House Bill No. 1584  
House Bill No. 1680  
House Concurrent Resolution No. 3030.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1012  
House Bill No. 1053  
House Bill No. 1278  
House Bill No. 1327  
House Bill No. 1389  
House Bill No. 1495.

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1012

On page 2 of the engrossed bill, after line 16, insert the following section:

"SECTION 4. ALLOCATION OF FUNDS.) The amounts appropriated in section 1 of this Act shall be allocated

to the various programs and commissions within the council on human resources in the same percentage of the total appropriation as recommended in the executive budget for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1053

on page 1, line 18, of the engrossed bill, delete the strike-through over the letter "B" and delete the letter "A"

and renumber pages and lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1278

On page 1, line 4, after the word "payrolls" delete the following: ", and to authorize two pay periods a month"

On page 1, line 18, after the period delete the remainder of the line

On page 1, delete all of lines 19 through 21

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1327

On page 1, line 5, after the word "activities" insert the following: "; and declaring an emergency"

On page 2, after line 31, insert the following new section:

"SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines, sections and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1389

On page 2, line 6, delete the words "not" and "any" and after the word "have" insert the word "no"

AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1495

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to appropriate the remaining moneys in the flax utilization research fund to North Dakota state university for crop byproduct research, to hold all revenues received during the remainder of this biennium available for the purposes of this Act; to repeal chapter 4-28.1 of the North Dakota Century Code, relating to the flax utilization research tax; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION - PURPOSE.) There is hereby appropriated ~~from~~ the flax utilization research fund the sum of ~~(\$34,195.00~~, and any other moneys remaining in the ~~fund, to~~ North Dakota state university







So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4036.** — A concurrent resolution directing the Legislative Council to study land use policies for state-owned land and uniformity of transfer requirements for state-owned land.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 58; nays, 30; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	MATTSON			•		UNHJEW
•			•	HICKLE	•	MEIERS			•		VANDER VORST
•			•	HOFFNER	•	MELBY			•		VIG
•			•	HOUWMANN	•	MERTENS			•		WAGNER
•			•	HOVE	•	MEYER			•		WALD
•			•	JACOBSEN, R.	•	MURPHY			•		WALSH
•			•	JACOBSON, J.	•	MUSHIK			•		WEBER
•			•	KELLY	•	NICHOLAS			•		WENTZ
•			•	KENNELLY	•	OLSON			•		WESSMAN
•			•	KERMOTT	•	OPEDAHL			•		WINKJER
•			•	KINGSBURY	•	PELTIER			•		MR. SPEAKER
•			•	KLOUBEC	•	PETERSON					
•			•	KNUDSON	•	POMEROY					
•			•	KOSKI	•	REED					
•			•	KRETSCHMAR	•	RETZER					
•			•	KUCHERA	•	RICHARD					
•			•	LANG	•	RICHIE					
•			•	LANGLEY	•	RIEHL					
•			•	LARDY	•	RUED					
•			•	LARSON, F. # 24	•	SCHINDLER					
•			•	LARSON, G. # 29	•	SCOFIELD					
•			•	LARSON, H. # 7	•	SOLBERG					
•			•	LEE	•	STENHJEM					
•			•	LEIBMAN	•	STRINDBERG					
•			•	LIPSIE	•	SWONTEK					
•			•	MAIXNER	•	THOMPSON					
•			•	MARSDEN	•	THORSGARD					
•			•	MARTIN	•	TMM					
•			•	MARTINSON	•	TINJUM					
•			•	MATHENY	•	TWETEN					

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4039.** — A concurrent resolution opposing the Bureau of Alcohol, Tobacco, and Firearms' back door approach to a computerized firearms registration system.

Was read the second time.

Rep. Wald requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 73; nays, 19; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	MATTSON			•		UNHJEW
•			•	HICKLE	•	MEIERS			•		VANDER VORST
•			•	HOFFNER	•	MELBY			•		VIG
•			•	HOUWMANN	•	MERTENS			•		WAGNER
•			•	HOVE	•	MEYER			•		WALD
•			•	JACOBSEN, R.	•	MURPHY			•		WALSH
•			•	JACOBSON, J.	•	MUSHIK			•		WEBER
•			•	KELLY	•	NICHOLAS			•		WENTZ
•			•	KENNELLY	•	OLSON			•		WESSMAN
•			•	KERMOTT	•	OPEDAHL			•		WINKJER
•			•	KINGSBURY	•	PELTIER			•		MR. SPEAKER
•			•	KLOUBEC	•	PETERSON					
•			•	KNUDSON	•	POMEROY					
•			•	KOSKI	•	REED					
•			•	KRETSCHMAR	•	RETZER					
•			•	KUCHERA	•	RICHARD					
•			•	LANG	•	RICHIE					
•			•	LANGLEY	•	RIEHL					



• BLACK	• JACOBSON, I.	• MUSHIK	• WEBER
• BOYLUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBMAN	• STRINDEN	
• GUNTSCH	• LIPSICA	• SWONKE	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGAR	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4031.** — A concurrent resolution urging a congressional investigation of the United States Postal Service, and directing that the resolution be delivered by courier to appropriate persons in Washington so as to avoid the risk of delay or loss in the United States mail.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared lost on a voice vote.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2324.** — A Bill for an Act to amend and reenact section 30.1-21-03 of the North Dakota Century Code, relating to the time for closing estates by sworn statement of the personal representative.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 3; nays, 89; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	•	•	HERMAN	•	•	MATTSON	•	•	UNHJEM	•	•
•	•	•	HICKLE	•	•	MEIERS	•	•	VANDER VORST	•	•
•	•	•	HOFFNER	•	•	MELBY	•	•	VIG	•	•
•	•	•	HOLMANN	•	•	MERTENS	•	•	WAGNER	•	•
•	•	•	HOVE	•	•	MEYER	•	•	WALD	•	•
•	•	•	JACOBSEN, R.	•	•	MURPHY	•	•	WALSH	•	•
•	•	•	JACOBSON, I.	•	•	MUSHIK	•	•	WEBER	•	•
•	•	•	KELLY	•	•	NICHOLAS	•	•	WENTZ	•	•
•	•	•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•	•
•	•	•	KERWOTT	•	•	OPEDAHL	•	•	WINKJER	•	•
•	•	•	KINGSBURY	•	•	PELTIER	•	•			
•	•	•	KLOUBEC	•	•	PETERSON	•	•	MR. SPEAKER	•	•
•	•	•	KNUDSON	•	•	POMEROY	•	•			
•	•	•	KOSKI	•	•	REED	•	•			
•	•	•	KRETSCHMAR	•	•	RETZER	•	•			
•	•	•	KUCHERA	•	•	RICHARD	•	•			
•	•	•	LANG	•	•	RICHIE	•	•			
•	•	•	LANGLEY	•	•	RIEHL	•	•			
•	•	•	LARDY	•	•	RUED	•	•			
•	•	•	LARSON, F. # 24	•	•	SCHINDLER	•	•			
•	•	•	LARSON, G. # 29	•	•	SCOFIELD	•	•			
•	•	•	LARSON, H. # 7	•	•	SOLBERG	•	•			
•	•	•	LEE	•	•	STENEHJEM	•	•			
•	•	•	LEIBMAN	•	•	STRINDEN	•	•			
•	•	•	LIPSICA	•	•	SWONKE	•	•			
•	•	•	MAXNER	•	•	THOMPSON	•	•			
•	•	•	MARSDEN	•	•	THORSGAR	•	•			
•	•	•	MARTIN	•	•	TIMM	•	•			
•	•	•	MARTINSON	•	•	TINJUM	•	•			
•	•	•	MATHENY	•	•	TWETEN	•	•			

So the bill lost.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1073 has had the same under consideration and recommends:

That the House accede to the Senate amendments and that HB 1073 be further amended as follows:

On page 2, delete all of line 11

And renumber the lines and pages accordingly

For the Senate

For the House

Sen. Jones, Sen. Roen, Sen. Rait, Rep. Martinson (Senate); Rep. Martinson, Rep. Gunderson, Rep. Pomeroy (House)

Rep. Martinson moved that the report be adopted, which motion prevailed.

House Bill No. 1073 was placed on the 6th order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution

No. 3063, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 4; Absent, 2, that the same

do pass. [X] do not pass. [ ] be placed on calendar without recommendation.

Rep. Martinson Chairman

House Concurrent Resolution No. 3063 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution

No. 3065, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 4; Absent, 3, that the same

do pass. [X] do not pass. [ ] be placed on calendar without recommendation.

Rep. Martinson Chairman

House Concurrent Resolution No. 3065 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution

No. 3066, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 6; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Rep. Gackle Chairman

House Concurrent Resolution No. 3066 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution

No. 3067, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 1; Absent, 3, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Chairman

Rep. Martinson

House Concurrent Resolution No. 3067 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House Concurrent Resolution

No. 3070, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4, delete the words "based upon the balance in the state general fund" and insert in lieu thereof the word "periodically"

On page 1, delete lines 11 through 17 and insert in lieu thereof the following:

"WHEREAS, it is foreseeable that, at some time in the future, the state may not have enough funds on hand to meet the current liabilities of the state; and

WHEREAS, there are methods available for adjusting the general fund balance so that the state has neither too much nor too little in this fund to cover the needs of state government; and

WHEREAS, one such method would involve periodic adjustments to the sales, use, and motor vehicle excise taxes;"

On page 2, line 1, after the word "which" insert the word "either" and delete the word "exceeds" and insert in lieu thereof the words "differs from"

On page 2, line 2, before the semicolon insert the following: ", or the actual income and expenditures differ from the project income and expenditures as computed by the Department of Accounts and Purchases"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Gackle Chairman

House Concurrent Resolution No. 3070 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

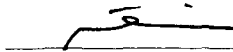
to whom was referred House Concurrent Resolution

No. 3072, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

  
Chairman

House Concurrent Resolution No. 3072 was placed on the 10th order of business on the calendar for the succeeding legislative day.

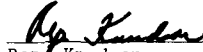
Mr. Speaker: Your Committee on Education

to whom was referred House Concurrent Resolution

No. 3075, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman

House Concurrent Resolution No. 3075 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor


to whom was referred House Concurrent Resolution

No. 3077, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the consent calendar.

  
Chairman

House Concurrent Resolution No. 3077 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House Concurrent Resolution

No. 3080, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the consent calendar.

  
Chairman

JOURNAL OF THE HOUSE

House Concurrent Resolution No. 3080 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House Concurrent Resolution

No. 3081, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 8, delete the following: "because of the growing controversies,"

And when so amended, recommends the same do pass.

Rep. Knudson Chairman

House Concurrent Resolution No. 3081 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred House Concurrent Resolution

No. 3085, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

X do pass. do not pass. be placed on calendar without recommendation.

And be placed on the consent calendar.

Rep. Knudson Chairman

House Concurrent Resolution No. 3085 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2021, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation.

xx be amended as follows:

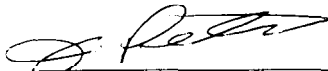
- On page 1 of the engrossed bill, line 21, delete the numerals "813,252" and insert in lieu thereof the numerals "835,905"
On page 2 of the engrossed bill, line 3, delete the numerals "1,010,299" and insert in lieu thereof the numerals "1,032,952"
On page 2 of the engrossed bill, line 5, delete the numerals "923,299" and insert in lieu thereof the numerals "945,952"
On page 2 of the engrossed bill, line 6, delete the numerals "924,499" and insert in lieu thereof the numerals "947,152"
On page 2 of the engrossed bill, line 8, delete the numerals "1,011,499" and insert in lieu thereof the numerals "1,034,152"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases salaries and wages by \$22,653 over the amount approved by the Senate. Sufficient funds are included in salaries and wages for upgrading employees salaries including the directors and for 6.5 percent annual increases and adequate fringe benefits including family medical insurance. Salaries and wages includes funds for three part-time secretaries and one additional program specialist.

And when so amended, recommends the same do pass.



Rep. James A. Peterson Chairman

Senate Bill No. 2021 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2028, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 5; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 9, delete the numerals "1,695,950" and insert in lieu thereof the numerals "1,745,950"

On page 1 of the engrossed bill, line 18, delete the numerals "1,529,762" and insert in lieu thereof the numerals "1,579,762"

On page 1 of the engrossed bill, line 19, delete the numerals "1,695,950" and insert in lieu thereof the numerals "1,745,950"

On page 1 of the engrossed bill, line 21, delete the numerals "164,100" and insert in lieu thereof the numerals "214,100"

On page 2 of the engrossed bill, after line 7 insert the following section:

"SECTION 3. LEGISLATIVE INTENT.) The sum of \$50,000.00 included in section 1 of this Act within the line item for grants, benefits, and claims is to be utilized to establish an endowment fund for which the income is hereby appropriated for the furthering of the cultural arts in the state of North Dakota. The principal sum in said endowment shall not be available for any other purpose except by a specific act of the legislative assembly."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the grants, benefits, and claims line item for the Council on Arts and Humanities by \$50,000 from the state general fund and provides for a separate section in Senate Bill No. 2028 providing that these moneys are to be utilized to establish an endowment fund for the furthering of the cultural arts in North Dakota. These funds had been deleted by the Senate.

And when so amended, recommends the same do pass.



Rep. James A. Peterson Chairman

Senate Bill No. 2028 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2030, has had the same under consideration and recommends, by a vote of



Ayes, 14; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:



Chairman

Rep. James A. Peterson

Senate Bill No. 2030 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2065, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Knudson

Senate Bill No. 2065 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2067, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Rued

Senate Bill No. 2067 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2068, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Rued

Senate Bill No. 2068 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2069, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate Bill No. 2069 Rep. Rued

was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2083, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Martinson

Senate Bill No. 2083 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

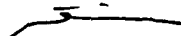
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2090, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Martinson

Senate Bill No. 2090 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

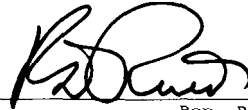
Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2101, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate Bill No. 2101 Rep. Rued

was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2128, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Rep. Knudson Chairman  
Senate      Rep. Knudson  
Bill No. 2128 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2147, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Rep. Martinson Chairman  
Senate      Rep. Martinson  
Bill No. 2147 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2148, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Rep. Martinson Chairman  
Senate      Rep. Martinson  
Bill No. 2148 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2163, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Rep. Martinson Chairman  
Senate      Rep. Martinson  
Bill No. 2163 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2164, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

Rep. Martinson Chairman  
Senate      Rep. Martinson  
Bill No. 2164 was placed on the 14th

order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2165, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Rep. Martinson Bill No. 2165 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

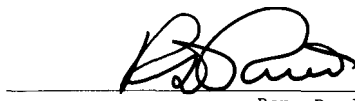
Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2178, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Rep. Rued Bill No. 2178 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2191, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Rep. Rued Bill No. 2191 was placed on the 14th

order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2208, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

Senate Rep. Martinson Bill No. 2208 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2211, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

*R. Rued*

Senate Bill No. 2211 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2221, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

*R. Rued*

Senate Bill No. 2221 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred Senate

Bill No. 2242, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

*R. Knudson*

Senate Rep. Knudson Bill No. 2242 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2304, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 1, that the same

[ ] do pass. [ ] do not pass. [X] be placed on calendar without recommendation.

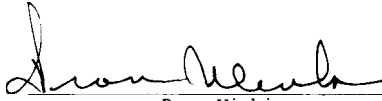
*J. Winkjer*

Senate Rep. Winkjer Bill No. 2304 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2331, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

Rep. Winkjer

Senate Bill No. 2331 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate

Bill No. 2336, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

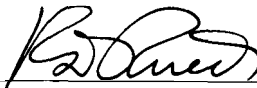
Rep. Winkjer

Senate Bill No. 2336 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2345, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

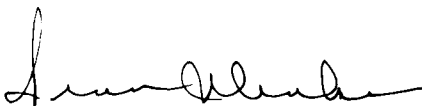
Senate Bill No. 2345 Rep. Rued  
was placed on the 14th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate

Bill No. 2346, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

Rep. Winkjer

Senate Bill No. 2346 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2354, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 0, that the same

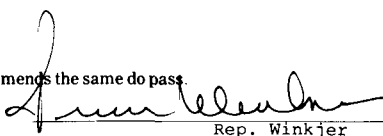
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 16 after the word "felony" insert the following:  
"listed in section 62-01-04"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Winkjer

Senate Bill No. 2354 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred Senate Concurrent Resolution

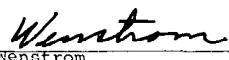
No. 4004, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Rep. Conmy



Co-Chairman

Senator Wenstrom

Senate Concurrent Resolution No. 4004 was placed on the 14th order of business on the calendar for the succeeding legislative day.

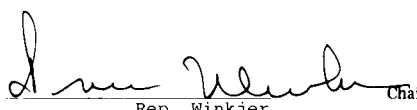
Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate Concurrent Resolution

No. 4019, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Winkjer

Senate Concurrent Resolution No. 4019 was placed on the 14th order of business on the calendar for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
Senate Concurrent Resolution No. 4014.

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:  
Senate Concurrent Resolution 4014.

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MOTION

Rep. Kretschmar moved that there be 500 copies printed of re-engrossed House Bill No. 1566, which motion prevailed.

ANNOUNCEMENT

Rep. Kretschmar requested that the record show that Rep. Scofield was absent from part of the session today attending a meeting of the Governor's Committee on Transportation, of which he is a member.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 1:00 p.m., Thursday, March 1, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk



FORTY-FIRST DAY

Bismarck, March 1, 1979

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

The prayer was offered by Rev. Ralph Fisher, First Nazarene Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Black, DuBord, Gerl, Kretschmar, Lee and Nicholas.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fortieth Day, and finds the same to be correct.

Handwritten signature of Steven J. Swionczek, Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- List of bills: HB NO. 1013, HB NO. 1283, HB NO. 1286, HB NO. 1287, HB NO. 1290, HB NO. 1308, HB NO. 1311, HB NO. 1318, HB NO. 1320, HB NO. 1330, HB NO. 1340, HB NO. 1341, HB NO. 1345, HB NO. 1354, HB NO. 1356, HB NO. 1361, HB NO. 1525, HB NO. 1526, HB NO. 1532, HB NO. 1592, HB NO. 1635, HB NO. 1655, HCR NO. 3005, HCR NO. 3010

HB NO. 1375 \_\_\_\_\_  
 HB NO. 1376 \_\_\_\_\_  
 HB NO. 1416 \_\_\_\_\_  
 HB NO. 1432 \_\_\_\_\_  
 HB NO. 1452 \_\_\_\_\_  
 HB NO. 1470 \_\_\_\_\_  
 HB NO. 1497 \_\_\_\_\_  
 HB NO. 1512 \_\_\_\_\_

and find the same correctly

} Enrolled

Representative Mayer  
 motion prevailed, and the report was adopted.

 Chairman  
 Rep. Stenehjem moved that the report be adopted, which

Mr. Speaker : Your Procedural Committee on Delayed Bills

recommends that HCR 3087 be introduced.

 Chairman

Rep. Kretschmar

Rep. Earl Strinden moved that the report be adopted, which motion

prevailed and the report was adopted.

### MESSAGE FROM THE SENATE Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1023  
 House Bill No. 1043  
 House Bill No. 1054  
 House Bill No. 1064  
 House Bill No. 1084  
 House Bill No. 1106  
 House Bill No. 1110  
 House Bill No. 1112  
 House Bill No. 1116  
 House Bill No. 1119  
 House Bill No. 1135  
 House Bill No. 1136  
 House Bill No. 1161  
 House Bill No. 1204  
 House Bill No. 1207  
 House Bill No. 1208  
 House Bill No. 1212  
 House Bill No. 1213  
 House Bill No. 1214  
 House Bill No. 1218  
 House Bill No. 1233  
 House Bill No. 1235  
 House Bill No. 1237  
 House Bill No. 1243

House Bill No. 1259

House Bill No. 1264

House Bill No. 1282.

Which the President has signed.

LEO LEIDHOLM, Secretary

FIRST READING OF HOUSE  
CONCURRENT RESOLUTION

Reps. Tweten, Kingsbury and Murphy introduced:

**House Concurrent Resolution No. 3067.** — A concurrent resolution directing a Legislative Council study of the feasibility of eliminating the 21-mill county levy for schools and substituting either a state-collected tax or any other suitable alternative.

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

SIXTH ORDER OF BUSINESS

Rep. Martinson moved that the amendments to House Bill No. 1073 as recommended by the Conference Committee on State and Federal Government as printed on page 1293 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Concurrent Resolution No. 3070 as recommended by the Committee on Finance and Taxation as printed on page 1294 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Concurrent Resolution No. 3081 as recommended by the Committee on Education as printed on page 1296 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2021 as recommended by the Committee on Appropriations as printed on pages 1296 and 1297 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2028 as recommended by the Committee on Appropriations as printed on page 1297 of the House Journal be adopted, which motion prevailed on a verification vote.

Rep. Winkjer moved that the amendments to Senate Bill No. 2354 as recommended by the Committee on Judiciary as printed on page 1304 of the House Journal be adopted, which motion prevailed.

MOTIONS

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1012, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1053, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1327, which motion prevailed.

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1495, which motion prevailed.

Rep. Haugland moved that Senate Bill No. 2411 be returned to the House from the Committee on Social Services and Veterans Affairs and be re-referred to the Committee on Judiciary, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2304, and that Senate Bill No. 2304 be re-referred to the Committee on Judiciary, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1014.** Department of Veterans' Affairs — A Bill for an



● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 29	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER A. # 40	● MARTIN	● TIMM
● HAUSAUER R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the House Concurrent Resolution was declared adopted.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

**House Concurrent Resolution No. 3072.** — A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees and the personnel policies currently governing state employees.

**House Concurrent Resolution No. 3077.** — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of providing supplementary benefits to workmen's compensation claimants.

**House Concurrent Resolution No. 3080.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota Legislative Assembly enacting legislation which would provide renters on fixed or low income an income tax credit for that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise qualify for the renter's refund as provided by subsection 2 of section 57-02-08.1 of the North Dakota Century Code.

**House Concurrent Resolution No. 3085.** — A concurrent resolution directing the Legislative Council to conduct a study of the four-year medical program of the University of North Dakota Medical School.

Which have been read the second time.

ROLL CALL

The question being on the final passage of the resolutions, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSOEN			● UNHJEM		
● BENEDICT	●		● HICKLE			● MEIERIS			● VANDER VORST		
● BERG	●		● HOFFNER			● MELBY			● VIC		
● BERGE	●		● HOUMANN			● WERTENS			● WAGNER		
● BERGER	●		● HOVE			● MEYER			● WALD		
● BJORNSON	●		● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK	●		● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM	●		● KELLY			● NICHOLAS			● WENTZ		
● BROKAW	●		● KENNELLY	●		● OLSON			● WESSMAN		
● CHRISTENSEN	●		● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY	●		● KINGSBURY			● PELTIER					
● CRABTREE	●		● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK	●		● KNUDSON			● POMEROY					
● DIETZ	●		● KOSKI			● REED					
● DOTZENROD	●		● KRETSCHMAR			● RETZER					
● DuBORD	●		● KUCHERA			● RICHARD	●				
● EAGLES	●		● LANG			● RICHIE					
● ERICKSON	●		● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUED					
● FREBORG	●		● LARSON, F. # 24			● SCHINDLER					
● GACKLE	●		● LARSON, G. # 29			● SCOFIELD					
● GERL	●		● LARSON, H. # 7			● SOLBERG					
● GORDER	●		● LEE			● STENEHJEM					
● GUNDERSON	●		● LEIBHAN	●		● STRINDEN					
● GUNSCH	●		● LIPSIA			● SWONTEK					
● HANSON	●		● MAIXNER			● THOMPSON					
● HAUGLAND	●		● MARSDEN			● THORSGAARD					
● HAUSAUER A. # 40	●		● MARTIN			● TIMM					
● HAUSAUER R. # 25	●		● MARTINSON			● TINJUM					
● HEDSTROM	●		● MATHENY			● TWETEN					

So the House Concurrent Resolutions were declared adopted.

SECOND READING OF HOUSE BILLS

**House Bill No. 1072.** — A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to calling the house and senate to order on the first day of the organizational session of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES •			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHK			• WEBER		
• BOYLUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK			• KNUSDON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD •					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER •			• LEE •			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSON •			• LIPSEA			• SWONTEK					
• HANSON			• MAIRNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 48			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that that portion of House Rule No. 45 pertaining to the deadline by which all Senate Bills and resolutions must be reported back to the House from committee be suspended, and that that date be extended from the 48th day, March 12th, to the 51st day, March 15, which motion prevailed.

Rep. Strinden moved that House Concurrent Resolution No. 3047 and Senate Bill No. 2345 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3063.** — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility of granting salary adjustments based on fluctuations in the cost of living.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 18; nays, 73; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES •			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT		•	• HICKLE		•	• WEIERS		•	• VANDER VORST		•

BERG	•	HOFFNER	•	MELBY	•	VIG	•
BERGE	•	HOUWMANN	•	WERTENS	•	WAGNER	•
BERGER	•	HOVE	•	WEYER	•	WALD	•
BJORNSON	•	JACOBSEN R	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON I	•	MUSHIK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAH	•	WINKLER	•
CONNY	•	KINGSBURY	•	PELTIER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEWING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON F # 24	•	SCHINDLER	•		
GACKLE	•	LARSON G # 29	•	SCOFIELD	•		
GERL	•	LARSON H # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIA	•	SWIKONTEK	•		
HANSON	•	MAXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER A # 49	•	MARTIN	•	TIMM	•		
HAUSAUER R # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3065.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing legislators with ready access to legislative data processing systems during the legislative session.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 45; nays, 49; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN			•			•		UNHJEM
•			HICKLE			•			•		VANDER VORST
•			HOFFNER			•			•		VIG
•			HOUWMANN			•			•		WAGNER
•			HOVE			•			•		WALD
•			JACOBSEN R			•			•		WALSH
•			JACOBSON I			•			•		WEBER
•			KELLY			•			•		WENTZ
•			KENNELLY			•			•		WESSMAN
•			KERMOTT			•			•		WINKLER
•			KINGSBURY			•					
•			KLOUBEC			•					MR. SPEAKER
•			KNUDSON			•					
•			KOSKI			•					
•			KRETSCHMAR			•					
•			KUCHERA			•					
•			LANG			•					
•			LANGLEY			•					
•			LARDY			•					
•			LARSON F # 24			•					
•			LARSON G # 29			•					
•			LARSON H # 7			•					
•			LEE			•					
•			LEIBHAN			•					
•			LIPSIA			•					
•			MAXNER			•					
•			MARSDEN			•					
•			MARTIN			•					
•			MARTINSON			•					
•			MATHENY			•					
						WATTSON			•		
						WEIERS			•		
						MELBY			•		
						MERTENS			•		
						MUYER			•		
						MURPHY			•		
						MUSHIK			•		
						NICHOLAS			•		
						OLSON			•		
						OPEDAH			•		
						PETERSON			•		
						POMEROY			•		
						REED			•		
						RETZER			•		
						RICHARD			•		
						RICHE			•		
						RIEHL			•		
						RUED			•		
						SCHINDLER			•		
						SCOFIELD			•		
						SOLBERG			•		
						STENEHJEM			•		
						STRINDEN			•		
						SWIKONTEK			•		
						THOMPSON			•		
						THORSGARD			•		
						TIMM			•		
						TINJUM			•		
						TWETEN			•		

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3067.** — A concurrent resolution directing the Legislative Council to study the possibility of merging the administration of the various state-level public employees retirement programs.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 14; nays, 79; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			●			●		●
BACKES			HERMAN			MATTSON		UNHJEM
BENEDICT	●		HICKLE			MEIERS		VANDER VORST
BERG			●	HOFFNER		MELBY	●	VIG
BERGE			●	HOUMANN		MERTENS	●	WAGNER
●	BERGER		HOVE			MEYER		WALD
●	BJORNSON		●	JACOBSEN, R		MURPHY		WALSH
●	BLACK		●	JACOBSON, I		MUSHIK		WEBER
●	BOYUM		●	KELLY		NICHOLAS		WENTZ
●	BROKAW		●	KENNELLY		OLSON		WESSMAN
●	CHRISTENSEN		●	KERMOTT		OPEDAHL		WINKJER
●	CONNY		●	KINGSBURY		●	PETIER	
●	CRABTREE		●	KLOUBEC		●	PETERSON	MR SPEAKER
●	DICK		●	KNUDSON		●	POMEROY	
●	DIETZ		●	KOSKI		●	REED	
●	DOTZENROD		●	KRETSCHMAR		●	RETZER	
●	DUBORD		●	KUCHERA		●	RICHARD	
●	EAGLES		●	LANG		●	RICHIE	
●	ERICKSON		●	LANGLEY		●	RIEHL	
●	FLEMING		●	LARDY		●	RUED	
●	FREBORG		●	LARSON, F # 24		●	SCHINDLER	
●	GACKLE		●	LARSON, G # 29		●	SCOFIELD	
●	GERL		●	LARSON, H # 7		●	SOLBERG	
●	GORDER		●	LEE		●	STENEHJEM	
●	GUNDERSON		●	LEIBHAN		●	STRINDEN	
●	GUNSCH		●	LIPSIEA		●	SWONTEK	
●	HANSON		●	MAIXNER		●	THOMPSON	
●	HAUGLAND		●	MARSDEN		●	THORSGAARD	
●	HAUSAUER, A # 49		●	MARTIN		●	THOM	
●	HAUSAUER, R # 25		●	MARTINSON		●	TINJUM	
●	HEDSTROM		●	MATHEWY		●	TWETEN	

So the House Concurrent Resolution was declared lost.

**House Concurrent Resolution No. 3066.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota State Legislature enacting legislation which would provide a limited adjustment to the taxable income of renters which represents that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise receive benefits pursuant to the provisions of subsection 2 of section 57-02-08.1.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 78; nays, 18; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BACKES		●	HERMAN		●	MATTSON	●
●	BENEDICT		●	HICKLE		●	MEIERS	●
●	BERG		●	HOFFNER		●	MELBY	●
●	BERGE		●	HOUMANN		●	MERTENS	●
●	BERGER		●	HOVE		●	MEYER	●
●	BJORNSON		●	JACOBSEN, R		●	MURPHY	●
●	BLACK		●	JACOBSON, I		●	MUSHIK	●
●	BOYUM		●	KELLY		●	NICHOLAS	●
●	BROKAW		●	KENNELLY		●	OLSON	●
●	CHRISTENSEN		●	KERMOTT		●	OPEDAHL	●
●	CONNY		●	KINGSBURY		●	PETIER	●
●	CRABTREE		●	KLOUBEC		●	PETERSON	●
●	DICK		●	KNUDSON		●	POMEROY	●
●	DIETZ		●	KOSKI		●	REED	●
●	DOTZENROD		●	KRETSCHMAR		●	RETZER	●
●	DUBORD		●	KUCHERA		●	RICHARD	●
●	EAGLES		●	LANG		●	RICHIE	●
●	ERICKSON		●	LANGLEY		●	RIEHL	●
●	FLEMING		●	LARDY		●	RUED	●
●	FREBORG		●	LARSON, F # 24		●	SCHINDLER	●
●	GACKLE		●	LARSON, G # 29		●	SCOFIELD	●
●	GERL		●	LARSON, H # 7		●	SOLBERG	●
●	GORDER		●	LEE		●	STENEHJEM	●
●	GUNDERSON		●	LEIBHAN		●	STRINDEN	●
●	GUNSCH		●	LIPSIEA		●	SWONTEK	●



● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3075.** — A concurrent resolution directing a Legislative Council study of methods of providing assistance to private institutions of higher education in North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 58; navs, 40; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN		●	● MATTSO		●	● UNHJEM		
● BENEDICT			● HECKLE		●	● MEIERS		●	● VANDER VORST		
● BERG		●	● HOFFNER		●	● MELBY		●	● VIG		
● BERGE		●	● HOJUMANN		●	● MERTENS		●	● WAGNER		
● BERGER		●	● HOVE		●	● MEYER		●	● WALD		
● BJORNSON		●	● JACOBSEN, R.		●	● MURPHY		●	● WALSH		
● BLACK		●	● JACOBSON, I.		●	● MUSHIK		●	● WEBER		
● BOYUM		●	● KELLY		●	● NICHOLAS		●	● WENTZ		●
● BRDKAW		●	● KENNELLY		●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN		●	● KERMOTT		●	● OPEDAHL		●	● WINNER		●
● CONNY		●	● KINGSBURY		●	● PELTER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON		●	● MR. SPEAKER		
● DICK		●	● KNUDSON		●	● POMEROY		●			
● DIETZ		●	● KOSKI		●	● REED		●			
● DOTZENROD		●	● KRETSCHMAR		●	● RETZER		●			
● DuBORD		●	● KUCHERA		●	● RICHARD		●			
● EAGLES		●	● LANG		●	● RICHIE		●			
● ERICKSON		●	● LANGLEY		●	● RIEHL		●			
● FLEMING		●	● LARDY		●	● RUED		●			
● FREBORG		●	● LARSON, F. # 24		●	● SCHINDLER		●			
● GACKLE		●	● LARSON, G. # 29		●	● SCOFIELD		●			
● GERL		●	● LARSON, H. # 7		●	● SOLBERG		●			
● GORDER		●	● LEE		●	● STENEHJEM		●			
● GUNDERSON		●	● LEIBMAN		●	● STRINDEN		●			
● GUNSCH		●	● LIPSICA		●	● SWONTEK		●			
● HANSON		●	● MAIXNER		●	● THOMPSON		●			
● HAUGLAND		●	● MARSDEN		●	● THORSGARD		●			
● HAUSAUER A #49		●	● MARTIN		●	● TIMM		●			
● HAUSAUER R #25		●	● MARTINSON		●	● TINJUM		●			
● HEDSTROM		●	● MATHENY		●	● TWETEN		●			

So the House Concurrent Resolution was declared adopted.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2014
- Senate Bill No. 2184
- Senate Bill No. 2198
- Senate Bill No. 2366
- Senate Bill No. 2375.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

- Senate Bill No. 2051
- Senate Bill No. 2060
- Senate Bill No. 2074
- Senate Bill No. 2075
- Senate Bill No. 2129
- Senate Bill No. 2132
- Senate Bill No. 2146
- Senate Bill No. 2155
- Senate Bill No. 2158



• DICK	• KNUDSON	• POMEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWINTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2030.** Geological Survey — A Bill for an Act making an appropriation for defraying the expenses of the geological survey of the State of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 71; nays, 26; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS		•	• VANDER VORST		
• BERG		•	• HOFFNER			• MELBY		•	• YIG		
• BERGE			• HOUMANN			• WERTENS		•	• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON		•	• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MURPHY			• WEBER		
• BOYUM		•	• KELLY			• NICHOLAS			• WERTZ		
• BROKAW			• KENNEL			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDAHL			• WINKLER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI		•	• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWINTEK					
• HANSON		•	• MAIXNER		•	• THOMPSON		•			
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49		•	• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2052.** — A Bill for an Act to create and enact a new subsection to section 19-03.1-01 of the North Dakota Century Code, relating to the definition of hashish; and to amend and reenact subsection 14 of section 19-03.1-01, subdivisions k through u of subsection 4 of section 19-03.1-05, and section 19-03.1-23 of the North Dakota Century Code, relating to the definition of marijuana, to the inclusion of hashish as a schedule I controlled substance, and providing penalties for possession of marijuana and hashish.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 7; absent and not voting, 10.



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON		• UNHJEM
• BENEDICT	•		• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R.			• MURPHY		• WALSH
• BLACK			• JACOBSON I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON	•	• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETZSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN	•	
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAXNER	•		• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN	•		• TIMM	•	
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY	•		• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2067.** — A Bill for an Act to amend and reenact section 40-57-05 of the North Dakota Century Code, relating to notification to the state securities commissioner of the issuance of bonds under the Municipal Industrial Development Act of 1955 and ensuring that the consent of any governmental body or public officer of the state is not required to authorize the issuance or sale of bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON		• UNHJEM
• BENEDICT	•		• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R.			• MURPHY		• WALSH
• BLACK			• JACOBSON I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS	•	• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON	•	• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ	•		• KOSKI			• REED		
• DOTZENROD			• KRETZSCHMAR			• RETZER		
• DuBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN	•	
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAXNER	•		• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN	•		• TIMM	•	
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY	•		• TWETEN		

So the bill passed and the title was agreed to.



• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FLEBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 25	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSON	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2083.** — A Bill for an Act to provide for the referral of proposed and existing administrative rules to an interim committee of the legislative council.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 31; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•	• HERMAN	•	• MATTSON	•	• UNHJEM					
• BENEDICT	•	• HICKLE	•	• MEIERS	•	• VANDER VORST					
• BERG	•	• HOFFNER	•	• MELBY	•	• VIG					
• BERGE	•	• HOUMANN	•	• MERTENS	•	• WAGNER					
• BERGER	•	• HOVE	•	• MEYER	•	• WALD					
• BJORNSON	•	• JACOBSEN, R	•	• MURPHY	•	• WALSH					
• BLACK	•	• JACOBSON, I	•	• MUSHIK	•	• WEBER					
• BOYUM	•	• KELLY	•	• NICHOLAS	•	• WENTZ					
• BROKAW	•	• KENNELLY	•	• OLSON	•	• WESSMAN					
• CHRISTENSEN	•	• KERMOTT	•	• OPEDAHL	•	• WINKJER					
• CONMY	•	• KINGSBURY	•	• PELTIER	•	• MR. SPEAKER					
• CRABTREE	•	• KLOUBEC	•	• PETERSON	•						
• DICK	•	• KNUDSON	•	• POMEROY	•						
• DIETZ	•	• KOSKI	•	• REED	•						
• DOTZENROD	•	• KRETSCHMAR	•	• RETZER	•						
• DUBORD	•	• KUCHERA	•	• RICHARD	•						
• EAGLES	•	• LANG	•	• RICHIE	•						
• ERICKSON	•	• LANGLEY	•	• RIEHL	•						
• FLEMING	•	• LARDY	•	• RUED	•						
• FLEBORG	•	• LARSON, F. # 24	•	• SCHINDLER	•						
• GACKLE	•	• LARSON, G. # 25	•	• SCOFIELD	•						
• GERL	•	• LARSON, H. # 7	•	• SOLBERG	•						
• GORDER	•	• LEE	•	• STENEHJEM	•						
• GUNDERSON	•	• LEIBMAN	•	• STRINDEN	•						
• GUNSON	•	• LIPSIEA	•	• SWONTEK	•						
• HANSON	•	• MAIXNER	•	• THOMPSON	•						
• HAUGLAND	•	• MARSDEN	•	• THORSGARD	•						
• HAUSAUER A # 49	•	• MARTIN	•	• TIMM	•						
• HAUSAUER R # 25	•	• MARTINSON	•	• TINJUM	•						
• HEDSTROM	•	• MATHENY	•	• TWETEN	•						

So the bill passed and the title was agreed to.

**MOTION**

Rep. Martinson moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2084, and that Senate Bill No. 2084 be re-referred to the Committee on State and Federal Government, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2090.** — A Bill for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to distribution of codes to legislators; and to amend and reenact section 46-04-01 of the North Dakota Century Code, relating to official distribution of state laws.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 10.





MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1068  
House Bill No. 1182  
House Bill No. 1185

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1016  
House Bill No. 1055  
House Bill No. 1058  
House Bill No. 1118  
House Bill No. 1151  
House Bill No. 1154  
House Bill No. 1171  
House Bill No. 1184  
House Bill No. 1216  
House Bill No. 1224  
House Bill No. 1248  
House Bill No. 1265  
House Bill No. 1269  
House Bill No. 1279  
House Bill No. 1292  
House Bill No. 1313  
House Bill No. 1393  
House Bill No. 1456  
House Bill No. 1460  
House Bill No. 1466  
House Bill No. 1508  
House Bill No. 1562  
House Bill No. 1563  
House Bill No. 1615  
House Bill No. 1665

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4058  
Senate Concurrent Resolution No. 4071  
Senate Concurrent Resolution No. 4074

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1065:

Senator Lodoen  
Senator Mutch  
Senator Miller Heinrich

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1192  
House Bill No. 1285

House Bill No. 1293  
House Bill No. 1509

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1192

On page 1 of the Engrossed Bill, line 1, after the words "A BILL" delete the remainder of the line and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 20.1-02-15 and 29-05-10 of the North Dakota Century Code, relating to the definition of peace officer, and to the powers of certain game and fish department personnel; and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 20.1-02-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-02-15. POLICE POWERS OF COMMISSIONER, DEPUTY COMMISSIONER, AND BONDED APPOINTEES OF COMMISSIONER.) The commissioner, deputy commissioner, and any bonded appointees of the commissioner shall have the power:

- ~~1.~~ ~~Of~~ of a peace officer as provided in title 29, for the purpose of enforcing this title and any other state laws, rules, or regulations relating to big game, small game, fur-bearers, fish, and other wildlife.
- ~~2.~~ ~~To make arrests upon view and without warrant for any violation committed in his presence of this title and any other state laws, rules, or regulations relating to big game, small game, fur-bearers, fish and other wildlife.~~
- ~~3.~~ ~~To enter and inspect any hotel, restaurant, cold-storage warehouse, plant, icehouse, or any building used for the storage of dressed meat, game, or fish to determine if game or fish, or parts thereof, are kept or stored therein contrary to this title.~~
4. In addition each such person shall have power:
  1. To open, enter, and examine, without warrant all buildings, meat processing plants, game cleaning facilities, fishhouses, camps, tents, vessels, boats, wagons, automobiles, or other vehicles, cars, crates, boxes, and other receptacles and places when he has reason to believe that game or fish, or parts thereof, or green furs which have been taken or are held or possessed contrary to this title may be found. The right to enter and search without a warrant, however, shall not apply to buildings, the dwelling house or living quarters of any person, or of a sealed railroad car, unless permission is given by the owner or person in control of the premises.
- ~~5.~~ 2. To open and examine any package in the possession of a common carrier which he suspects or has reason to believe contains game or fish, or parts thereof, taken, held, or falsely labeled contrary to this title. Every such common carrier, and every agent, servant, or employee thereof, shall permit any such officer to open and examine any such package. Any package so opened and not confiscated shall be restored to its original condition by the officer making the examination.
- ~~6.~~ 3. To enter without a search warrant upon the premises of any dealer or trader in green furs to inspect any warehouses, storerooms, or other storage places, and may call for and inspect records of buying, shipping, or selling of green furs. ~~The right to enter and search without a warrant, however, shall not apply to the dwelling house or the living quarters of any person or of a sealed railroad car.~~

- 7- 4. To sieze and hold, subject to court order, any green furs obtained illegally.
- 8- 5. To inspect all premises used for the purpose of propagating and domesticating game birds or protected animals.

SECTION 2. AMENDMENT.) Section 29-05-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

29-05-10. "PEACE OFFICER" DEFINED.) A peace officer is a sheriff of a county or his deputy, or a coroner, constable, marshal, or policeman of a township or city, and, for the purposes of enforcing title 20.1, the commissioner, deputy commissioner, and bonded employees of the game and fish department."

And renumber the lines and pages accordingly.

AMENDMENT TO HOUSE BILL 1285

On page 1, line 16 of the engrossed bill, after the word "carriers" insert "; and declaring an emergency"

On page 5, after line 6, insert the following new section:

SECTION 8. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

On page 3, line 14, of the engrossed bill, after the word "of" insert the following: "non-liquid fertilizers or"

On page 4, line 10, of the engrossed bill, delete the word "Non-used" and insert in lieu thereof the word "Non-user"

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1293

On page 9, line 29 of the engrossed bill, delete the word "or"

On page 9, line 30 of the engrossed bill, delete the words "of the combined municipal utilities system"

On page 9, line 32 of the engrossed bill, delete the words "or of the combined"

On page 9, line 33 of the engrossed bill, delete the words "municipal utilities system"

On page 10, line 3 of the engrossed bill, delete the words "or of its combined"

On page 10, line 4 of the engrossed bill, delete the words "municipal utilities system"

On page 10, line 11 of the engrossed bill, delete the words " or supplied through its"

- On page 10, line 12 of the engrossed bill, delete the words "combined municipal utilities system"
- On page 10, line 19 of the engrossed bill, delete the words "or related to its"
- On page 10, line 20 of the engrossed bill, delete the words "combined municipal utilities system"
- On page 10, line 27 of the engrossed bill, after the word "pledge" insert the words "of revenues"
- On page 10, line 30 of the engrossed bill, delete the words "and any other funds"
- On page 10, line 30 of the engrossed bill, delete the words "and held or"
- On page 10, delete all of line 31

And renumber the lines, pages and sections accordingly

AMENDMENTS TO HOUSE BILL NO. 1509

- On page 2, line 1, of the engrossed bill, delete the following: "This list of diseases may be revised"
- On page 2, of the engrossed bill, delete all of lines 2 through 4
- On page 2, line 28, of the engrossed bill, following the word "signed" delete the following language: "by a responsible leader" and insert in lieu thereof the following: "by his parents or guardian whose"
- On page 2, of the engrossed bill, delete all of line 29.
- On page 2, line 30, of the engrossed bill, delete the following word "teachings" and insert in lieu thereof the word "beliefs"

And renumber the lines and pages accordingly

AMENDMENT TO THE AMENDMENT OF HOUSE BILL 1509

- On page 2, line 28 of the engrossed bill, after the word "his", delete the word "parents" and insert in lieu thereof the word "parent"

MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Transportation  
to whom was referred House Concurrent Resolution

No. 3086, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

Rep. Erickson Chairman

House Concurrent Resolution No. 3086 was placed on the 11th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Erickson moved that the rules be suspended, and that House Concurrent Resolution No. 3086 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3086. - A concurrent resolution urging the Federal Aviation Administration to abandon the proposed "controlled visual flight" rules.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

MOTIONS

Rep. Erickson moved that the rules be suspended, and that House Concurrent Resolution No. 3086 be messaged to the Senate immediately, which motion prevailed.

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1389, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2128. - A Bill for an Act to amend and reenact subsection 2 of section 15-60-03 of the North Dakota Century Code, relating to the state school construction fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 3; absent and not voting, 8.

Table with columns: REGULAR SESSION, ROLL-CALL, 1979 LEGISLATURE. Rows list names of representatives and their voting status (YEAS, NAYS).

● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2147.** — A Bill for an Act to create and enact section 54-16-13 of the North Dakota Century Code, relating to Emergency Commission action on requests to increase appropriation authority for intergovernmental service fund agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 7; absent and not voting, 11.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VG
● BERGE			● HOUWANN	●		● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY	●	● WALSH
● BLACK	●		● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON	●	
● DICK			● KNUDSON			● POMEROY		● MR. SPEAKER
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED	●	
● FREBERG	●		● LARSON, F. #24			● SCHINDLER		
● GACKLE	●		● LARSON, G. #29			● SCOFIELD		
● GERL	●		● LARSON, H. #7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEW		
● GUNDERSON			● LEIBHAN			● STRINDEN	●	
● GUNSCH	●		● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A. #49	●		● MARTIN			● TIMM	●	
● HAUSAUER, R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2148.** — A Bill for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the time during which appropriations remain available.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 7; absent and not voting, 12.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VG
● BERGE			● HOUWANN	●		● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK	●		● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON	●	
● DICK			● KNUDSON			● POMEROY		● MR. SPEAKER
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		

• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F #24	• SCHINDLER
• GACKLE	• LARSON G #29	• SCOFIELD
• GERL	• LARSON H #7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDE
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2163.** — A Bill for an Act to amend and reenact subsection 3 of section 54-44.2-02 of the North Dakota Century Code, relating to the powers and duties of the office of central data processing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 7; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VKG		
• BERGE			• HOLMANN		•	• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD	•	
• BJORNSON			• JACOBSEN, R			• MURPHY		•	• WALSH		
• BLACK	•		• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBERD			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUJORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG		•	• RICHIE					
• ERICKSON			• LANGLEY		•	• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F #24			• SCHINDLER					
• GACKLE			• LARSON G #29			• SCOFIELD					
• GERL			• LARSON H #7			• SOLBERG		•			
• GORDER			• LEE		•	• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDE					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER A #49	•		• MARTIN			• TIMM					
• HAUSAUER R #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2164.** — A Bill for an Act to amend and reenact section 15-61-05 of the North Dakota Century Code, relating to disposition of surplus property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 2; absent and not voting: 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VKG		
• BERGE			• HOLMANN		•	• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD	•	
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		

● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSON	● LIPSIE	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2165.** — A Bill for an Act to amend and reenact subsections 8, 9, and 11 of section 54-44-04; and to repeal section 54-14-03 and subsection 10 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of accounts and purchases and the office of the budget.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTON			● LINHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● WIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHK			● WEBER		
● BOJUM			● KELLY			● NICHOLAS			● WENTZ		
● BRKAN			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSIE			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2178.** — A Bill for an Act to create and enact a new section to chapter 7-02 of the North Dakota Century Code, relating to savings and loan association account insurance; to amend and reenact section 7-01-07 of the North Dakota Century Code, relating to insurance requirement and certificates of authority of state savings and loan associations; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 1; absent and not voting, 8.



REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY ●			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMIR			● RETZER		
● DUBORO			● KUCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON ●			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F # 24			● SCHINDLER		
● GACKLE			● LARSON, G # 29			● SCOFIELD		
● GERL			● LARSON, H # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIEA			● SWONTEK ●		
● HANSON			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSgard		●
● HAUSAUER, A # 49			● MARTIN			● TIMM		
● HAUSAUER, R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2191.** — A Bill for an Act to amend and reenact section 43-07-10 of the North Dakota Century Code, relating to the renewal of licenses for contractors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY ●			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMIR			● RETZER		
● DUBORO			● KUCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F # 24			● SCHINDLER		
● GACKLE			● LARSON, G # 29			● SCOFIELD		
● GERL			● LARSON, H # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSgard		
● HAUSAUER, A # 49			● MARTIN			● TIMM		
● HAUSAUER, R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**MESSAGE TO THE SENATE  
House Chamber**

Mr. President: I have the honor to transmit herewith the following,

which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3086.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 2206.** — A Bill for an Act to amend and reenact subsection 1 of section 54-44.1-06 of the North Dakota Century Code, relating to the preparation of budget data.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes. 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, # 24			• SCHINDLER		
• GACKLE			• LARSON, G # 25			• SCOPFELD		
• GERL			• LARSON, H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAXNER			• THOMPSON		
• HAUG, AND			• MARSDEN			• THORSgard		
• HAUSAUER, A # 45			• MARTIN			• TIMM		
• HAUSAUER, R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHEWY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2211.** — A Bill for an Act to amend and reenact section 43-09-14 of the North Dakota Century Code, relating to the surety bond of a master and class B electrician.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes. 89; nays, 6; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE		•	• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		

• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEJEW
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2221.** — A Bill for an Act to repeal chapter 47-23 of the North Dakota Century Code, relating to the use of the North Dakota trademark and to the approval, by the state laboratories Department, for the use of the trademark.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 9; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK		•	• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER			• MR. SPEAKER		
• CRABTREE			• KNUDSON			• PETERSON					
• DICK			• KLOJUBEC			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA		•	• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREBORG		•	• LARSON # 24			• SCHINDLER					
• GACKLE		•	• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEJEW					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCH			• LIPSIA		•	• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2230.** — A Bill for an Act to amend and reenact section 49-03.1-02 of the North Dakota Century Code, relating to the definition of public utility.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		

● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETZSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSIEA	● SWIONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER, A. # 49	● MARTIN	● TMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2242.** — A Bill for an Act to amend and reenact section 15-20.2-04 of the North Dakota Century Code, relating to multi-district center boards, appointment of members, terms, compensation and vacancies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTSON			● UNHJEM		
●			● HICKLE			● MEIERS			● VANDER VORST		
●			● HOFFNER			● MELBY			● WIG		
●			● HOUMANN			● MERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD	●	
●			● JACOBSEN, R.			● MURPHY			● WALSH		
●			● JACOBSON, I.			● MUSHK			● WEBER		
●			● KELLY			● NICHOLAS			● WENTZ		
●			● KENNELLY			● OLSON			● WESSMAN		
●			● KERMOIT			● OPEDAHL			● WINKJER		
●			● KINGSBURY			● PELTIER			● MR. SPEAKER		
●			● KLOUBEC			● PETERSON					
●			● KNUDSON			● POMEROY					
●			● KOSKI			● REED					
●			● KRETZSCHMAR			● RETZER					
●			● KUCHERA			● RICHARD					
●			● LANG			● RICHIE					
●			● LANGLEY			● RIEHL					
●			● LARDY			● RUED					
●			● LARSON, F. # 24			● SCHINDLER					
●			● LARSON, G. # 29			● SCOFIELD					
●			● LARSON, H. # 7			● SOLBERG					
●			● LEE			● STENEHJEM					
●			● LEIBHAN			● STRINDEN					
●			● LIPSIEA			● SWIONTEK					
●			● MAIXNER			● THOMPSON					
●			● MARSDEN			● THORSgard					
●			● MARTIN			● TMM					
●			● MARTINSON			● TINJUM					
●			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2260.** — A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to the deduction of taxes paid to foreign countries; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• YIG
• BERGE			• HOUWMANN	•		• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON, F. # 24			• SCHINDLER		
• GACKLE			• LARSON, G. # 29			• SCOFIELD		
• GERL			• LARSON, H. # 7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSgard		
• HAUSAUER, A. # 49			• MARTIN			• TIMM		
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2331.** — A Bill for an Act to create and enact two new subsections to section 10-24-05 of the North Dakota Century Code, relating to the general powers of a nonprofit corporation, and providing that a nonprofit corporation shall have power to act as a trustee of a trust and be a remainderman beneficiary of a trust for which it acts as a trustee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• YIG
• BERGE			• HOUWMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• MURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KOSKI			• POMEROY		
• DIETZ			• KRETSCHMAR			• REED		
• DOTZENROD			• KUCHERA			• RETZER		
• DUBORD			• LANG			• RICHARD		
• EAGLES			• LANGLEY			• RICHIE		
• ERICKSON			• LARDY			• RIEHL		
• FLEMING			• LARSON, F. # 24			• RUED		
• FREBORG			• LARSON, G. # 29			• SCHINDLER		
• GACKLE			• LARSON, H. # 7			• SCOFIELD		
• GERL			• LEE	•		• SOLBERG		
• GORDER			• LEIBHAN			• STENEHJEM		
• GUNDERSON			• LIPSIEA			• STRINDEN		
• GUNSCH			• MAIXNER			• SWONTEK		
• HANSON			• MARSDEN			• THOMPSON		
• HAUGLAND			• MARTIN			• THORSgard		
• HAUSAUER, A. # 49			• MARTINSON			• TIMM		
• HAUSAUER, R. # 25			• MATHENY			• TINJUM		
• HEDSTROM						• TWETEN		

So the bill passed and the title was agreed to.



House Bill No. 1432  
 House Bill No. 1452  
 House Bill No. 1470  
 House Bill No. 1497  
 House Bill No. 1512  
 House Bill No. 1525  
 House Bill No. 1526  
 House Bill No. 1532  
 House Bill No. 1592  
 House Bill No. 1635  
 House Bill No. 1655  
 House Concurrent Resolution No. 3005  
 House Concurrent Resolution No. 3010.

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
 House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1013  
 House Bill No. 1283  
 House Bill No. 1286  
 House Bill No. 1287  
 House Bill No. 1290  
 House Bill No. 1308  
 House Bill No. 1311  
 House Bill No. 1318  
 House Bill No. 1320  
 House Bill No. 1330  
 House Bill No. 1340  
 House Bill No. 1341  
 House Bill No. 1345  
 House Bill No. 1354  
 House Bill No. 1356  
 House Bill No. 1361  
 House Bill No. 1375  
 House Bill No. 1376  
 House Bill No. 1416  
 House Bill No. 1432  
 House Bill No. 1452  
 House Bill No. 1470  
 House Bill No. 1497  
 House Bill No. 1512  
 House Bill No. 1525  
 House Bill No. 1526  
 House Bill No. 1532  
 House Bill No. 1592  
 House Bill No. 1635  
 House Bill No. 1655  
 House Concurrent Resolution No. 3005  
 House Concurrent Resolution No. 3010.

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 2346.** — A Bill for an Act requiring open voting at all public meetings.





So the bill passed and the title was agreed to.

**SECOND READING OF SENATE  
CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4004.** — A concurrent resolution to amend section 182 of the Constitution of the State of North Dakota, relating to the security of bonds issued or guaranteed by the state.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS	●	● WENTZ
● BROKAW			● KENNELLY	●		● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMARR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY	●		● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #29			● SCOFIELD		
● GERL			● LARSON, H. #7			● SOLBERG		
● GORDER			● LEE			● STENEHJEM		
● GUNDERSON			● LEIGHAN			● STRANDE		
● GUNSCH			● LIPSIEA			● SWIONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSgard		
● HAUSAUER, A. #49			● MARTIN			● TIMM		
● HAUSAUER, R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4019.** — A concurrent resolution directing a Legislative Council study of the North Dakota state penitentiary, state farm, and the "sunny farm" in Mandan as integral parts of a total corrections master plan for the state.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY	●		● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMARR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY	●		● RIEHL		
● FLEMING			● LARDY			● RUED		

● FREGORG	● LARSON, F. #24	● SCHINDLER
● GACKLE	● LARSON, G. #29	● SCOFIELD
● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHEIM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIE	● SWONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. #40	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the Senate Concurrent Resolution was declared adopted.

### MOTION

Rep. Martinson moved that the House not concur on Senate amendments to House Bill No. 1278, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1278:

Rep. Gunderson  
Rep. Wessman  
Rep. Pomeroy

### Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1156 has had the same under consideration and recommends:

That the Senate recede from its amendments and that HB 1156 be amended as follows:

On page 1, line 1, after the word "to" insert the following:  
"state legislative intent concerning estate taxes; to"

On page 1, line 5, after the semicolon delete the following:  
"and providing an effective" and insert in lieu thereof  
"to repeal section 57-37.1-03 of the North Dakota Century Code, relating to determination of North Dakota taxable estate; and declaring an emergency."

On page 1, delete line 6

On page 1, after line 8, insert the following section:  
"SECTION 1. LEGISLATIVE INTENT CONCERNING ESTATE TAXES.) The legislative intent is to not tax property transferred upon death. It is the intent of the legislative assembly to repeal the state estate tax to the extent possible without jeopardizing that portion of federal estate taxes which is allowed as a credit for state estate taxes. It is recognized that, if the state estate tax were totally repealed, the amount of federal estate taxes due would be increased by the amount of credit at no savings to the people of North Dakota."

On page 2, line 29, after the word "amended" insert the following:  
"and "North Dakota taxable estate" means all property in a decedent's federal gross estate that has a situs in North Dakota""

On page 2, after line 29, insert the following new sections:  
"SECTION 4. REPEAL.) Section 57-37.1-03 of the 1977 Supplement to the North Dakota Century Code is hereby repealed.

SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

On page 2, delete lines 30, 31, and 32

And renumber the lines, sections and pages accordingly

For the Senate	For the House
Senator Wright <i>Wright</i>	Rep. Crabtree <i>Crabtree</i>
Senator Farrington <i>Farrington</i>	Rep. Lipsiea <i>Lipsiea</i>
Senator Shablow <i>Shablow</i>	Rep. Kelly <i>Kelly</i>
Rep. Crabtree	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1156 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House

Bill No. 1004, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2 of the engrossed bill, line 20, delete the numerals "5,747,224" and insert in lieu thereof the numerals "6,447,224"

On page 2 of the engrossed bill, line 22, delete the numerals "6,173,224" and insert in lieu thereof the numerals "6,873,224"

On page 2 of the engrossed bill, after line 34, insert the following section:

"SECTION 4. MINOT STATE COLLEGE - APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$700,000.00, or so much thereof as may be necessary, to match \$700,000.00 in federal or other funds for a coal-fired boiler at Minot state college during the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides a \$700,000 general fund appropriation to match \$700,000 in federal or other funds for a coal-fired boiler at Minot State College.

And when so amended, recommends the same do pass.

*J. Peterson*  
Rep. James A. Peterson Chairman

House Bill No. 1004 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred House Concurrent Resolution

**H.R.**No. 3061, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Rep. Haugland

House Concurrent Resolution No. 3061 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Transportation

to whom was referred House Concurrent Resolution

No. 3076, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 31, delete the words "law enforcement" and insert in lieu thereof the words "the Traffic Safety Programs Division of the North Dakota Highway Department"

On page 2, line 32, after the word "the" insert the words "North Dakota"

On page 2, line 33, delete the word "judiciary" and insert in lieu thereof the words "Supreme Court Administrator"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Erickson

House Concurrent Resolution No. 3076 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Political Subdivisions

to whom was referred House Concurrent Resolution

No. 3082, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

Chairman

Rep. Lang

House Concurrent Resolution No. 3082 was placed on the 10th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate

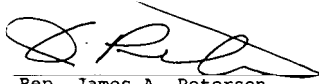
**Bill No.** 2004, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 4, that the same

THURSDAY, MARCH 1, 1979

1343

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:



Chairman

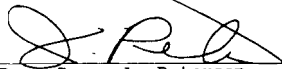
Rep. James A. Peterson

Senate Bill No. 2004 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2005, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:



Chairman

Rep. James A. Peterson

Senate Bill No. 2005 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2012, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 2; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 9 of the engrossed bill, delete the numerals "1,480,476" and insert in lieu thereof the numerals "1,506,472"

On page 1, line 15 of the engrossed bill, delete the numerals "662,419" and insert in lieu thereof the numerals "688,415"

On page 1, line 22 of the engrossed bill, delete the numerals "1,480,476" and insert in lieu thereof the numerals "1,506,472"

On page 2, line 2 of the engrossed bill, delete the numerals "663,057" and insert in lieu thereof the numerals "689,053"

On page 2, line 28 of the engrossed bill, delete the numerals "852,057" and insert in lieu thereof the numerals "878,053"

On page 2, line 30 of the engrossed bill, delete the numerals "1,669,476" and insert in lieu thereof the numerals

"1,695,472"

And renumber the lines accordingly

STATEMENT OF THE PURPOSE OF AMENDMENT:

The purpose of this amendment is to reinstate \$25,996.00 in the salaries and wages line item, which the Senate had deleted.

And when so amended, recommends the same do pass.



Rep. James A. Peterson Chairman

Senate Bill No. 2012 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2035, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 4; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson Chairman

Senate Bill No. 2035 was placed on the 14th order of business on the calendar for the succeeding legislative day.

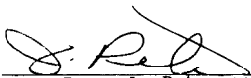
Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2041, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson Chairman

Senate Bill No. 2041 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2113, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.


be amended as follows:

On page 1, line 1, of the engrossed bill delete the words "to provide for responsibility of inpatient"

On page 1, delete all of line 2

- On page 1, line 3, delete the words "afflicted with tuberculosis;"
  - On page 1, line 11, delete "; to repeal subsection 6 of section 25-01-01 of"
  - On page 1, delete all of lines 12 through 13
  - On page 1, line 14, delete the words "relating to care of tubercular persons"
  - On page 1, delete all of lines 17 through 21
  - On page 2, delete all of lines 1 through 35
  - On page 3, delete all of lines 1 through 35
  - On page 4, delete all of lines 1 through 35
  - On page 5, delete all of lines 1 through 35
  - On page 6, delete all of lines 1 through 35
  - On page 7, delete all of lines 1 through 35
  - On page 10, delete all of lines 1 through 3
- And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

  
 \_\_\_\_\_ Chairman

Senate \_\_\_\_\_ Rep. Martinson  
 Bill No. 2113 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2156, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

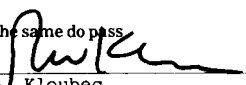
do pass.       do not pass.       be placed on calendar  
 without recommendation.

be amended as follows:

- On page 1, line 1 of the engrossed bill delete "state geologist and the"
- On page 1, line 2 after "commission" insert "or its designee"
- On page 1, line 10 delete "state geologist and the" and also on line 10 after "commission" insert "or its designee"
- On page 1, line 11 delete "are" and insert in lieu thereof "is"
- On page 1, line 21 delete "the state"
- On page 1, line 22 delete "geologist and" and also on line 22 delete "are" and insert in lieu thereof "or its designee is"

And renumber the lines accordingly.

And when so amended, recommends the same do pass

  
 \_\_\_\_\_ Chairman

Senate \_\_\_\_\_ Rep. Kloubec  
 Bill No. 2156 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2215, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Knudson Chairman  
Rep. Knudson

Senate Bill No. 2215 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2246, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Erickson Chairman  
Rep. Erickson

Senate Bill No. 2246 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2247, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Erickson Chairman  
Rep. Erickson

Senate Bill No. 2247 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2248, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Erickson Chairman  
Rep. Erickson

Senate Bill No. 2248 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate



THURSDAY, MARCH 1, 1979

1347

Bill No. 2322, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate Bill No. 2322 Rep. Lang was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2333, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate Bill No. 2333 Rep. Erickson was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2407, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 9 of the engrossed bill, after the word "LEVY" insert the following: "TAXES FOR THE SUPPORT OF THE"

On page 1, line 10, strike the word "TAX"

On page 1, line 18, after "commissioners" delete ", upon a vote of the"

On page 1, line 19, delete "majority of the people,"

On page 1, line 22, delete the word "assessed"

On page 2, line 4, after the word "commissioners" insert the following: "and submitted to the electors of the county at a countywide election and approved by a majority vote of those voting on the question,"

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

Chairman

Senate Bill No. 2407 Rep. Lang was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2430, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 16, of the engrossed bill, delete the word "one"  
and insert in lieu thereof the word "two"

And when so amended, recommends the same do pass.



Chairman

Rep. Lang

Senate Bill No. 2430 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate Concurrent Resolution

No. 4012, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

And be placed on the Consent Calendar.



Chairman

Rep. Kloubec

Senate Concurrent Resolution No. 4012 was placed on the 10th  
order of business on the calendar for the succeeding legislative day.

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House stand adjourned until 12:30 p.m., Friday, March 2, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FORTY-SECOND DAY

Bismarck, March 2, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Arland Fiske, Bethany Lutheran Church, Minot, North Dakota.

The roll was called, and all members were present except Reps. Gerl, Kuchera and Lee.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-first Day and finds the same to be correct.

Handwritten signature of Steven J. Swentek, Chairman, Rep. Swentek

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HCR NO. 3070
HCR NO. 3081

and find the same correctly Engrossed

Handwritten signature of Wayne Jensen, Chairman, Rep. Stephenjem

Representative Lipsiea moved that the report be adopted, which motion prevailed, and the report was adopted.

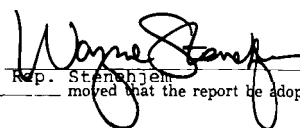
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1017 HB NO. 1474
HB NO. 1026 HB NO. 1518
HB NO. 1049 HB NO. 1536
HB NO. 1059 HB NO. 1560
HB NO. 1060 HB NO. 1572

- HB NO. 1061 \_\_\_\_\_ HB NO. 1584 \_\_\_\_\_
- HB NO. 1098 \_\_\_\_\_ HB NO. 1680 \_\_\_\_\_
- HB NO. 1107 \_\_\_\_\_ HCR NO. 3030 \_\_\_\_\_
- HB NO. 1128 \_\_\_\_\_
- HB NO. 1148 \_\_\_\_\_
- HB NO. 1152 \_\_\_\_\_
- HB NO. 1153 \_\_\_\_\_
- HB NO. 1155 \_\_\_\_\_
- HB NO. 1160 \_\_\_\_\_
- HB NO. 1167 \_\_\_\_\_
- HB NO. 1186 \_\_\_\_\_
- HB NO. 1240 \_\_\_\_\_
- HB NO. 1276 \_\_\_\_\_
- HB NO. 1334 \_\_\_\_\_
- HB NO. 1363 \_\_\_\_\_
- HB NO. 1445 \_\_\_\_\_
- HB NO. 1449 \_\_\_\_\_
- HB NO. 1451 \_\_\_\_\_
- HB NO. 1463 \_\_\_\_\_

and find the same correctly } Enrolled

 Chairman  
 Rep. Stenahjem moved that the report be adopted, which

Representative Lipsiea motion prevailed, and the report was adopted.

MESSAGE FROM THE SENATE  
Senate Chamber

- Mr. Speaker: I have the honor to return herewith the following:
- House Bill No. 1013
  - House Bill No. 1283
  - House Bill No. 1286
  - House Bill No. 1287
  - House Bill No. 1290
  - House Bill No. 1308
  - House Bill No. 1311
  - House Bill No. 1318
  - House Bill No. 1320
  - House Bill No. 1330
  - House Bill No. 1340
  - House Bill No. 1341
  - House Bill No. 1345
  - House Bill No. 1354
  - House Bill No. 1356
  - House Bill No. 1361
  - House Bill No. 1375
  - House Bill No. 1376
  - House Bill No. 1416
  - House Bill No. 1432
  - House Bill No. 1452
  - House Bill No. 1470
  - House Bill No. 1497

- House Bill No. 1512
- House Bill No. 1525
- House Bill No. 1526
- House Bill No. 1532
- House Bill No. 1592
- House Bill No. 1635
- House Bill No. 1655
- House Concurrent Resolution No. 3005
- House Concurrent Resolution No. 3010
- Which the President has signed.

LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to House Bill No. 1004 as recommended by the Committee on Appropriations as printed on page 1341 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1004 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1004.** Board of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the board of higher education and various divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 3; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY		•	• VIG		
• BERGE			• HOLMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK			• ANJUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE	•		• STENEJEM					
• GUNDERSON		•	• LEIBHAN	•		• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY	•		• TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1004 be messaged to the Senate immediately, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Gackle moved that the amendments to House Bill No. 1156 as recommended by the Conference Committee on Finance and Taxation as

printed on pages 1340 and 1341 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to House Concurrent Resolution No. 3076 as recommended by the Committee on Transportation as printed on page 1342 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2012 as recommended by the Committee on Appropriations as printed on pages 1343 and 1344 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2113 as recommended by the Committee on State and Federal Government as printed on pages 1344 and 1345 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2156 as recommended by the Committee on Natural Resources as printed on page 1345 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2407 as recommended by the Committee on Political Subdivisions as printed on page 1347 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2430 as recommended by the Committee on Political Subdivisions as printed on page 1348 of the House Journal be adopted, which motion prevailed.

#### MESSAGES TO THE SENATE

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2324

Senate Concurrent Resolution No. 4031

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2017

Senate Bill No. 2029

Senate Bill No. 2034

Senate Bill No. 2258

Senate Bill No. 2262

Senate Bill No. 2414

Senate Bill No. 2436

Senate Bill No. 2453

Senate Concurrent Resolution No. 4001

Senate Concurrent Resolution No. 4013

Senate Concurrent Resolution No. 4026

Senate Concurrent Resolution No. 4032

Senate Concurrent Resolution No. 4035

Senate Concurrent Resolution No. 4036

Senate Concurrent Resolution No. 4039

Senate Concurrent Resolution No. 4042

Senate Concurrent Resolution No. 4046

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3064



Bill No. 2246 be re-referred to the Committee on Transportation, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1053.** — A Bill for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to simple assault and increasing the punishment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUEO					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #29			● SCOFIELD					
● GERL			● LARSON, H #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN	●				
● GUNTSCH			● LPSIA			● SWONTER	●				
● HANSON			● MAIKNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A #8			● MARTIN			● TIMM					
● HAUSAUER, R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1327.** — A Bill for an Act to amend and reenact sections 4-19-05, 4-19-07, and 4-19-08 of the North Dakota Century Code, relating to the duties of the state forester, the authority to charge a user fee for state forest facilities, and the disposition of revenues derived from forestry activities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA	●		● RICHARD					



● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDE
● GUNSCHE	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1389.** — A Bill for an Act to amend and reenact subsection 4 of section 23-06.1-04 of the North Dakota Century Code, relating to the manner of executing anatomical gifts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● WATTSON		
●			● HICKLE			● WEIERS		
●			● HOFFNER			● WELBY		
●			● HOUMANN			● WERTENS		
●			● HOVE			● WEYER		
●			● JACOBSEN R			● MURPHY		
●			● JACOBSON J			● MUSHIK		
●			● KELLY			● NICHOLAS		
●			● KENNELLY			● OLSON		
●			● KERMOYT			● OPEDAHL		
●			● KINGSBURY			● PELTIER		
●			● KLOUBEC			● PETERSON		
●			● KNUDSON			● POWEROY		
●			● KOSKI			● REED		
●			● KRETSCHMAR			● RETZER		
●			● KUCHER			● RICHARD		
●			● LANG			● RICHIE		
●			● LANGLEY			● RIEHL		
●			● LARDY			● RUED		
●			● LARSON F # 24			● SCHINDLER		
●			● LARSON G # 29			● SCOFIELD		
●			● LARSON H # 7			● SOLBERG		
●			● LEE			● STENEHJEM		
●			● LEIBHAN			● STRINDE		
●			● LIPSIEA			● SWIONTEK		
●			● MAIXNER			● THOMPSON		
●			● MARSDEN			● THORSgard		
●			● MARTIN			● TIMM		
●			● MARTINSON			● TINJUM		
●			● MATHENY			● TWETEN		
						● MR SPEAKER		

So the bill passed and the title was agreed to.

**House Bill No. 1495.** — A Bill for an Act to appropriate the remaining moneys in the flax utilization research fund to North Dakota state university for crop byproduct research, to hold all revenues received during the remainder of this biennium available for the purposes of this Act; to repeal chapter 4-28.1 of the North Dakota Century Code, relating to the flax utilization research tax; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● WATTSON		
						● UNHJEM		

• BENEDICT	• HICKLE	• WEERS	• VANDER VORST
• BERG	• HOFFNER	• MELBY	• VIG
• BERGER	• HOUWMANN	• MERTENS	• WAGNER
• BJORNSON	• HOVE	• MEYER	• WALD
• BLACK	• JACOBSEN R	• MURPHY	• WALSH
• BOYUM	• JACOBSON I	• MUSHIK	• WEBER
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CHRISTENSEN	• KENNELLY	• OLSON	• WESSMAN
• CONMY	• KERMOTT	• OPEDAHL	• WINKJER
• CRABTREE	• KINGSBURY	• PELTIER	• MR. SPEAKER
• DICK	• KLOUBEC	• PETERSON	
• DIETZ	• KNUDSON	• POMEROY	
• DOTZENROD	• KOSKI	• REED	
• DuBORD	• KRETSCHMAR	• RETZER	
• EAGLES	• KUCHERA	• RICHARD	
• ERICKSON	• LANG	• RICHIE	
• FLEMING	• LANGLEY	• RIEHL	
• FREBORG	• LARDY	• RUED	
• GACKLE	• LARSON F # 24	• SCHINDLER	
• GERL	• LARSON G # 29	• SCOFIELD	
• GORDER	• LARSON H # 7	• SOLBERG	
• GUNDERSON	• LEE	• STENEHEJEM	
• GUNSON	• LEIBHAN	• STRINDEN	
• HANSON	• LIPSIA	• SWONTEK	
• HAUGLAND	• MAIXNER	• THOMPSON	
• HAUSAUER A # 49	• MARSDEN	• THORSGARD	
• HAUSAUER R # 25	• MARTIN	• TIMM	
• HEDSTROM	• MARTINSON	• TINJUM	
	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF  
RESOLUTIONS ON CONSENT CALENDAR

**House Concurrent Resolution No. 3082.** — A concurrent resolution directing the Legislative Council to study the personal liability of officers and members of boards and commissions of the state and political subdivisions.

**Senate Concurrent Resolution No. 4012.** — A concurrent resolution directing the Legislative Council to study and review possible implementation of Section 404 of the Federal Water Pollution Control Act by the State of North Dakota through its State Water Commission as provided in the Clean Water Act of 1977.

Which had been read the second time.

ROLL CALL

The question being on the final passage of the resolutions, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BACKES	•		• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT	•		• HICKLE			• WEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGER	•		• HOUWMANN			• MERTENS			• WAGNER		
• BJORNSON			• HOVE	•		• MEYER			• WALD		
• BLACK			• JACOBSEN R			• MURPHY			• WALSH		
• BOYUM			• JACOBSON I			• MUSHIK			• WEBER		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CHRISTENSEN			• KENNELLY			• OLSON			• WESSMAN		
• CONMY			• KERMOTT			• OPEDAHL			• WINKJER		
• CRABTREE			• KINGSBURY			• PELTIER					
• DICK			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DIETZ			• KNUDSON			• POMEROY					
• DOTZENROD			• KOSKI			• REED					
• DuBORD			• KRETSCHMAR			• RETZER					
• EAGLES			• KUCHERA	•		• RICHARD					
• ERICKSON			• LANG			• RICHIE					
• FLEMING			• LANGLEY			• RIEHL					
• FREBORG			• LARDY			• RUED					
• GACKLE			• LARSON F # 24			• SCHINDLER					
• GERL			• LARSON G # 29			• SCOFIELD					
• GORDER			• LARSON H # 7			• SOLBERG					
• GUNDERSON	•		• LEE	•		• STENEHEJEM					
• GUNSON			• LEIBHAN			• STRINDEN					
• HANSON			• LIPSIA			• SWONTEK					
• HAUGLAND			• MAIXNER			• THOMPSON					
• HAUSAUER A # 49			• MARSDEN			• THORSGARD	•				
			• MARTIN			• TIMM					

• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the resolutions passed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1073.** — A Bill for an Act to amend and reenact subsection 2 of section 13-03-18, sections 15-19-06, 15-28-10, 15-40.1-03, 15-52-19, 15-52-20, 15-52-21, 15-52-27, subsections 1 and 3 of section 15-61-02, sections 15-61-04, 16-04-07, 16-11-12, 16-15-05, 16-15-07, 16-15-09, 16-16-17.1, 16-18-17, 16-20-07, subsection 5 of section 16-20-08, sections 18-03-05, 18-05-04, 18-05-13, 18-10-09, 18-11-09, 18-11-22, 19-01-12, subsections 14 through 23 of section 19-02.1-02, subsections 4 through 10 of section 19-02.1-05, sections 19-03.1-23, 19-07-02, 21-03-23, 21-04-09, 21-05-05, 21-10-10, subsection 4 of section 23-07-01.1, sections 23-15.1-07, 24-01-13, 24-01-41.1, 24-02-11, 24-06-02, 24-06-07, 25-01.1-20, subsections 1 and 3 of section 25-04-07, subsections 10 through 14 of section 26-01-02, sections 26-01-10, 26-08-13, 26-10-02, 26-10-14, 26-10-16, 26-26-14, 26-27-14, 26-27.1-18, 26-27.2-18, 26-33-04, 27-11-26, subsection 6 of section 27-14-02, sections 29-01-06.1, 29-03-20, 29-05-31, and 29-12-13, subsection 9 of section 29-15-21, sections 29-21-15, 29-21-17, 29-21-25, 29-22-20, 29-26-16, 34-01-12, 35-20-13, 36-05-10, 37-12-14, 37-20-03, 38-10-08, subsection 1 of section 39-01-01, sections 39-01-13 and 39-04-06, introductory paragraph of subsection 2 of section 39-04-18, section 39-06.1-09, paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10, and sections 39-07-11, 39-08-13, 39-23-08, 40-33-24, 43-03-02, 43-12-27, 43-12-31, 43-15-01, 43-15-14, 44-04-14, 44-08-12, 44-08-13, 47-11-01, 47-18-14, 47-19-18, 49-03-01.3, 49-09-09, 49-09-11, 52-02-09, 54-23A-04, 54-27-08, 54-48-06, 54-49.1-02, 65-05-09, 65-06-01, 65-06-02, 65-06-03, 65-06-04, and 65-06-05 of the North Dakota Century Code, relating to incorrect or obsolete references in statutes providing for insurance premium on a small loan, duties of school district election officials, budget of the division of independent study, constitution of county equalization funds, loans made from the medical center fund, procedures of the director of surplus property, application for name placement on the primary election ballot, posting of material in polling places, election contest procedures, voting eligibility of former residents, absent voter ballot procedure, charitable contributions and payments by candidates, campaign contributions by corporations, appropriation desired by the state firemen's association, apportionment of insurance taxes received by cities, examinations of firemen's relief associations, deposit of funds of rural fire protection districts, seizure of products unlawful under the food and drug laws, prohibited practices under the Food, Drug, and Cosmetic Act, prohibited acts under the Uniform Controlled Substances Act, egg rules of the state laboratories department, municipal bond register, pledge of security in place of depository bond, county or township voucher form, operating cost estimates of the state investment board, reporting of physical or mental disorders, penalty for violating the model rocketry law, enforcement of highway laws, highway relocation assistance payments, highway department records, purchase of township road machinery, custody of funds of patients of state institutions, mentally deficient defendants, duties of the commissioner of insurance, insurance company examinations, insurance company property, evaluation of policies of cooperative or assessment life associations, penalty and prosecution for discrimination or misrepresentation with respect to insurance matters, licensing of sales representatives of contracts of hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations, issuance and revocation of



● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE ●	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1017

House Bill No. 1026

House Bill No. 1049

House Bill No. 1059

House Bill No. 1060

House Bill No. 1061

House Bill No. 1098

House Bill No. 1107

House Bill No. 1128

House Bill No. 1148

House Bill No. 1152

House Bill No. 1153

House Bill No. 1155

House Bill No. 1160

House Bill No. 1167

House Bill No. 1186

House Bill No. 1240

House Bill No. 1276

House Bill No. 1334

House Bill No. 1363

House Bill No. 1445

House Bill No. 1449

House Bill No. 1451

House Bill No. 1463

House Bill No. 1474

House Bill No. 1518

House Bill No. 1536

House Bill No. 1560

House Bill No. 1572

House Bill No. 1584

House Bill No. 1680

House Concurrent Resolution No. 3030

And the Speaker signed the same in the presence of the House of Representatives.

### MESSAGE TO THE SENATE

#### House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1017

House Bill No. 1026

House Bill No. 1049

House Bill No. 1059

House Bill No. 1060

House Bill No. 1061

House Bill No. 1098

House Bill No. 1107

- House Bill No. 1128
- House Bill No. 1148
- House Bill No. 1152
- House Bill No. 1153
- House Bill No. 1155
- House Bill No. 1160
- House Bill No. 1167
- House Bill No. 1186
- House Bill No. 1240
- House Bill No. 1276
- House Bill No. 1334
- House Bill No. 1363
- House Bill No. 1445
- House Bill No. 1449
- House Bill No. 1451
- House Bill No. 1463
- House Bill No. 1474
- House Bill No. 1518
- House Bill No. 1536
- House Bill No. 1560
- House Bill No. 1572
- House Bill No. 1584
- House Bill No. 1680
- House Concurrent Resolution No. 3030

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MOTION

Rep. Strinden moved that the House reconsider the action whereby it accepted the committee report on House Concurrent Resolution No. 3047, and that House Concurrent Resolution No. 3047 be re-referred to the Committee on State and Federal Government, which motion prevailed.

SECOND READING OF

HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3061.** — A concurrent resolution directing the Legislative Council to conduct a study of deinstitutionalization programs for residents of the State Hospital, Grafton State School, and San Haven State Hospital.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
●	BENEDICT		●	HICKLE		●	MATTSON		●	UNHJEM	
●	BERG		●	HOFFNER		●	MEIERS		●	VANDER VORST	
●	BERGE		●	HOUWANN		●	MELBY		●	VIG	
●	BERGER		●	HOVE		●	MERTENS		●	WAGNER	
●	BJORNSON		●	JACOBSEN	●	●	MEYER		●	WALD	
●	BLACK		●	JACOBSON I		●	MURPHY		●	WALSH	
●	BOYUM		●	KELLY		●	MUSHIK		●	WEBER	
●	BROKAW		●	KENNELLY	●	●	NICHOLAS		●	WENTZ	
●	CHRISTENSEN		●	KERMOTT		●	OLSON		●	WESSMAN	
●	CONMY		●	KINGSBURY		●	OPEDAH		●	WINKLER	
●	CRABTREE		●	KLOUBEC		●	PELTER				
●	DICK		●	KNUDSON	●	●	PETERSON	●		●	MR SPEAKER
●	DIETZ		●	KOSKI		●	POWEROY				
●	DOTZENROB		●	KRETSCHMAR		●	REED				
●	DUBORD		●	KUCHERA	●	●	RETZER	●			
●	EAGLES		●	LANG		●	RICHARD				
●	ERICKSON		●	LANGLEY		●	RICHIE				
						●	RIEHL				



• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNEL	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOIT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHER	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHEWY	• TWETEN	

So the House Concurrent Resolution was declared adopted.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2345.** — A Bill for an Act to repeal Chapter 43-22 of the North Dakota Century Code, relating to the registration, bonding, and activities of persons engaged in the business of buying leases, mineral rights, royalties, or other interests in oil or gas properties and certain other described minerals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 62; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSOON		•	• UNHJEM		•
• BENEDICT		•	• HICKLE		•	• MEERS		•	• VANDER VORST		•
• BERG	•		• HOFFNER		•	• MELBY		•	• VIG		
• BERGE		•	• HOUMANN		•	• MERTENS		•	• WAGNER		•
• BERGER		•	• HOVE		•	• MERTER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS		•	• WENTZ		•
• BROKAW		•	• KENNEL		•	• OLSON		•	• WESSMAN		•
• CHRISTENSEN		•	• KERMOIT		•	• OPEDAHL		•	• WINKJER		•
• CONMY		•	• KINGSBURY		•	• PELTIER		•	• MR. SPEAKER		
• CRABTREE		•	• KLOUBEC		•	• PETERSON		•			
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DUBORD		•	• KUCHER		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG		•	• LARSON, F # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G # 29		•	• SCOFIELD		•			
• GERL		•	• LARSON, H # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEM		•			
• GUNDERSON		•	• LEIBHAN		•	• STRINDEN		•			
• GUNSCH		•	• LIPSIEA		•	• SWIONTEK		•			
• HANSON		•	• MAIXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGARD		•			
• HAUSAUER, A # 49		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, R # 25		•	• MARTINSON		•	• TINJUM		•			
• HEDSTROM		•	• MATHEWY		•	• TWETEN		•			

So the bill lost.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1004

House Concurrent Resolution No. 3060

ROY GILBREATH, Chief Clerk





● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A #49	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2021.** Pardon Board and Parole Office — A Bill for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE	●		● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY	●	● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON	●	● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA	●		● RICHARD		
● EAGLES			● LANG			● RICHE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREGORG			● LARSON, F #24			● SCHINDLER		
● GACKLE			● LARSON, G #29			● SCOFIELD		
● GERL			● LARSON, H #7			● SOLBERG		
● GORDER			● LEE	●		● STENCHJEM		
● GUNDERSON			● LEIBMAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A #49			● MARTIN			● TIMM		
● HAUSAUER, R #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN	●	

So the bill passed and the title was agreed to.

**Senate Bill No. 2028.** Council on Arts and Humanities — A Bill for an Act making an appropriation for defraying the expenses of the council on arts and humanities of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 26; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE	●		● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY	●	● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON	●	● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA	●		● RICHARD		
● EAGLES			● LANG			● RICHE		

ERICKSON	LANGLEY	RIEHL
FLEMING	LARDY	RUED
FREBORG	LARSON F # 24	SCHINDLER
GACKLE	LARSON G # 29	SCOFIELD
GERL	LARSON H # 7	SOLBERG
GORDER	LEE	STENEHEJEM
GUNDERSON	LEIBHAN	STRINDEN
GUNSCH	LIPSIEA	SWONTEK
HANSON	MAKNER	THOMPSON
HAUGLAND	MARSDEN	THORSGARD
HAUSAUER A # 49	MARTIN	TIMM
HAUSAUER R # 25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2035.** Unsatisfied Judgment — A Bill for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 48; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES			HERMAN			MATTSON		UNHJEM
BENEDICT			HICKLE			MEIERS		VANDER VORST
BERG			HOFFNER			MELBY		VIG
BERGE			HOUWANN			MERTENS		WAGNER
BERGER			HOVE			MEYER		WALD
BJORNSON			JACOBSEN R			MURPHY		WALSH
BLACK			JACOBSON I			MUSHIK		WEBER
BOYUM			KELLY			NICHOLAS		WENTZ
BROKAW			KENNELLY			OLSON		WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL		WINKJER
CONNY			KINGSBURY			PELTIER		
CRABTREE			KLOUBEC			PETERSON		MR. SPEAKER
DICK			KNUDSON			POMEROY		
DIETZ			KOSKI			REED		
DOTZENROD			KRETSCHMAR			REZTER		
DUBORD			KUCHERA			RICHARD		
EAGLES			LANG			RICHEL		
ERICKSON			LANGLEY			RIEHL		
FLEMING			LARDY			RUED		
FREBORG			LARSON F # 24			SCHINDLER		
GACKLE			LARSON G # 29			SCOFIELD		
GERL			LARSON H # 7			SOLBERG		
GORDER			LEE			STENEHEJEM		
GUNDERSON			LEIBHAN			STRINDEN		
GUNSCH			LIPSIEA			SWONTEK		
HANSON			MAKNER			THOMPSON		
HAUGLAND			MARSDEN			THORSGARD		
HAUSAUER A # 49			MARTIN			TIMM		
HAUSAUER R # 25			MARTINSON			TINJUM		
HEDSTROM			MATHENY			TWETEN		

So the bill lost.

MOTIONS

Rep. Conmy moved that the House reconsider its action whereby Senate Bill No. 2035 was lost, which motion prevailed.

Rep. Conmy moved that the House reconsider the action whereby the House accepted the committee report on Senate Bill No. 2035, and that Senate Bill No. 2035 be re-referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2041.** Transfer of Motor Vehicle Fuel Tax — A Bill for an Act to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor vehicle fuel tax laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER ●			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ ●			● KOSKI ●			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA ●			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY ●			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN ●					
● GUNSCHE			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN ●			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2247.** — A Bill for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to the registration dates for snowmobiles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSOON			● UNHJEM ●		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER ●			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ ●			● KOSKI ●			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA ●			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY ●			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE ●			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN ●					
● GUNSCHE			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN ●			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2248.** — A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 and subsection 1 of section 39-04-23 of the North Dakota Century Code, relating to farm truck registration and change of registration to a higher gross weight.





Century Code, as described above, if House Bill No. 1138 is approved by the forty-sixth legislative assembly.

Which has been read.

Rep. Kretschmar moved that the House waive the reading of the title to Senate Bill No. 2340, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 57; nays, 36; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	•	HERMAN		•	•	MATTSON	•	UNHJEM	
BENEDICT		•	•	HICKLE		•	•	MEIERS	•	VANDER VORST	
BERG		•		HOFFNER		•		MELBY	•	VIG	
• BERGE			•	HOLMANN			•	MERTENS	•	WAGNER	
• BERGER		•	•	HOVE			•	MEYER	•	WALD	
• BJORNSON			•	JACOBSEN, R.			•	MURPHY	•	WALSH	
• BLACK				JACOBSON, I.		•		MUSHK		WEBER	•
• BOYUM				KELLY		•	•	NICHOLAS		WENTZ	•
• BROKAW		•	•	KENNELLY				OLSON	•	WESSMAN	•
• CHRISTENSEN			•	KERMOTT				OPEDAHL	•	WINKJER	
• CONNY			•	KINGSBURY			•	PELTIER			
• CRABTREE		•		KLOUBEC				PETERSON		• MR. SPEAKER	
• DICK			•	KNUDSON			•	POMEROY			
• DIETZ				KOSKI		•	•	REED			
• DOTZENROD			•	KRETSCHMAR			•	RETZER			
• DuBORD		•		KUCHER		•		RICHARD	•		
• EAGLES				LANG		•	•	RICHIE			
• ERICKSON			•	LANGLEY		•		RIEHL	•		
• FLEMING				LARDY		•		RUED	•		
• FREBORG			•	LARSON, F. # 24			•	SCHINDLER			
• GACKLE			•	LARSON, G. # 29			•	SCOFIELD			
• GERL		•	•	LARSON, H. # 7				SOLBERG	•		
• GORDER		•		LEE		•		STENEHJEM	•		
• GUNDERSON			•	LEIBHAN		•		STRINDEN			
• GUNSCH			•	LIPSIA			•	SWONTEK			
• HANSON		•		MAXNER		•	•	THOMPSON			
• HAUGLAND			•	MARSDEN				THORSGARD			
• HAUSAUER, A. # 49		•		MARTIN		•		TMM			•
• HAUSAUER, R. # 25				MARTINSON				TINJUM			•
• HEDSTROM			•	MATHEWY				TWETEN	•		

So the bill passed and the title was agreed to.

**MESSAGES FROM THE SENATE**

**Senate Chamber**

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

- House Bill No. 1080
- House Bill No. 1294
- House Bill No. 1338
- House Bill No. 1423.

LEO LEIDHOLM, Secretary

**Senate Chamber**

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1166
- House Bill No. 1191
- House Bill No. 1251
- House Bill No. 1280
- House Bill No. 1284
- House Bill No. 1422
- House Bill No. 1426
- House Bill No. 1434
- House Bill No. 1441
- House Bill No. 1557
- House Bill No. 1601
- House Bill No. 1664

House Concurrent Resolution No. 3015  
House Concurrent Resolution No. 3024.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on :

Senate Concurrent Resolution No. 4082.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2025

Senate Bill No. 2042

Senate Bill No. 2071

Senate Bill No. 2080

Senate Bill No. 2087

Senate Bill No. 2093

Senate Bill No. 2115

Senate Concurrent Resolution No. 4081.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

### SECOND READING OF SENATE BILLS

**Senate Bill No. 2354.** — A Bill for an Act to amend and reenact section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 22; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES													
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE					
YEAS	N-V	NAYS		YEAS	N-V	NAYS		YEAS	N-V	NAYS			
•			BACKES	•			HERMAN			•	MATTSON	•	UNHJEM
•			BENEDICT	•			HICKLE			•	MEIERS	•	VANDER VORST
		•	BERG				HOFFNER	•			MELBY	•	VIG
•			BERGE	•			HJUMANN			•	MERTENS	•	WAGNER
•			BERGER	•			HOVE			•	MEYER	•	WALD
•			BJORNSON	•			JACOBSEN, R.	•			MURPHY	•	WALSH
•			BLACK	•			JACOBSON, I.	•			MUSHIK	•	WEBER
		•	BOYUM	•			KELLY	•			NICHOLAS	•	WENTZ
		•	BROKAW	•			KENNELLY	•			OLSON	•	WESSMAN
•			CHRISTENSEN	•			KERMOTT	•			OPEDAHL	•	WINKLER
•			CONMY	•			KINGSBURY	•			PELTIER		
•			CRABTREE	•			KLOUBEC	•			PETERSON	•	MR. SPEAKER
•			DICK	•			KNUDSON				POMEROY		
•			DIETZ				KOSKI	•			REED		
•			DOTZENROD	•			KRETSCHMAR	•			RETZER		
•			DUBORD				KUCHER	•			RICHARD		
•			EAGLES	•			LANG	•			RICHIE		
•			ERICKSON				LANGLEY	•			RIEHL		
•		•	FLEMING				LARBY	•			RUED		
•			FREIBORG	•			LARSON, F. # 24	•			SCHINDLER		
•			GACKLE	•			LARSON, G. # 29	•			SCOFIELD		
•			GERL	•			LARSON, H. # 7	•			SOLBERG		
•			GORDER				LEE	•			STENHJEM	•	
•			GUNDERSON				LEIBHAN	•			STRINDEN		
•			GUNSCH	•			LIPSEA	•			SWONTEK		
•			HANSON				MAIXNER	•			THOMPSON		
•			HAUGLAND				MARSDEN	•			THORSGARD		
•			HAUSAUER, A. # 48	•			MARTIN	•			TIMM		
•			HAUSAUER, R. # 25	•			MARTINSON	•			TINJUM		
•			HEDSTROM	•			MATHENY	•			TWETEN		

So the bill passed and the title was agreed to.

### MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1012, 1053, 1327,



1389, 1495, and subsequently passed the same but refused to concur in the Senate amendment to House Bill Nos. 1192 and 1278.

The Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill Nos. 1192 and 1278:

House Bill No. 1192:

Rep. A. Hausauer

Rep. Murphy

Rep. Tinjum

House Bill No. 1278:

Rep. Gunderson

Rep. Wessman

Rep. Pomeroy

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1073.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1035

House Bill No. 1391

House Bill No. 1513.

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1035

On page 1, line 8 of the engrossed bill delete the amount "\$619,116" and insert in lieu thereof the amount "\$617,410"

On page 1, line 13 of the engrossed bill delete the amount "\$238,328" and insert in lieu thereof the amount "\$236,613"

On page 1, line 20 of the engrossed bill delete the amount "\$619,116" and insert in lieu thereof the amount "\$617,401"

And renumber lines and pages accordingly.

PURPOSE OF INTENT: to adjust the moneys included in the family medical insurance to the alternate program.

AMENDMENT TO AMENDMENT TO HOUSE BILL NO. 1035

The amendment to House Bill No. 1035, as shown on page 800 of the Senate Journal be amended as follows: delete the numerals 617,410 and insert in lieu thereof the numerals 617,401.

AMENDMENTS TO HOUSE BILL NO. 1391

On page 1, line 12, strike through the word "actual"

- On page 1, line 12, strike through the words "expense in" and insert the word "expenses"
- On page 1, line 13, strike through the words "an amount not to exceed twelve"
- On page 1, line 13, delete the words "twenty-five"
- On page 1, line 13, strike through the words "dollars per day for"
- On page 1, strike through all of line 14
- On page 1, strike through all of line 15 and after the period insert the following: "at the same rate and under the same conditions as provided for state officials and employees. The allowance for travel expenses shall be at the same rate as provided by section 11-10-15 and shall be evidenced by a subvoucher or receipt, in a manner determined by the board of directors."

And renumber the lines, pages, and sections accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1513

- Page 1, line 3, after the word "corners" delete the semicolon and insert in lieu thereof a period
- Page 1, line 14, after the word "inches" insert the following: "(45.72 centimeters)"
- Page 1, line 15, after the word "inch" insert the following: "(12.7 millimeters)"
- And renumber the lines and pages accordingly

### REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H.B. No. 1013	H.B. No. 1375
H.B. No. 1283	H.B. No. 1376
H.B. No. 1286	H.B. No. 1416
H.B. No. 1287	H.B. No. 1432
H.B. No. 1290	H.B. No. 1452
H.B. No. 1308	
H.B. No. 1311	
H.B. No. 1318	
H.B. No. 1320	
H.B. No. 1330	
H.B. No. 1340	
H.B. No. 1341	
H.B. No. 1345	
H.B. No. 1354	
H.B. No. 1356	

H.B. No. 1361

were delivered to the { Governor  
Secretary of State for his approval at the hour of

9:30 o'clock a.m., March 2, 1979

*Wayne Stenehjem*  
Rep. Stenehjem Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

H.B. No. 1470

H.B. No. 1497

H.B. No. 1512

H.B. No. 1525

H.B. No. 1526

H.B. No. 1532

H.B. No. 1592

H.B. No. 1635

H.B. No. 1655

were delivered to the { Governor  
Secretary of State for his approval at the hour of

9:30 o'clock a.m., March 2, 1979

*Wayne Stenehjem*  
Rep. Stenehjem Chairman.

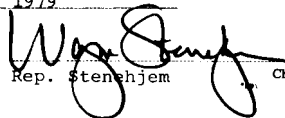
The committee on Enrollment and Engrossment respectfully reports that:

- |               |               |               |
|---------------|---------------|---------------|
| H.B. No. 1018 | H.B. No. 1109 | H.B. No. 1161 |
| H.B. No. 1022 | H.B. No. 1110 | H.B. No. 1178 |
| H.B. No. 1023 | H.B. No. 1112 | H.B. No. 1180 |
| H.B. No. 1038 | H.B. No. 1113 | H.B. No. 1188 |
| H.B. No. 1039 | H.B. No. 1116 | H.B. No. 1189 |
| H.B. No. 1040 | H.B. No. 1119 | H.B. No. 1204 |
| H.B. No. 1041 | H.B. No. 1120 | H.B. No. 1207 |
| H.B. No. 1043 | H.B. No. 1124 | H.B. No. 1208 |
| H.B. No. 1054 | H.B. No. 1127 | H.B. No. 1212 |

JOURNAL OF THE HOUSE

H.B. No. 1057	H.B. No. 1133	H.B. No. 1213
H.B. No. 1064	H.B. No. 1135	
H.B. No. 1077	H.B. No. 1136	
H.B. No. 1081	H.B. No. 1139	
H.B. No. 1084	H.B. No. 1140	
H.B. No. 1085	H.B. No. 1141	
H.B. No. 1106	H.B. No. 1143	

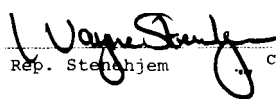
were delivered to the <sup>Governor</sup>~~Secretary of State~~ for his approval at the hour of  
 9:30 o'clock a.m., March 2, 1979

  
 Rep. Stenehjem Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

- H.B. No. 1214
- H.B. No. 1218
- H.B. No. 1233
- H.B. No. 1235
- H.B. No. 1237
- H.B. No. 1243
- H.B. No. 1259
- H.B. No. 1264
- H.B. No. 1282

were delivered to the <sup>Governor</sup>~~Secretary of State~~ for his approval at the hour of  
 9:30 o'clock a.m., March 2, 1979

  
 Rep. Stenehjem Chairman.

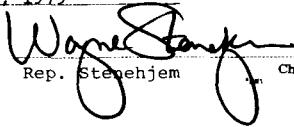
The committee on Enrollment and Engrossment respectfully reports that:

- H.C.R. 3005
- H.C.R. 3010

FRIDAY, MARCH 2, 1979

1375

..... were delivered to the ~~Secretary~~ Secretary of State ~~at the hour of~~ at the hour of  
9:35 o'clock a.m., March 2, 1979

  
Rep. Stenehjem Chairman.

MESSAGES TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:  
House Concurrent Resolution No. 3086.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1017
  - House Bill No. 1026
  - House Bill No. 1049
  - House Bill No. 1059
  - House Bill No. 1060
  - House Bill No. 1061
  - House Bill No. 1098
  - House Bill No. 1107
  - House Bill No. 1128
  - House Bill No. 1148
  - House Bill No. 1152
  - House Bill No. 1153
  - House Bill No. 1155
  - House Bill No. 1160
  - House Bill No. 1167
  - House Bill No. 1186
  - House Bill No. 1240
  - House Bill No. 1276
  - House Bill No. 1334
  - House Bill No. 1363
  - House Bill No. 1445
  - House Bill No. 1449
  - House Bill No. 1451
  - House Bill No. 1463
  - House Bill No. 1474
  - House Bill No. 1518
  - House Bill No. 1536
  - House Bill No. 1560
  - House Bill No. 1572
  - House Bill No. 1584
  - House Bill No. 1680
  - House Concurrent Resolution No. 3030.
- Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- H. B. 1017
- H. B. 1240
- H. B. 1026
- H. B. 1276

H. B. 1049	H. B. 1334
H. B. 1059	H. B. 1363
H. B. 1060	H. B. 1445
H. B. 1061	H. B. 1449
H. B. 1098	H. B. 1451
H. B. 1107	H. B. 1463
H. B. 1128	H. B. 1474
H. B. 1148	H. B. 1518
H. B. 1152	H. B. 1536
H. B. 1153	H. B. 1560
H. B. 1155	H. B. 1572
H. B. 1160	H. B. 1584
H. B. 1167	H. B. 1680
H. B. 1186	

..... were delivered to the } Governor  
 } ~~Secretary of State~~ for his approval at the hour of  
 4:10 o'clock P.M., March 2, 1979

*Wayne Stenehjem*  
 Rep. Wayne Stenehjem Chairman.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:30 p.m., Monday, March 5, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Agriculture  
 to whom was referred House Concurrent Resolution

No. 3059, has had the same under consideration and recommends, by a vote of  
 Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

be amended as follows:

On page 2, line 16 after the first word "of" insert the following:  
 "Federal Research and land Management agencies,"

On page 2, line 19 after the semicolon insert "and"  
and renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Rep. Nicholas Chairman

House Concurrent Resolution No. 3059 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution

No. 3074, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.


  
Rep. Nicholas Chairman

House Concurrent Resolution No. 3074 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2044, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 6; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

  
Chairman

Senate Rep. James A. Peterson Bill No. 2044 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate

Bill No. 2152, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

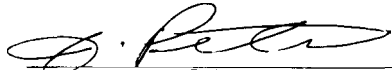
  
Chairman

Senate Rep. Haugland Bill No. 2152 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2154, has had the same under consideration and recommends, by a vote of Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson Chairman

Senate Bill No. 2154 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2207, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 10 after the word "system" insert the following: ", and intending to store the harvested hay on the rights of way for later removal," and also on line 10 after the word "shall" delete the words "cause the hay to be stored at the extreme" and insert in lieu thereof the words "take measures to store the harvested hay near the"

On page 1, line 11 delete the words "Such hay shall be promptly removed from the right of way" and insert in lieu thereof the following: "If, in the judgment of the commissioner, the harvested hay hampers the efficient and safe operation of the highway system, the commissioner may give notice to remove the stored hay."

On page 1, delete all of line 12

And renumber the lines and pages accordingly

And when so amended, recommends the same to pass.



Rep. Erickson Chairman

Senate Bill No. 2207 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate

Bill No. 2220, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 3; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.



Rep. Haugland Chairman

Senate Bill No. 2220 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2244, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same



do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Erickson Chairman  
Rep. Erickson

Senate Bill No. 2244 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2268, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Erickson Chairman  
Rep. Erickson

Senate Bill No. 2268 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2294, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Haugland Chairman  
Rep. Haugland

Senate Bill No. 2294 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2305, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

But be re-ferred to the Committee on Appropriations

Haugland Chairman  
Rep. Haugland

Senate Bill No. 2305 was

re-referred to the

Committee on Appropriations

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2378, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 4, that the same

do pass.                       do not pass.                       be placed on calendar  
without recommendation.

be amended as follows:

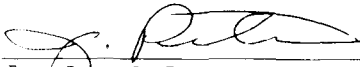
On page 1 of the reengrossed bill, line 3, after the word "college"  
insert the words "; and declaring an emergency"

On page 1 of the reengrossed bill, after line 17, insert the  
following section:

"SECTION 3. EMERGENCY.) This Act is hereby declared  
to be an emergency measure and shall be in effect from and after  
its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman  
Rep. James A. Peterson

Senate Bill No. 2378 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs  
to whom was referred Senate

Bill No. 2390, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.                       do not pass.                       be placed on calendar  
without recommendation.

 Chairman  
Rep. Haugland

Senate Bill No. 2390 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE  
CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4058.** — A concurrent resolution  
urging Congress to take appropriate steps to ensure continued  
AMTRAK service and to provide for a review of AMTRAK service  
schedules to make the schedules more compatible with the needs of a  
majority of passengers.

Which was read the first time and referred to the Committee on  
Transportation.

**Senate Concurrent Resolution No. 4071.** — A concurrent resolution  
directing the Legislative Council to study legislative rules.

Which was read the first time and referred to the Committee on State  
and Federal Government.

**Senate Concurrent Resolution No. 4074.** — A concurrent resolution  
directing the Legislative Council to conduct a study of the compensa-  
tion and fringe benefits currently made available to state employees.

Which was read the first time and referred to the Committee on State  
and Federal Government.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned un-  
til 1:30 p.m., Monday, March 5, 1979.

ROY GILBREATH, Chief Clerk

FORTY-THIRD DAY

Bismarck, March 5, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Gerald Peterson, Augustana Lutheran Church, Minot, North Dakota; and then from the State School for the Deaf, Cynthia Held of Devils Lake orally presented the prayer which Julius Sayler, Hebron, presented by sign language.

The roll was called, and all members were present except Reps. Hoffner, I. Jacobson, Lang, Langley, Lee and Maixner.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-second Day and finds the same to be correct.

Signature of Steven J. Swiontek, Chairman, Rep. Swiontek

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following

HCR NO. 3086

and find the same correctly } Enrolled

Signature of Wayne Stenejem, Chairman, Rep. Stenejem

Representative Lipsiea moved that the report be adopted, which motion prevailed, and the report was adopted.

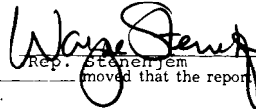
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1014 HB NO. 1615
HB NO. 1016 HB NO. 1665
HB NO. 1055 HCR NO. 3007
HB NO. 1058

- HB NO. 1118
- HB NO. 1151
- HB NO. 1154
- HB NO. 1171
- HB NO. 1184
- HB NO. 1216
- HB NO. 1224
- HB NO. 1248
- HB NO. 1265
- HB NO. 1269
- HB NO. 1279
- HB NO. 1292
- HB NO. 1313
- HB NO. 1393
- HB NO. 1456
- HB NO. 1460
- HB NO. 1466
- HB NO. 1508
- HB NO. 1562
- HB NO. 1563

and find the same correctly } Enrolled

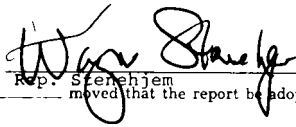
Representative Dietz }  Chairman  
 moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following

HCR NO. 3076

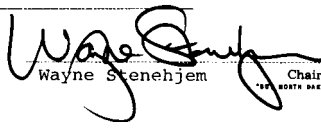
and find the same correctly } Engrossed

Representative Dietz }  Chairman  
 moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. no. 3030  
 was delivered to the } Secretary of State at the hour of  
 8:30 a.m. on March 5th, 1979

 Chairman  
 Wayne Stenehjem  
 "90 NORTH DAKOTA PRODUCTS"

## MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2015  
 Senate Bill No. 2052  
 Senate Bill No. 2230  
 Senate Bill No. 2260  
 Senate Bill No. 2412

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2030  
 Senate Bill No. 2065  
 Senate Bill No. 2067  
 Senate Bill No. 2068  
 Senate Bill No. 2069  
 Senate Bill No. 2083  
 Senate Bill No. 2090  
 Senate Bill No. 2101  
 Senate Bill No. 2128  
 Senate Bill No. 2147  
 Senate Bill No. 2148  
 Senate Bill No. 2163  
 Senate Bill No. 2164  
 Senate Bill No. 2165  
 Senate Bill No. 2178  
 Senate Bill No. 2191  
 Senate Bill No. 2208  
 Senate Bill No. 2211  
 Senate Bill No. 2221  
 Senate Bill No. 2242  
 Senate Bill No. 2331  
 Senate Bill No. 2336  
 Senate Bill No. 2346  
 Senate Concurrent Resolution No. 4004  
 Senate Concurrent Resolution No. 4019

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3066  
 House Concurrent Resolution No. 3072  
 House Concurrent Resolution No. 3075  
 House Concurrent Resolution No. 3077  
 House Concurrent Resolution No. 3080  
 House Concurrent Resolution No. 3085

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution No. 3086  
 Senate Bill No. 2025  
 Senate Bill No. 2042

Senate Bill No. 2071  
 Senate Bill No. 2080  
 Senate Bill No. 2087  
 Senate Bill No. 2093  
 Senate Bill No. 2115  
 Senate Concurrent Resolution No. 4081

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:  
 House Concurrent Resolution No. 3086

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2025  
 Senate Bill No. 2042  
 Senate Bill No. 2071  
 Senate Bill No. 2080  
 Senate Bill No. 2087  
 Senate Bill No. 2093  
 Senate Bill No. 2115  
 Senate Concurrent Resolution No. 4081  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### MOTIONS

Rep. Peterson moved that the House reconsider the action whereby it accepted the Committee Report on Senate Bill No. 2044, which motion prevailed.

Rep. Peterson moved that Senate Bill No. 2044 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby it passed Senate Bill No. 2354, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby it adopted the amendments to Senate Bill No. 2354, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2354, which motion prevailed.

Rep. Winkjer moved that Senate Bill No. 2354 be re-referred to the Committee on Judiciary, which motion prevailed.

Rep. Black moved that the House reconsider the action by which the House did concur in the Senate amendments to House Bill No. 1293, which motion prevailed.

Rep. Black moved that the House not concur in the Senate amendments to House Bill No. 1293, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1293:

Rep. Boyum  
 Rep. Mattson  
 Rep. Berger

## SIXTH ORDER OF BUSINESS

Rep. Nicholas moved that the amendments to House Concurrent Resolution No. 3059 as recommended by the Committee on Agriculture as printed on pages 1376 and 1377 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2207 as recommended by the Committee on Transportation as printed on page 1378 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2378 as recommended by the Committee on Appropriations as printed on pages 1379 and 1380 of the House Journal be adopted, which motion prevailed.

## MOTIONS

Rep. Nicholas moved that the House do concur in the Senate amendments to House Bill No. 1391, which motion prevailed.

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution No. 4082 be introduced, which motion prevailed.

## FIRST READING OF

## SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4082.** — A concurrent resolution recognizing the value of the legislative internship program and commending its participants.

Was read the first time.

Rep. Strinden requested unanimous consent to amend Senate Concurrent Resolution No. 4082, which request was granted.

Rep. Strinden moved that Senate Concurrent Resolution No. 4082 be amended as follows:

On page 1, line 8, delete everything after the word "students";

On page 1, delete line 9

On page 1, line 10, delete everything through "Jamestown College"

On page 2, line 23, delete everything after the third "the"

On page 2, delete lines 24, 25, 26, 27 and 28;

On page 2, line 29, delete "Jamestown College" and the following be inserted in lieu thereof: "presidents of the parent institutions, to the appropriate deans, chairmen of the appropriate departments"

And renumber the lines and pages accordingly.

Which motion prevailed.

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution No. 4082 as amended be placed on second reading and final passage, which motion prevailed.

## SECOND READING OF

## SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4082.** — A concurrent resolution recognizing the value of the legislative internship program and commending its participants.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

## MOTION

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution No. 4082 be messaged to the Senate immediately, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1285.** — A Bill for an Act to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to





ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS	●	● WAGNER
● BERGER			● HOWE			● MEYER ●		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG ●			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 29			● SCOFIELD		
● GERL			● LARSON, H. # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN ●			● STRINDEN		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER ●			● THOMPSON	●	
● HAUGLAND			● MARSDEN			● THORSYGARD		
● HAUSAUER A. # 49			● MARTIN			● TIMM		
● HAUSAUER R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the House Concurrent Resolution was declared adopted.

House Concurrent Resolution No. 3076. — A concurrent resolution directing the Legislative Council to conduct a study of the problems related to persons driving while under the influence of alcohol or drugs.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOWE			● MEYER ●		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG ●			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON, F. # 24			● SCHINDLER		
● GACKLE			● LARSON, G. # 29			● SCOFIELD		
● GERL			● LARSON, H. # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN ●			● STRINDEN		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSYGARD		
● HAUSAUER A. # 49			● MARTIN			● TIMM		

• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the House Concurrent Resolution was declared adopted.

**Senate Bill No. 2220.** — A Bill for an Act to create and enact a new section to chapter 23-20.1 of the North Dakota Century Code, relating to the collection of fees for the issuance of licenses and registration certificates for sources of ionizing radiation by the state department of health.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 84; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	HERMAN		•	MATTSON		•	UNHJEM		•
		•	HICKLE		•	WEIERS		•	VANDER VORST		•
		•	HOFFNER		•	WELBY		•	YG		•
		•	HOLMANN		•	WERTENS		•	WAGNER		•
		•	HOVE		•	MEYER		•	WALD		•
		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
		•	JACOBSON, I.		•	MUSHIK		•	WEBER		•
		•	KELLY		•	NICHOLAS		•	WENTZ		•
		•	KENNELLY		•	OLSON		•	WESSMAN		•
		•	KERMOTT		•	OPEDAH		•	WINKJER		•
		•	KINGSBURY		•	PELTIER		•			
		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
		•	KNUDSON		•	POMEROY		•			
		•	KOSKI		•	REED		•			
		•	KRETSCHMAR		•	RETZER		•			
		•	KUCHERA		•	RICHARD		•			
		•	LANG		•	RICHIE		•			
		•	LANGLEY		•	RIEHL		•			
		•	LARDY		•	RUED		•			
		•	LARSON, F. # 24		•	SCHINDLER		•			
		•	LARSON, G. # 29		•	SCOFIELD		•			
		•	LARSON, H. # 7		•	SOLBERG		•			
		•	LEE		•	STENEHJEM		•			
		•	LEIBHAN		•	STRINDEN		•			
		•	LIPSIEA		•	SWONTEK		•			
		•	MAIXNER		•	THOMPSON		•			
		•	MARSDEN		•	THORSGARD		•			
		•	MARTIN		•	TIMM		•			
		•	MARTINSON		•	TINJUM		•			
		•	MATHENY		•	TWETEN		•			

So the bill lost.

**Senate Bill No. 2407.** — A Bill for an Act to amend and reenact section 50-03-01 of the North Dakota Century Code, relating to an additional county levy for the support of the poor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 11; nays, 81; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	HERMAN		•	MATTSON		•	UNHJEM		•
		•	HICKLE		•	WEIERS		•	VANDER VORST		•
		•	HOFFNER		•	WELBY		•	YG		•
		•	HOLMANN		•	WERTENS		•	WAGNER		•
		•	HOVE		•	MEYER		•	WALD		•
		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
		•	JACOBSON, I.		•	MUSHIK		•	WEBER		•
		•	KELLY		•	NICHOLAS		•	WENTZ		•
		•	KENNELLY		•	OLSON		•	WESSMAN		•
		•	KERMOTT		•	OPEDAH		•	WINKJER		•
		•	KINGSBURY		•	PELTIER		•			
		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
		•	KNUDSON		•	POMEROY		•			
		•	KOSKI		•	REED		•			
		•	KRETSCHMAR		•	RETZER		•			
		•	KUCHERA		•	RICHARD		•			
		•	LANG		•	RICHIE		•			

ERICKSON	•	LANGLEY	•	RIEHL	•
FLEMING	•	LARDY	•	RUED	•
FREBORG	•	LARSON, F. #24	•	SCHINDLER	•
GACKLE	•	LARSON, G. #29	•	SCOFIELD	•
GERL	•	LARSON, H. #7	•	SOLBERG	•
GORDER	•	LEE	•	STENEHJEM	•
GUNDERSON	•	LEIBHAN	•	STRINDEN	•
GUNSCH	•	LIPSIE	•	SWONTEK	•
HANSON	•	MAIXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSGARD	•
HAUSAUER, A. #49	•	MARTIN	•	TIMM	•
HAUSAUER, R. #25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHENY	•	TWETEN	•

So the bill lost.

**Senate Bill No. 2012.** State Library Commission — A Bill for an Act making an appropriation for defraying the expenses of the state library commission of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNKJEM	
•			•	HICKLE		•	MEIERS		•	VANDERVORST	
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOLMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN, R.		•	MURPHY		•	WALSH	
•			•	JACOBSON, R.		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	
•			•	KERMOTT		•	OPEDAHL		•	WINKJER	
•			•	KINGSBURY		•	PELTIER				
•			•	KLOUBEC		•	PETERSON	•	•	MR. SPEAKER	
•			•	KNUDSON		•	POMEROY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD				
•			•	LANG	•	•	RICHIE				
•			•	LANGLEY	•	•	RIEHL				
•			•	LARDY	•	•	RUED				
•			•	LARSON, F. #24	•	•	SCHINDLER				
•			•	LARSON, G. #29	•	•	SCOFIELD				
•			•	LARSON, H. #7	•	•	SOLBERG				
•			•	LEE	•	•	STENEHJEM				
•			•	LEIBHAN	•	•	STRINDEN				
•			•	LIPSIE	•	•	SWONTEK				
•			•	MAIXNER	•	•	THOMPSON				
•			•	MARSDEN	•	•	THORSGARD				
•			•	MARTIN	•	•	TIMM				
•			•	MARTINSON	•	•	TINJUM				
•			•	MATHENY	•	•	TWETEN				

So the bill passed and the title was agreed to.

**Senate Bill No. 2113.** — A Bill for an Act to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to biennial reports and assistant superintendent at the San Haven state hospital; to amend and reenact subsection 5 of section 25-01-01 of the North Dakota Century Code, relating to definitions of the Grafton state school; to amend and reenact sections 25-04-01 and 25-04-03 of the North Dakota Century Code, relating to the San Haven state hospital and assistant superintendent; to repeal subsection 6 of section 25-01-01 of the North Dakota Century Code, relating to State sanatorium; and to repeal chapter 25-05 of the North Dakota Century Code, relating to care of tubercular persons.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON			● MURPHY			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KENNEDY			● OPEJAH			● WINKLER		
● CONNY			● KINGSBURY			● PELTER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORO			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A # 40			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● MEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1192:

- Senator Lee
- Senator Roen
- Senator Krauter

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills No. 2014, 2366, 2375.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

House Bill No. 1072

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

- House Bill No. 1037
- House Bill No. 1219
- House Bill No. 1273
- House Bill No. 1437
- House Concurrent Resolution No. 3019

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1037

On page 1 of the engrossed bill, line 16, delete the numerals "1,998,349" and insert in lieu thereof the numerals "1,988,528"

On page 2 of the engrossed bill, line 1, delete the numerals "3,042,739" and insert in lieu thereof the numerals "3,032,918"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Decrease salaries and wages of the Workmen's Compensation Bureau by \$9,821 to reflect the final adjustment necessary to allow full family medical coverage under the alternate plan.

## AMENDMENTS TO HOUSE BILL NO. 1219

On Page 1, line 3, delete the word "fraudulant" and insert in lieu thereof the word "fraudulent"

## AMENDMENTS TO HOUSE BILL NO. 1273

On page 1, line 1, of the engrossed bill, after the word "Act" insert the following: "to create a new section to chapter 57-39.2, relating to the retail sale of carpet and drapes and"

On page 1, after line 14, of the engrossed bill, insert the following new section:

"SECTION 1.) A new section to chapter 57-39.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

Notwithstanding any other provisions of this chapter, when a contractor or subcontractor who is a retailer and who furnishes and installs into or attaches to real property in this state drapes, hardware for hanging drapes, or carpet for floor covering, the contractor or subcontractor shall be deemed to have made a retail sale of such item."

And renumber the lines, sections and pages accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1437

On page 1, line 3, after the word "arts" insert the following: "; and declaring an emergency"

On page 2, line 1, before the word "Funds" insert the following: "The cultural endowment fund shall be maintained by the Bank of North Dakota which shall also be responsible for the investment of the principal moneys deposited in such fund."

On page 2, after line 14, insert the following new section: "SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines, sections and pages accordingly.

## AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3019

On page 1, line 3, after the word "ownership" insert the following: ", and the laws relating to the taxation of mobile homes"

On page 1, after line 3, insert the following: "WHEREAS, mobile home owners pay sales tax on the labor costs of a mobile home as contrasted with the conventional site-built homeowner who does not pay sales tax on labor costs attributable to site-built housing;"

On page 1, line 17, after the word "property" insert the words "and tax"

On page 1, line 23, after the word "property" insert the words "and tax"

And renumber the lines, pages and sections accordingly

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1020  
 House Bill No. 1170  
 House Bill No. 1173  
 House Bill No. 1176  
 House Bill No. 1272  
 House Bill No. 1348  
 House Bill No. 1365  
 House Bill No. 1366  
 House Bill No. 1394  
 House Bill No. 1408  
 House Bill No. 1444  
 House Bill No. 1541  
 House Concurrent Resolution No. 3016

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1114  
 House Bill No. 1229  
 House Bill No. 1247  
 House Bill No. 1281

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1014  
 House Bill No. 1016  
 House Bill No. 1055  
 House Bill No. 1058  
 House Bill No. 1118  
 House Bill No. 1151  
 House Bill No. 1154  
 House Bill No. 1171  
 House Bill No. 1184  
 House Bill No. 1216  
 House Bill No. 1224  
 House Bill No. 1248  
 House Bill No. 1265  
 House Bill No. 1269  
 House Bill No. 1279  
 House Bill No. 1292  
 House Bill No. 1313  
 House Bill No. 1393  
 House Bill No. 1456  
 House Bill No. 1460  
 House Bill No. 1466  
 House Bill No. 1508  
 House Bill No. 1562  
 House Bill No. 1563  
 House Bill No. 1615  
 House Bill No. 1665

House Concurrent Resolution No. 3007

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1014  
House Bill No. 1016  
House Bill No. 1055  
House Bill No. 1058  
House Bill No. 1118  
House Bill No. 1151  
House Bill No. 1154  
House Bill No. 1171  
House Bill No. 1184  
House Bill No. 1216  
House Bill No. 1224  
House Bill No. 1248  
House Bill No. 1265  
House Bill No. 1269  
House Bill No. 1279  
House Bill No. 1292  
House Bill No. 1313  
House Bill No. 1393  
House Bill No. 1456  
House Bill No. 1460  
House Bill No. 1466  
House Bill No. 1508  
House Bill No. 1562  
House Bill No. 1563  
House Bill No. 1615  
House Bill No. 1665

House Concurrent Resolution No. 3007

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Concurrent Resolution No. 3086

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2051  
Senate Bill No. 2060  
Senate Bill No. 2074  
Senate Bill No. 2075  
Senate Bill No. 2129  
Senate Bill No. 2132  
Senate Bill No. 2146  
Senate Bill No. 2155  
Senate Bill No. 2158  
Senate Bill No. 2168  
Senate Bill No. 2174  
Senate Bill No. 2176  
Senate Bill No. 2177  
Senate Bill No. 2179

- Senate Bill No. 2181
- Senate Bill No. 2182
- Senate Bill No. 2183
- Senate Bill No. 2185
- Senate Bill No. 2187
- Senate Bill No. 2194
- Senate Bill No. 2199
- Senate Bill No. 2212
- Senate Bill No. 2223
- Senate Bill No. 2224
- Senate Bill No. 2251
- Senate Bill No. 2255
- Senate Bill No. 2259
- Senate Bill No. 2290
- Senate Bill No. 2315
- Senate Bill No. 2352
- Senate Bill No. 2396

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

**Senate Bill No. 2152.** — A Bill for an Act to amend and reenact sections 43-26-01, 43-26-04, 43-26-05, 43-26-06, 43-26-07, 43-26-08, 43-26-09, 43-26-10, 43-26-11, 43-26-12, and 43-26-13 of the North Dakota Century Code, relating to the examination, registration, and practice of physical therapy and physical therapist assistants; and to repeal sections 43-26-02 and 43-26-03 of the North Dakota Century Code, relating to the duties of the state board of medical examiners and the state physical therapy examining committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 5; absent and not voting, 8

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN		●	WATTSON	●	UNHJEM
●			●	HICKLE		●	WEIERS	●	VANDER VORST
●			●	HOFFNER		●	WELBY	●	VG
●			●	HOUWMANN		●	WERTENS		WAGNER
●			●	HOVE		●	MEYER	●	WALD
●			●	JACOBSEN, R		●	MURPHY	●	WALSH
●			●	JACOBSON, I		●	MUSHK	●	WEBER
●			●	KELLY		●	NICHOLAS	●	WENTZ
●			●	KENNEL		●	OLSON	●	WESSMAN
●			●	KERMOTT		●	OPEDAH	●	WINKJER
●			●	KINGSBURY		●	PELTIER		
●			●	KLOUBEC		●	PETERSON	●	MR. SPEAKER
●			●	KNUDSON		●	POMEROY		
●			●	KOSKI		●	REED	●	
●			●	KRETSCHMAR		●	RETZER		
●			●	KUCHERA		●	RICHARD		
●			●	LANG		●	RICHIE		
●			●	LANGLEY		●	RIEHL		
●			●	LARDY		●	RIED		
●			●	LARSON, F # 24		●	SCHINDLER		
●			●	LARSON, G # 26		●	SCOFIELD		
●			●	LARSON, H # 7		●	SOLBERG		
●			●	LEE		●	STENEHJEM		
●			●	LEIBHAN		●	STRINDEN		
●			●	LIPSIE		●	SWONTEK		
●			●	MAKNER		●	THOMPSON		
●			●	MARSDEN		●	THORSSGARD		
●			●	MARTIN		●	TIMM		
●			●	MARTINSON		●	TINJUM		
●			●	MATHENY		●	TWETEN		

So the bill passed and the title was agreed to.





● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE ●	● STENEHEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER ●	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● WATHENY	● TWETEN ●

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Concurrent Resolution No. 4082

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 1285 and subsequently passed the same, but refused to concur in the Senate amendment to House Bill No. 1293.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1293:

Rep. Boyum  
Rep. Mattson  
Rep. Berger

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 2244.** — A Bill for an Act to create and enact a new section to chapters 39-18, 39-22, and 39-22.1 of the North Dakota Century Code, relating to the disposition of mobile home dealer fees, motor vehicle dealer fees, and semitrailer dealer fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTHEWSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE ●			● MEYER			● WALD		
● BJORNSON			● JACOBSON R			● MURPHY			● WALSH		
● BLACK			● JACOBSON ●			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS ●			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLUDSEB			● PETERSON ●			● MR SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG ●			● RICHIE					
● ERICKSON			● LANGLEY ●			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE ●			● STENEHEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER ●			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					

● HAUSAUER R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2268.** — A Bill for an Act to create and enact a new section to chapter 24-12 and to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code, relating to the payments of rewards in matters concerning highway vandalism and to provide for signing of highway construction projects.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE	●		● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON	●		● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTZER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSK			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG	●		● RICHE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 25			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER	●		● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution No. 3086

Was delivered to the Secretary of State at the hour of 2:40 o'clock p.m., March 5, 1979.

REP. STENEHJEM, Chairman

SECOND READING OF SENATE BILLS

**Senate Bill No. 2294.** — A Bill for an Act to amend and reenact subsection 1 of section 19-02.1-15 of the North Dakota Century Code, relating to drugs limited to dispensing on prescription.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		

• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSBGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2390.** — A Bill for an Act to amend and reenact sections 15-10-18.2, 15-10-18.3, and 37-01-40 of the North Dakota Century Code; and to repeal chapter 37-20 of the North Dakota Century Code, relating to benefits for veterans and dependents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOY			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSBGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2430.** — A Bill for an Act to amend and reenact section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city.

Which has been read.

Rep. Rued moved that Senate Bill No. 2430 be re-referred to the Committee on Political Subdivisions, which motion failed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 52; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			•			•			•		
BACKES	•		HERMAN			•	MATTSON		•		UNHJEM
BENEDICT	•		HICKLE			•	MEIERS		•		VANDER VORST
BERG	•		HOFFNER		•		WELBY		•		YNG
BERGE	•		HOLMANN			•	WERTENS		•		WAGNER
• BERGER			HOVE		•		MEYER		•		WALD
• BJORNSON		•	JACOBSEN, R		•		MURPHY		•		WALSH
• BLACK			JACOBSON, I				MUSHIK		•		WEBER
• BOYUM			• KELLY				NICHOLAS		•		WENTZ
• BROKAW			• KENNELLY				OLSON		•		WESSMAN
• CHRISTENSEN			• KERMOTT				• OPEDAHL		•		• WINKJER
• CONNY			KINGSBURY		•		PETLIER		•		
• CRABTREE		•	• KLOUBEC				• PETERSON				• MR. SPEAKER
• DICK			• KNUDSON			•	POMEROY				
• DIETZ			KOSKI		•		• REED				
• DOTZENROD		•	• KRETSCHMAR			•	RETZER		•		
• DUBORD			• KUCHERA				• RICHARD		•		
• EAGLES			• LANG			•	• RICHIE				
• ERICKSON		•	• LANGLEY			•	• RIEHL		•		
• FLEMING			• LARDY			•	• RUED		•		
• FREIBORG		•	• LARSON, F. # 24			•	• SCHNDLER				
• GACKLE		•	• LARSON, G. # 29			•	• SCOFIELD				
• GERL			• LARSON, H. # 7				• SOLBERG		•		
• GORDER			• LEE				• STENEHJEM		•		
• GUNDERSON			• LEBHAN			•	• STRINDEN				
• GUNSCH			• LIPSIA			•	• SWINTEK				
• HANSON			• MAUKNER				• THOMPSON		•		
• HAUGLAND		•	• MARSDEN				• THORSGARD		•		
• HAUSAUER, A. # 48			• MARTIN			•	• TIMM		•		
• HAUSAUER, R. # 25			• MARTINSON				• TINJUM		•		
• HEDSTROM			• MATHENY				• TWETEN		•		

So the bill lost.

MOTION

Rep. Rued moved that the House reconsider its action whereby Senate Bill No. 2430 failed to pass, which motion failed on a verification vote.

MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2184, but refused to concur in the House amendment to Senate Bill No. 2198.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2198:

- Senator Tennesos
- Senator Mutch
- Senator Orange

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1278:

- Senator Jones
- Senator Cussons
- Senator Rait

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

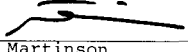
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution

No. 3083, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

  
 Rep. Martinson

Chairman

House Concurrent Resolution No. 3083 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred House Concurrent Resolution

No. 3087, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the consent calendar.

  
 Rep. Packle

Chairman

House Concurrent Resolution No. 3087 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2016, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 8, delete the numerals "400,000" and insert in lieu thereof the numerals "690,799"

On page 1 of the engrossed bill, line 10, after the word "Dakota" insert the words and comma "for defraying the expenses thereof,"

On page 1 of the engrossed bill, delete line 12 and insert in lieu thereof the following lines:

"Salaries and wages	\$ 82,809
Fees and services	452,124
Supplies and materials	3,940
Equipment	1,926
Land, structures, and major improvements	150,000"

On page 1 of the engrossed bill, line 13, delete the numerals "400,000" and insert in lieu thereof the numerals "690,799"

On page 2 of the engrossed bill, delete lines 1 through 13 and insert the following section:

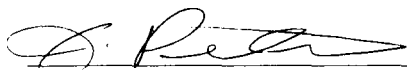
"SECTION 3. APPROPRIATION.) It is the intent of the legislative assembly that should funds be made available from federal or other sources other than the state general fund for defraying the costs of construction relating to the educational broadcasting system under the supervision of the educational broadcasting council, that such funds shall be hereby appropriated upon approval of the emergency commission."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment restores \$290,799 for the Educational Broadcasting Council which was deleted in the Senate. This amendment provides funds for the Educational Broadcasting Council for the 1979-81 biennium as recommended in the executive budget.

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson Chairman

Senate Bill No. 2016 was placed on the 6th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2079, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Knudson Chairman

Senate Bill No. 2079 was placed on the 14th order of business on the calendar for the succeeding legislative day.

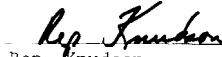
Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2094, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Knudson Chairman

Senate Bill No. 2094 was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2120, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 0; Absent, 6, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Bill No. 2120 was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2137, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Bill No. 2137 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2172, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

Rep. Martinson

Chairman

Senate

Bill No. 2172

was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2263, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subdivision to subsection 1 of section 14-15-09 of the North Dakota Century Code, relating to the social service board or a county social service board being named as a respondent in an adoption proceeding; and to amend and reenact subsections 2, 5, and 6 of section 14-15-11 and subsection 3 of section 14-15-13 of the North Dakota Century Code, relating to investigations for adoptions, and disposition of adoption petition.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new subdivision to subsection 1 of section 14-15-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

The social service board or a county social service board as respondent.

SECTION 2. AMENDMENT.) Subsections 2, 5, and 6 of section 14-15-11 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

2. An investigation shall be made by the public welfare social service board, a county welfare social service board, a licensed child-placing agency, or any other qualified agency or person designated by the court, to inquire into the conditions and antecedents of a minor sought to be adopted and of the petitioner for the purpose of ascertaining whether the adoptive home is a suitable home for the minor and whether the proposed adoption is in the best interest of the minor.

5. ~~Unless directed by the court, an~~ investigation and report is not required in cases in which ~~an agency is a party ex-jans in the petition for adoption,~~ a stepparent is the



~~petitioner, or the person to be adopted is an adult. In other cases, the court may waive the investigation only if it appears that waiver is in the best interest of the minor and that the adoptive home and the minor are suited to each other.~~ The public-welfare social service board which is when required to consent to the adoption may give consent without making the investigation.

- 6. The public-welfare social service board or the agency or persons designated by the court to make the required investigation may request other departments or agencies within or without this state to make investigations of designated portions of the inquiry as may be appropriate and to make a written report thereof as a supplemental report to the court and shall make similar investigations and reports on behalf of other agencies or persons designated by the courts of this state or another place.

SECTION 3. AMENDMENT.) Subsection 3 of section 14-15-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 3. If at the conclusion of the hearing the court determines that the required consents have been obtained ~~or excused~~ and that the adoption is in the best interest of the individual to be adopted, it may (a) issue a final decree of adoption; or (b) issue an interlocutory decree of adoption which by its own terms automatically becomes a final decree of adoption on a day therein specified, which day shall not be less than six months nor more than one year after the date of issuance of the decree, unless sooner vacated by the court for good cause shown."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Haugland Chairman  
Senate Bill No. 2263 Rep. Haugland was placed on the 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs  
to whom was referred Senate

Bill No. 2383, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

- On page 3 of the engrossed bill, line 23, strike the word "of"
- On page 3, line 24, strike the words "eleven members", and strike the word "seven" and insert in lieu thereof the word "nine"
- On page 3, line 28, strike the words "Workmen's compensation bureau" and insert in lieu thereof the words "Department of accounts and purchases"

On page 3, line 31, strike the words "Social service board of North Dakota - medical" and insert in lieu thereof the words "Division of mental health and retardation"

On page 3, after line 35, insert the following subsection:

"9. Grafton state school."

On page 4, line 1, delete the word "three"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Haugland Chairman  
Senate Bill No. 2383 Rep. Haugland was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2421, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 4 of the engrossed bill, after the period insert the following: "The value of a common area of the townhouse development shall be assessed in an equal amount to each townhouse in the development unless a declaration setting out a different apportionment is recorded in the office of the county register of deeds."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Gackle Chairman  
Senate Bill No. 2421 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution

No. 4041, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 21 of the engrossed resolution delete the words "on and"

And renumber the lines accordingly

And when so amended recommends the same Do Not Pass

Winkjer Chairman  
Rep. Winkjer

Senate Concurrent Resolution No. 4041 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

## MESSAGE FROM THE SENATE

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1014  
House Bill No. 1016  
House Bill No. 1055  
House Bill No. 1058  
House Bill No. 1118  
House Bill No. 1151  
House Bill No. 1154  
House Bill No. 1171  
House Bill No. 1184  
House Bill No. 1216  
House Bill No. 1224  
House Bill No. 1248  
House Bill No. 1265  
House Bill No. 1269  
House Bill No. 1279  
House Bill No. 1292  
House Bill No. 1313  
House Bill No. 1393  
House Bill No. 1456  
House Bill No. 1460  
House Bill No. 1466  
House Bill No. 1508  
House Bill No. 1562  
House Bill No. 1563  
House Bill No. 1615  
House Bill No. 1665  
House Concurrent Resolution No. 3007  
Which the President has signed.

LEO LEIDHOLM, Secretary

## POINT OF PERSONAL PRIVILEGE

Rep. Boyum: "Mr. Speaker and Members of the Assembly:

"I would like my remarks printed in the Journal.

"I think it only appropriate that the North Dakota House of Representatives officially recognize the accomplishments of the University of North Dakota hockey team during the 1978-1979 season.

"As you are all well aware, the 'Fighting Sioux' captured the prestigious Western Collegiate Hockey Association championship on Saturday in a stirring game with the University of Minnesota. Their victory will assure them of the well deserved rank of the nation's number one hockey team — a ranking that will bring the attention of the country to North Dakota.

"We commend the coaches and players for their fine efforts and wish them continued success during the WCHA playoffs. I might also add that you can watch this fine team in action tomorrow night and Wednesday night on television."

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2051  
Senate Bill No. 2060  
Senate Bill No. 2074  
Senate Bill No. 2075

Senate Bill No. 2129  
Senate Bill No. 2132  
Senate Bill No. 2146  
Senate Bill No. 2155  
Senate Bill No. 2158  
Senate Bill No. 2168  
Senate Bill No. 2174  
Senate Bill No. 2176  
Senate Bill No. 2177  
Senate Bill No. 2179  
Senate Bill No. 2181  
Senate Bill No. 2182  
Senate Bill No. 2183  
Senate Bill No. 2185  
Senate Bill No. 2187  
Senate Bill No. 2194  
Senate Bill No. 2199  
Senate Bill No. 2212  
Senate Bill No. 2223  
Senate Bill No. 2224  
Senate Bill No. 2251  
Senate Bill No. 2255  
Senate Bill No. 2259  
Senate Bill No. 2290  
Senate Bill No. 2315  
Senate Bill No. 2352  
Senate Bill No. 2396

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2051  
Senate Bill No. 2060  
Senate Bill No. 2074  
Senate Bill No. 2075  
Senate Bill No. 2129  
Senate Bill No. 2132  
Senate Bill No. 2146  
Senate Bill No. 2155  
Senate Bill No. 2158  
Senate Bill No. 2168  
Senate Bill No. 2174  
Senate Bill No. 2176  
Senate Bill No. 2177  
Senate Bill No. 2179  
Senate Bill No. 2181  
Senate Bill No. 2182  
Senate Bill No. 2183  
Senate Bill No. 2185  
Senate Bill No. 2187  
Senate Bill No. 2194  
Senate Bill No. 2199  
Senate Bill No. 2212  
Senate Bill No. 2223

Senate Bill No. 2224  
Senate Bill No. 2251  
Senate Bill No. 2255  
Senate Bill No. 2259  
Senate Bill No. 2290  
Senate Bill No. 2315  
Senate Bill No. 2352  
Senate Bill No. 2396

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution No. 3007

Was delivered to the Secretary of State at the hour of 3:55 o'clock p.m., March 5, 1979.

REP. STENEHJEM, Chairman

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1014  
House Bill No. 1016  
House Bill No. 1055  
House Bill No. 1058  
House Bill No. 1118  
House Bill No. 1151  
House Bill No. 1154  
House Bill No. 1171  
House Bill No. 1184  
House Bill No. 1216  
House Bill No. 1224  
House Bill No. 1248  
House Bill No. 1265  
House Bill No. 1269  
House Bill No. 1279  
House Bill No. 1292  
House Bill No. 1313  
House Bill No. 1393  
House Bill No. 1456  
House Bill No. 1460  
House Bill No. 1466  
House Bill No. 1508  
House Bill No. 1562  
House Bill No. 1563  
House Bill No. 1615  
House Bill No. 1665

Were delivered to the Governor for his approval at the hour of 3:55 o'clock p.m., March 5, 1979.

REP. STENEHJEM, Chairman

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 1:30 p.m., Tuesday, March 6, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FORTY-FOURTH DAY

Bismarck, March 6, 1979

The House convened at 1:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Harry Williams, Vincent Methodist Church, Minot, North Dakota.

The roll was called, and all members were present except Reps. Benedict, R. Hausauer, Herman, Lee, and Maixner.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-third Day and finds the same to be correct.

Handwritten signature of Steven J. Swiontek, Chairman, Rep. Swiontek

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1012
HB NO. 1053
HB NO. 1166
HB NO. 1191
HB NO. 1251
HB NO. 1280
HB NO. 1284
HB NO. 1327
HB NO. 1389
HB NO. 1422
HB NO. 1426
HB NO. 1434
HB NO. 1441
HB NO. 1495
HB NO. 1557
HB NO. 1601

HB NO. 1664

HCR NO. 3015

HCR NO. 3024

and find the same correctly } Enrolled

Wayne Stenehjem Chairman  
Rep. Stenehjem moved that the report be adopted, which

Representative Hanson motion prevailed, and the report was adopted.

MOTIONS

Rep. Martinson moved that the House reconsider its action whereby it adopted the committee report on Senate Bill No. 2137, which motion prevailed.

Rep. Martinson moved that Senate Bill No. 2137 be re-referred to the Committee on State and Federal Government, which motion prevailed.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1340 allows hunters to use horses, mules, and other animals in pursuing big game. Present law prohibits the use of horses, mules and other animals in hunting big game.

This bill gives an unfair advantage to those hunters who are privileged to own or rent horses. Other hunters are confined to established trails in their vehicles, or, if they leave the trail, they must pursue their quarry on foot.

Allowing hunters to use horses to take big game decreases the hunted animal's chances of evading the hunter.

Furthermore, I have received information that indicates passage of this bill will put a strain on hunter-landowner relationships.

Prior to 1973, hunters were permitted to use horses, but problems developed and the practice was outlawed by the Forty-Third Legislative Assembly.

For the foregoing reasons, I veto House Bill 1340.

Sincerely yours,  
ARTHUR A. LINK  
Governor

MOTIONS

Rep. Strinden moved that House Bill No. 1340 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that House Bill No. 1340 be laid over one legislative day, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2016 as recommended by the Committee on Appropriations as printed on page 1400 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to Senate Bill No. 2263 as





House Concurrent Resolution No. 3081

House Concurrent Resolution No. 3082

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2004

Senate Bill No. 2005

Senate Bill No. 2041

Senate Bill No. 2247

Senate Bill No. 2248

Senate Bill No. 2322

Senate Bill No. 2333

Senate Concurrent Resolution No. 4012

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2021

Senate Bill No. 2028

Senate Bill No. 2340

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2345

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1012

House Bill No. 1053

House Bill No. 1166

House Bill No. 1191

House Bill No. 1251

House Bill No. 1280

House Bill No. 1284

House Bill No. 1327

House Bill No. 1389

House Bill No. 1422

House Bill No. 1426

House Bill No. 1434

House Bill No. 1441

House Bill No. 1495

House Bill No. 1557

House Bill No. 1601

House Bill No. 1664

House Concurrent Resolution No. 3015

House Concurrent Resolution No. 3024

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1012

House Bill No. 1053

- House Bill No. 1166
- House Bill No. 1191
- House Bill No. 1251
- House Bill No. 1280
- House Bill No. 1284
- House Bill No. 1327
- House Bill No. 1389
- House Bill No. 1422
- House Bill No. 1426
- House Bill No. 1434
- House Bill No. 1441
- House Bill No. 1495
- House Bill No. 1557
- House Bill No. 1601
- House Bill No. 1664

House Concurrent Resolution No. 3015

House Concurrent Resolution No. 3024

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

**House Bill No. 1391.** — A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the compensation for board members of irrigation districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●				●		●			●		
●			●	HERMAN	●	●	MATTSON		●	UNHEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUMANN		●	MERTENS	●	●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY	●	●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEAHL		●	WINKLER	
●			●	KINGSBUR	●	●	PELTIER		●	MR. SPEAKER	
●			●	KLOUBEC		●	PETERSON				
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA	●	●	RICHARD				
●			●	LANG		●	RICHE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F. # 24		●	SCHINDLER				
●			●	LARSON, G. # 29		●	SCOFIELD				
●			●	LARSON, H. # 7		●	SOLBERG				
●			●	LEE	●	●	STENEHJEW				
●			●	LEIBHAN		●	STRINDEN	●			
●			●	LIPSIA		●	SWONTEK				
●			●	MAXNER	●	●	THOMPSON				
●			●	MARSDEN		●	THORSGARD	●			
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY	●	●	TWETEN				

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE

CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

**House Concurrent Resolution No. 3087.** — A concurrent resolution directing a Legislative Council study of the feasibility of eliminating



● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEJEM
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSCH	● LIPSEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS**

**House Concurrent Resolution No. 3059.** A concurrent resolution directing the Legislative Council to study alternative methods of providing equitable and effective means of financing eradication and control of leafy spurge, Canada thistle, and other noxious weeds.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
● BACKES			● HERMAN	●		● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE	●		● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● WERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON J			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNEL	●		● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHEJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSCH			● LIPSEA			● SWIONTEK					
● HANSON			● MAIXNER	●		● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3083.** — A concurrent resolution directing the Legislative Council to conduct a study of the Old West Regional Commission's activities which impact North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 89; nays, 3; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
● BACKES	●		● HERMAN	●		● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		

• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUMANN	• WERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIKNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the House Concurrent Resolution was declared adopted.

MOTIONS

Rep. Peltier moved that the House reconsider its action whereby Senate Bill No. 2430 failed to pass, which motion prevailed.

Rep. Peltier moved that the House reconsider its action whereby the House adopted the amendments to Senate Bill No. 2430, which motion prevailed.

Rep. Peltier moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2430, which motion prevailed.

Rep. Peltier moved that Senate Bill No. 2430 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2079.** — A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the composition of the state board of public school education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 3; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD	•	
• BJORNSON			• JACOBSEN, R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY	•		• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG			• RICHE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG		•			
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWONTEK					

• HANSON	• MAKKER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHEWY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2094.** — A Bill for an Act to amend and reenact sections 15-63-02, 15-63-03, 15-63-04, and 15-63-05, all of the North Dakota Century Code, relating to scholarships for Indian students.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN	•		• MATTSON		• UNHJEM
• BENEDICT			• HICKLE	•		• MEIERS		• VANDER VORST
• BERG			• HOFFNER	•		• MELBY		• VIG
• BERGE			• HOLMANN	•		• MERTENS		• WAGNER
• BERGER			• HOVE	•		• MEYER		• WALD
• BJORNSON			• JACOBSEN, R	•		• MURPHY		• WALSH
• BLACK			• JACOBSON, I	•		• MUSHIK		• WEBER
• BOYUM			• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY	•		• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT	•		• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY	•		• PELTIER		
• CRABTREE			• KLOUBEC	•		• PETERSON	•	• MR. SPEAKER
• DICK			• KNUDSON	•		• POMEROY		
• DIETZ			• KOSKI	•		• REED		
• DOTZENROD			• KRETSCHMAR	•		• RETZER		
• DUBORD			• KUCHERA	•		• RICHARD		
• EAGLES			• LANG	•		• RICHIE		
• ERICKSON			• LANGLEY	•		• RIEHL		
• FLEMING			• LARDY	•		• RUED		
• FREBORG			• LARSON, F # 24	•		• SCHINDLER		
• GACKLE			• LARSON, G # 26	•		• SCOFIELD		
• GERL			• LARSON, H # 7	•		• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEBHAN	•		• STRINDEN		
• GUNSHI			• LIPSEA	•		• SWINTEK		
• HANSON			• MAKKER	•		• THOMPSON		
• HAUGLAND			• MARSDEN	•		• THORSGARD		
• HAUSAUER A #49			• MARTIN	•		• TIMM		
• HAUSAUER R #25			• MARTINSON	•		• TINJUM		
• HEDSTROM			• MATHEWY	•		• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2120.** — A Bill for an Act to amend and reenact section 36-01-04 of the North Dakota Century Code, relating to the compensation and expenses of members of the board.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN	•		• MATTSON		• UNHJEM
• BENEDICT			• HICKLE	•		• MEIERS		• VANDER VORST
• BERG			• HOFFNER	•		• MELBY		• VIG
• BERGE			• HOLMANN	•		• MERTENS		• WAGNER
• BERGER			• HOVE	•		• MEYER		• WALD
• BJORNSON			• JACOBSEN, R	•		• MURPHY		• WALSH
• BLACK			• JACOBSON, I	•		• MUSHIK		• WEBER
• BOYUM			• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY	•		• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT	•		• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY	•		• PELTIER		
• CRABTREE			• KLOUBEC	•		• PETERSON	•	• MR. SPEAKER
• DICK			• KNUDSON	•		• POMEROY		
• DIETZ			• KOSKI	•		• REED		
• DOTZENROD			• KRETSCHMAR	•		• RETZER		
• DUBORD			• KUCHERA	•		• RICHARD		
• EAGLES			• LANG	•		• RICHIE		
• ERICKSON			• LANGLEY	•		• RIEHL		

● FLEMING ●	● LARDY	● RUED
● FREBORG	● LARSON F. # 24	● SCHINDLER
● GACKLE	● LARSON G. # 29	● SCOFIELD
● GERL	● LARSON H. # 7	● SOLBERG
● GORDER	● LEE ●	● STENEJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWIONTEK
● HANSON	● MAIXNER ●	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A. # 49	● MARTIN	● TIMM
● HAUSAUER R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2172.** — A Bill for an Act to amend and reenact subsection 2 of section 6-01-03 of the North Dakota Century Code, relating to the makeup of the state credit union board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN ●			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY ●			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POWERDY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA ●			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG		●	● LARSON F. # 24			● SCHINDLER		
● GACKLE			● LARSON G. # 29			● SCOFIELD		
● GERL			● LARSON H. # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWIONTEK		
● HANSON			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A. # 49			● MARTIN			● TIMM		
● HAUSAUER R. # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2207.** — A Bill for an Act to provide for the removal of harvested hay on the rights of way of the state highway system and providing for the forfeiture of the hay upon failure to remove.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 3; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN ●			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS	●	● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY ●			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		





Rep. Peltier  
Rep. Retzer  
Rep. Koski

## MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1031  
House Bill No. 1034  
House Bill No. 1145  
House Bill No. 1244  
House Bill No. 1258  
House Bill No. 1415  
House Bill No. 1468  
House Bill No. 1548  
House Bill No. 1568  
House Bill No. 1577  
House Bill No. 1604  
House Bill No. 1686  
House Concurrent Resolution No. 3022  
House Concurrent Resolution No. 3033.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4067  
Senate Concurrent Resolution No. 4079.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4083.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2015.

The President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2015:

Senator Smykowski  
Senator Thane  
Senator Walsh

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1090  
House Bill No. 1459  
House Bill No. 1533  
House Bill No. 1591  
House Bill No. 1662.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has

adopted the conference committee report on:  
House Bill No. 1073.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1293:

Senator Sands  
Senator Holmberg  
Senator Berube.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

- Senate Bill No. 2014
- Senate Bill No. 2017
- Senate Bill No. 2029
- Senate Bill No. 2034
- Senate Bill No. 2258
- Senate Bill No. 2262
- Senate Bill No. 2366
- Senate Bill No. 2375
- Senate Bill No. 2414
- Senate Bill No. 2436
- Senate Bill No. 2453
- Senate Concurrent Resolution No. 4001
- Senate Concurrent Resolution No. 4013
- Senate Concurrent Resolution no. 4026
- Senate Concurrent Resolution No. 4032
- Senate Concurrent Resolution No. 4035
- Senate Concurrent Resolution No. 4036
- Senate Concurrent Resolution No. 4039
- Senate Concurrent Resolution No. 4042
- Senate Concurrent Resolution No. 4046.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

- House Bill No. 1006
- House Bill No. 1337
- House Bill No. 1414
- House Bill No. 1419
- House Bill No. 1542
- House Bill No. 1612
- House Concurrent Resolution No. 3032
- House Concurrent Resolution No. 3035.

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1006

On page 1 of the engrossed bill, line 9, delete the numerals "20,983,542" and insert in lieu thereof the numerals "20,744,542"

On page 1 of the engrossed bill, line 20, delete the numerals

"18,809,209" and insert in lieu thereof the numerals  
"18,570,209"

On page 1 of the engrossed bill, line 22, delete the numerals  
"20,983,542" and insert in lieu thereof the numerals  
"20,744,542"

On page 2 of the engrossed bill, line 1, delete the numerals  
"9,219,052" and insert in lieu thereof the numerals  
"9,116,552"

On page 2 of the engrossed bill, line 2, delete the numerals  
"11,764,490" and insert in lieu thereof the numerals  
"11,627,990"

On page 2 of the engrossed bill, after line 9, insert the  
following section:

"SECTION 3. LEGISLATIVE INTENT AS TO THE FUNDING  
AND SUPPORT OF VOCATIONAL EDUCATION AND ITS RELATIONSHIP  
TO ACADEMIC EDUCATION.) The funding and support of vocational  
education provided by this Act is not intended by the  
legislative assembly to emphasize vocational education as  
a substitute to academic education. State encouragement  
and support for vocational education should not be construed  
as emphasizing vocational education at the expense of  
academic education. Academic education should be the  
primary emphasis of all education, with vocational education  
available as a supplement to academic education."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the grants, benefits, and claims line  
item from the House version by \$239,000 by deleting \$102,500  
in federal funds and \$102,500 from the general fund for  
additional mobile labs; and by reducing the amount for  
supportive services by \$34,000 which allows funds to continue  
at present levels.

PROPOSED AMENDMENTS TO THE AMENDMENTS TO ENGROSSED  
HOUSE BILL NO. 1006 AS PRINTED ON PAGES 1051 AND  
1052 OF THE JOURNAL OF THE SENATE

The amendments to engrossed House Bill No. 1006 as printed on  
page 1051 and 1052 of the Senate Journal are hereby  
amended as follows:

In the amendments to engrossed House Bill No. 1006 as printed on  
page 1051 of the Senate Journal, delete the last two lines,  
which read as follows:

"On page 2 of the engrossed bill, after line 9, insert the  
following section:"

In the amendments to engrossed House Bill No. 1006 as printed  
on page 1052 of the Senate Journal, delete the following:

"SECTION 3. LEGISLATIVE INTENT AS TO THE FUNDING  
AND SUPPORT OF VOCATIONAL EDUCATION AND ITS RELATIONSHIP  
TO ACADEMIC EDUCATION.) The funding and support of vocational  
education provided by this Act is not intended by the  
legislative assembly to emphasize vocational education as  
a substitute to academic education. State encouragement  
and support for vocational education should not be construed  
as emphasizing vocational education at the expense of  
academic education. Academic education should be the  
primary emphasis of all education, with vocational education  
available as a supplement to academic education."

" And renumber the lines, sections, and pages accordingly"

And renumber the lines, sections, and pages of the engrossed bill, as amended, accordingly.

AMENDMENTS TO HOUSE BILL NO. 1337

On Page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 1-03-02.1 of the North Dakota Century Code, relating to holidays.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 1-03-02.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1-03-02.1. WHEN HOLIDAY FALLS ON A SATURDAY -BANK HOLIDAY.) If any of the holidays enumerated in section 1-03-02 fall on a Saturday, the Friday immediately before shall be the holiday ~~for the purposes of the banks of this state.~~

And renumber the lines , sections and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1414

On page 3, line 9, of the engrossed bill, delete the strike-through on the word "~~law~~" and delete the following: "chapter 57-22"

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1419

On page 1, line 14 of the engrossed bill, strike through the word "two" and insert the word "four"

On page 3, line 18 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the words "twenty-five"

On page 3, line 21 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

On page 3, line 24 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"

On page 4, line 19 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the words "twenty-five"

On page 4, line 22 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

On page 4, line 24 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"

And renumber the lines and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1542

On page one, line 15, delete the word "its"

## AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3032

Page 2, line 4, after the word committee insert the word "one"

Page 2, line 4, delete the word "persons" and insert in lieu thereof the word "person"

Page 2, line 5, delete the words "industry, labor," and "the State"

Page 2, line 6, delete the words "Bar Association"

Page 2, line 6, after the word "and" insert the words "one person representing"

And renumber the lines, sections and pages accordingly.

## AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 3035

On page 2, line 11, after the word "people" insert a period and the following: In conducting this study, the Council shall include on its committee two North Dakota citizens of Indian descent"

And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1612

On page 1, line 1, after the word "to" insert the following: "create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the carry back of investment credits for prior taxable years; to"

On page 1, line 3, after the word "purposes" and before the period insert the following: "; and to provide an effective date"

On page 1, after line 6, insert the following section:

"SECTION 1.) A new section to chapter 57-38 of the North Dakota Century Code is hereby created and enacted to read as follows:

REPORTING OF INVESTMENT CREDIT CARRY BACK FOR PRIOR TAXABLE YEARS.) A taxpayer who carries back an investment credit to prior taxable years for federal income tax purposes pursuant to section 46 (b) of the United States Internal Revenue Code of 1954, as amended, shall report any resulting adjustments to taxable income for state income tax purposes in the taxable year the federal income tax refunds are actually received or credited, and, notwithstanding the provisions of section 57-38-38, such a taxpayer need not report those adjustments by the filing of amended state income tax returns for the carry back years."

On page 2, after line 33, insert the following section:

"SECTION 3. EFFECTIVE DATE.) The provisions of this Act shall be effective for all taxable years beginning on or after January 1, 1979."

And renumber the lines, sections, and pages accordingly

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred House Concurrent Resolution

No. 3001 has had the same under consideration and recommends, by a vote of

Ayes, 8 ; Nays, 1 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21 delete the words "The legislative power of the state is vested" and insert in lieu thereof "The senate shall be"

On page 1, line 22 delete the following material: "in a senate,"

On page 2, line 1 delete the word "a" and insert in lieu thereof "the" also on line 1 delete the second comma and insert in lieu thereof the words "shall be"

On page 2, line 27 delete the first word "voter" and insert in lieu thereof the word "person" also on line 27 delete the second word "voter" and insert in lieu thereof the word "person"

And renumber the lines and pages accordingly

And when amended, recommends the same do pass.

*Rep. Conmy* *Senator Wenstrom* Co-Chairman

House Concurrent Resolution No 3001 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision to whom was referred House Concurrent Resolution

No. 3062 , has had the same under consideration and recommends, by a vote of

Ayes, 9 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19 delete the word "legislature" and insert in lieu thereof the words "legislative assembly"

On page 2, line 5 delete the word "legislature" and insert in lieu thereof the words "legislative assembly"

And renumber the lines and pages accordingly

And when amended, recommends the same do pass.

*Rep. Conmy* *Senator Wenstrom* Co-Chairman

House Concurrent Resolution No 3062 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2073 , has had the same under consideration and recommends, by a vote of

Ayes, 11 ; Nays, 0 ; Absent, 4 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Rep. Martinson

Senate \_\_\_\_\_ Bill No. 2073 \_\_\_\_\_ was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
 to whom was referred Senate

Bill No. 2089, has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

Chairman

Rep. Winkjer

Senate \_\_\_\_\_ Bill No. 2089 \_\_\_\_\_ was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
 to whom was referred Senate

Bill No. 2095, has had the same under consideration and recommends, by a vote of  
 Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 44-02 of the North Dakota Century Code, relating to the ineligibility of the governor for appointment as United States senator or to elective state office.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 44-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

GOVERNOR INELIGIBLE FOR APPOINTMENT AS UNITED STATES SENATOR OR TO ELECTIVE STATE OFFICE.) The governor shall be ineligible for appointment to fill any vacancy occurring in the office of United States senator or any elective state office, and resignation of the governor shall not remove the ineligibility."

And renumber the lines accordingly

And when so amended, recommends the same do pass

Chairman

Rep. Winkjer

Senate \_\_\_\_\_ Bill No. 2095 \_\_\_\_\_ was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
 to whom was referred Senate

Bill No. 2107, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Senate Bill No. 2107 Rep. Rued  
was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2109, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 4, delete the words "sixty-five" and insert  
in lieu thereof the words "seventy-five"

On page 2, line 25, delete the words "sixty-five" and insert  
in lieu thereof the words "seventy-five"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Senate Bill 2109 Rep. Rued  
was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
to whom was referred Senate

Bill No. 2136, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Senate Rep. Martinson  
Bill No. 2136 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Finance and Taxation  
to whom was referred Senate

Bill No. 2150, has had the same under consideration and recommends, by a vote of  
Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Chairman

Rep. Gackle

Senate Bill No. 2150

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2151, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 4; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Rep. Martinson

Senate

Bill No. 2151

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2173, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Rep. Martinson

Senate

Bill No. 2173

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2180, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate

Bill No. 2180

Rep. Rued

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2189, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle*

Chairman

Rep. Gackle

Senate Bill No. 2189 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2200, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Rued*

Chairman

Rep. Rued

Senate Bill No. 2200 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2201, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Rued*

Chairman

Rep. Rued

Senate Bill No. 2201 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred Senate

Bill No. 2215, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Knudson*

Chairman

Rep. Knudson

Senate Bill No. 2215 was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred Senate

Bill No. 2222, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Knudsen* \_\_\_\_\_ Chairman

Senate      Rep. Knudsen  
Bill No. 2222

\_\_\_\_\_ was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2231, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 6, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

*Rep. Rued* \_\_\_\_\_ Chairman

Senate      Rep. Rued  
Bill No. 2231

\_\_\_\_\_ was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary to whom was referred Senate

Bill No. 2234, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 1, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

*Rep. Winkjer* \_\_\_\_\_ Chairman

Senate      Rep. Winkjer  
Bill No. 2234

\_\_\_\_\_ was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2243, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 1; Absent, 5, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

*Rep. Martinson* \_\_\_\_\_ Chairman

Senate      Rep. Martinson  
Bill No. 2243

\_\_\_\_\_ was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2256, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.       do not pass.       be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3 of the engrossed bill, after the word "cities" delete the following: ", and containing an"

On page 1, line 4, delete the word "appropriation"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

Rep. Gackle

Senate

Bill No. 2256

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2264, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

*Rep. Rued*

Chairman

Senate

Bill No. 2264

Rep. Rued

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2284, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

*Rep. Martinson*

Chairman

Senate

Bill No. 2284

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2285, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 12, delete the word "of" and insert in lieu thereof the word "to" and after the word "amended" insert the following: "and reenacted"

On page 2, line 23, delete the word "credited" and insert in lieu thereof the word "credited"

On page 3, line 5, delete "71" and insert in lieu thereof "1971"

On page 3, line 21, after the word "education" strike "and any"  
 On page 3, strike all of line 22  
 On page 3, line 23, strike the words "nonpublic school"  
 On page 3, line 24, strike "As used in this"  
 On page 3, strike all of lines 25 through 29  
 On page 3, line 34, delete the numeral "4" and insert in lieu thereof  
 the numeral "3"

And renumber the lines, pages, and sections accordingly

And when so amended, recommends the same do pass.

*Rep. Knudson* Chairman  
 Rep. Knudson  
 Senate Bill No. 2285 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
 to whom was referred Senate

Bill No. 2295, has had the same under consideration and recommends, by a vote of  
 Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

*Rep. Martinson* Chairman  
 Senate Rep. Martinson  
 Bill No. 2295 was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
 to whom was referred Senate

Bill No. 2304, has had the same under consideration and recommends, by a vote of  
 Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

be amended as follows:

On page 1, line 17 after the word "provided" insert the words  
"at cost"

On page 1, line 18 strike everything before the period

And renumber the lines accordingly

And when so amended, recommends the same do pass.

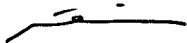
*Rep. Winkjer* Chairman  
 Senate Rep. Winkjer  
 Bill No. 2304 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government  
 to whom was referred Senate

Bill No. 2319, has had the same under consideration and recommends, by a vote of

Ayes, 10 ; Nays, 0 ; Absent, 5 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Bill No. 2319 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred Senate

Bill No. 2452 has had the same under consideration and recommends, by a vote of Ayes, 13 ; Nays, 0 ; Absent, 3 , that the same

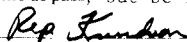
do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 18, strike the word "four" and insert in lieu thereof the word "eight"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass, but be re-referred to the Committee on Appropriations.

  
Rep. Knudson Chairman

Senate Bill No. 2452 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2468 has had the same under consideration and recommends, by a vote of Ayes, 14 ; Nays, 0 ; Absent, 1 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Winkjer Chairman

Senate Bill No. 2468 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution

No. 4005 has had the same under consideration and recommends, by a vote of Ayes, 9 ; Nays, 2 ; Absent, 4 , that the same


do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4005 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution

No. 4028, has had the same under consideration and recommends, by a vote of  
 Ayes, 8; Nays, 3; Absent, 4, that the same  
 do pass.       do not pass.       be placed on calendar  
 without recommendation.

  
 \_\_\_\_\_ Chairman

Senate Concurrent Resolution No. 4028 was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

### MOTION

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution No. 4083 be introduced, which motion prevailed.

### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4083.** — A concurrent resolution congratulating the University of North Dakota hockey team and its coach John Gasparini on the team's outstanding 1978-79 season.

Was read the first time.

Rep. Strinden moved that the rules be suspended, that Senate Concurrent Resolution No. 4083 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4083.** — A concurrent resolution congratulating the University of North Dakota hockey team and its coach John Gasparini on the team's outstanding 1978-79 season.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

### MOTION

Rep. Kretschmar moved that the hearing on Senate Concurrent Resolution No. 4041 be set at a time certain of 1:30 p.m., Wednesday, March 7, 1979, which motion prevailed.

### MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2198:

Rep. Peltier  
 Rep. Retzer  
 Rep. Koski.

ROY GILBREATH, Chief Clerk  
 Senate Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1156.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 1391 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MOTION

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution No. 4083 be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4083.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1012
  - House Bill No. 1053
  - House Bill No. 1166
  - House Bill No. 1191
  - House Bill No. 1251
  - House Bill No. 1280
  - House Bill No. 1284
  - House Bill No. 1327
  - House Bill No. 1389
  - House Bill No. 1422
  - House Bill No. 1426
  - House Bill No. 1434
  - House Bill No. 1441
  - House Bill No. 1495
  - House Bill No. 1557
  - House Bill No. 1601
  - House Bill No. 1664
  - House Concurrent Resolution No. 3015
  - House Concurrent Resolution No. 3024.
- Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

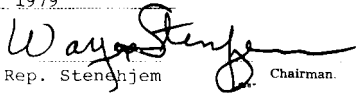
The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1012	H. B. No. 1664
H. B. No. 1053	
H. B. No. 1166	
H. B. No. 1191	
H. B. No. 1251	
H. B. No. 1280	
H. B. No. 1284	



- H.B. No. 1327
- H.B. No. 1389
- H.B. No. 1422
- H.B. No. 1426
- H.B. No. 1434
- H.B. No. 1441
- H.B. No. 1495
- H.B. No. 1557
- H.B. No. 1601

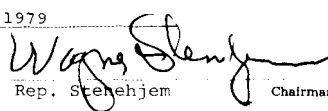
were delivered to the } Governor ~~Secretary of State~~ for his approval at the hour of  
 4:00 o'clock P.M., March 6, 1979  

  
 Rep. Stenehjem Chairman

The committee on Enrollment and Engrossment respectfully reports that:

- H.C.R. No. 3015
- H.C.R. No. 3024

were delivered to the } ~~Secretary of State~~ Secretary of State ~~for his approval~~ at the hour of  
 3:55 o'clock P.M., March 6, 1979  

  
 Rep. Stenehjem Chairman

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 1:00 p.m., Wednesday, March 7, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FORTY-FIFTH DAY

Bismarck, March 7, 1979

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

The prayer was offered by Rev. Joe Agee, Jr., Washington Heights Community Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. DuBord, Gerl, Gorder, Kingsbury, Lee, Mushik, Nicholas, and Opedahl.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fourth

day and recommends that the same be corrected as follows:

On page 1434, after line 10, delete reference to Senate Concurrent Resolution No. 4028 and insert in lieu thereof "Senate Concurrent Resolution No. 4083"

And when so corrected recommends that the same be approved.

Chairman Rep. Swintek

Rep. Houmann

moved that the report be adopted, which motion

prevailed

REPORT OF PROCEDURAL COMMITTEE

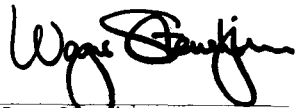
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1020
HB NO. 1072
HB NO. 1170
HB NO. 1173
HB NO. 1176
HB NO. 1272
HB NO. 1285
HB NO. 1348
HB NO. 1365
HB NO. 1366

- HB NO. 1394
- HB NO. 1408
- HB NO. 1444
- HB NO. 1541
- HCN NO. 3016

and find the same correctly } Enrolled



Representative Hanson } Rep. Stankjer } Chairman  
 motion prevailed, and the report was adopted. moved that the report be adopted, which

FIRST READING OF  
 SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4067.** — A concurrent resolution directing the Legislative Council to conduct an interim study to consider the adequacy and sufficiency of the state's surface mining and reclamation laws to enable the state to secure an approved state regulatory program under the Surface Mining Control and Reclamation Act of 1977.

Which was read the first time and referred to the Committee on Natural Resources.

**Senate Concurrent Resolution No. 4079.** — A concurrent resolution directing the Legislative Council to conduct a study of the legal methods for discovering and categorizing severed mineral interests and to develop a pilot project to identify mineral interests in a particular township.

Which was read the first time and referred to the Committee on Natural Resources.

SIXTH ORDER OF BUSINESS

Rep. Conmy moved that the amendments to House Concurrent Resolution No. 3001 as recommended by the Joint Committee on Constitutional Revision as printed on pages 1424 and 1425 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Concurrent Resolution No. 3062 as recommended by the Joint Committee on Constitutional Revision as printed on page 1425 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2095 as recommended by the Committee on Judiciary as printed on page 1426 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2109 as recommended by the Committee on Industry, Business and Labor as printed on page 1427 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2256 as recommended by the Committee on Finance and Taxation as printed on pages 1430 and 1431 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2285 as recommended by the Committee on Education as printed on pages 1431 and 1432 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2304 as recommended by the Committee on Judiciary as printed on page 1432 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2452 as recommended by the Committee on Education as printed on page 1433 of the House Journal be adopted, which motion prevailed.

Senate Bill No. 2452 was re-referred to the Committee on Appropriations.

MOTIONS

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1273, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1337, which motion prevailed.

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1414, which motion prevailed.

Rep. Strinden moved that the House be on the 14th order of business for the consideration of Senate Concurrent Resolution No. 4041, which motion prevailed.

SECOND READING OF

A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4041.** — A concurrent resolution to rescind North Dakota's ratification of the Equal Rights Amendment; and providing an effective date.

Was read the second time.

Rep. Strinden requested a call of the house, which request was granted.

Rep. Strinden moved that the call of the House be suspended, which motion prevailed.

Rep. Strinden moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 46; nays, 53; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	HERMAN			MATTSON		●			UNJEM
●	BENEDICT		●	HICKLE		MEIERS		●	●		VANDER VORST
	BERG	●		HOFFNER	●	●	MELBY				VIG
●	BERGE		●	HOUMANN			MERTENS	●			WAGNER
	BERGER	●		HOVE		●	MEYER		●		WALD
	BJORNSON	●	●	JACOBSEN, R		●	MURPHY				WALSH
	BLACK	●		JACOBSON, I	●		MUSHIK		●		WEBER
	BOYUM	●		KELLY	●		NICHOLAS	●			WENTZ
●	BROKAW			KENNELLY		●	OLSON				WESSMAN
●	CHRISTENSEN		●	KERMOTT			OPEDAHL				WINKJER
	CONNY	●		KINGSBURY	●		PELTIER		●		
	CRABTREE			KLOUBEC	●	●	PETERSON				MR. SPEAKER
●	DICK		●	KNUDSON			POMEROY		●		
	DIETZ	●		KOSKI			REED		●		
●	DOTZENROD			KRETSCHMAR		●	RETZER				
●	DUBORD			KUCHERA	●		RICHARD				
	EAGLES	●	●	LANG			RICHIE		●		
●	ERICKSON			LANGLEY	●	●	RIEHL				
	FLEMING	●		LARDY	●		RUED				
●	FREBERG		●	LARSON, F # 24		●	SCHINDLER				
●	GACKLE		●	LARSON, G # 26			SCOFIELD		●		
	GERL	●		LARSON, H # 7			SOLBERG		●		
●	GORDER			LEE	●		STENEHJEM				
●	GUNDERSON		●	LEIBHAN			STRINDEN				
●	GUNSCH			LIPSIEA		●	SWONTEK		●		
	HANSON	●		MAIXNER	●		THOMPSON		●		
●	HAUGLAND		●	MARSDEN		●	THORSGARD				
●	HAUSAUER, A # 49			MARTIN		●	TIMM				
●	HAUSAUER, R # 25		●	MARTINSON		●	TINJUM		●		
●	HEDSTROM		●	MATHENY		●	TWETEN				

So the Senate Concurrent Resolution was declared lost.

Rep. Maixner moved that the vote by which Senate Concurrent Resolution No. 4041 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed on a verification vote.

## POINT OF PERSONAL PRIVILEGE

Rep. Lardy: "Mr. Speaker:

"I rise to a point of personal privilege, and ask that my remarks be printed in the Journal.

"Mr. Speaker and members of the Assembly, on Saturday, March 3rd at a public forum in Dickinson, Rep. Francis Wald of District 37 publicly accused the telephone operators of turning around phoned-in messages related to the rescission of the Equal Rights Amendment.

"Ladies and gentlemen, that is a very serious charge! He said they are deliberately doing this so that we Representatives will believe there is stronger support among the public for ERA than is actually the case. He indicated he had received messages totally opposite of what he knew the callers to intend.

"After his comments, I responded by saying that if there were problems, they should be discussed with the Employment Committee and not at a public forum when the accused could not be there to respond. I also said the ERA Resolution was a confusing one because the opposition to ERA requires a 'Yes' vote and support of ERA requires a 'No' vote.

"When I returned to the capitol On Monday, I immediately asked the Minority Floor Leader to begin an investigation. That investigation, as I understand, was conducted, and Rep. Wald's charges were found to be totally false, and completely without foundation. The telephone operators were found to be totally without fault; in fact, they did not even make an error.

"Yesterday after the session, I was given a copy of a statement Rep. Wald delivered to the operators and leadership. It is my opinion, Mr. Speaker, that what Rep. Wald considers to be an apology is completely inadequate. In his printed statement he said that 'perhaps' phone calls were being modified. In his comments on Saturday, he said they are 'deliberately' being changed. He purports to apologize for the statement, but does not apologize for making a false accusation. He does not apologize for impugning the integrity of these telephone operators who are doing us, as Legislators—and more importantly the citizens of North Dakota, a very worthwhile and necessary service. He does not apologize for lowering the credibility of that system in all of its aspects. He does not apologize for the mental anguish he has caused the people. I believe they, the operators, the Legislative Assembly and the people of North Dakota deserve much more than what Rep. Wald provided us with in his printed statement of yesterday.

"Mr. Speaker, many of us remember an incident two years ago when other charges were made relating to telephone messages. If this system is going to be continually questioned, it will jeopardize the communication all of us have with our constituents, but more importantly, it will unnecessarily constrain the citizens from informing us of their views. Perhaps the latter is what Rep. Wald wants!

"Thank you, Mr. Speaker."

## MESSAGES FROM THE SENATE

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4009

Senate Concurrent Resolution No. 4063

Senate Concurrent Resolution No. 4080

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1015  
 House Bill No. 1332  
 House Bill No. 1395  
 House Bill No. 1570  
 House Bill No. 1677

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1274  
 House Bill No. 1353  
 House Bill No. 1381  
 House Bill No. 1407  
 House Bill No. 1491  
 House Bill No. 1524  
 House Bill No. 1543  
 House Bill No. 1596  
 House Bill No. 1667  
 House Concurrent Resolution No. 3008  
 House Concurrent Resolution No. 3042

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1019  
 House Bill No. 1032  
 House Bill No. 1261  
 House Bill No. 1309  
 House Bill No. 1346  
 House Bill No. 1545

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1019

On page 1 of the engrossed bill, line 8, delete the numerals "361,187" and insert in lieu thereof the numerals "319,701"

On page 1 of the engrossed bill, line 13, delete the numerals "298,735" and insert in lieu thereof the numerals "257,249"

On page 1 of the engrossed bill, line 21, delete the numerals "361,187" and insert in lieu thereof the numerals "319,701"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Decrease salaries and wages of the Securities Commissioner by \$41,486. This deletes funding necessary to retain one full-time equivalent attorney II position approved by the Emergency Commission through January 31, 1979.

## AMENDMENTS TO HOUSE BILL NO. 1032

On page 1 of the engrossed bill, line 8, delete the numerals "880,415" and insert in lieu thereof the numerals "827,643"

On page 1 of the engrossed bill, line 14, delete the numerals "607,739" and insert in lieu thereof the numerals "574,467"

On page 1 of the engrossed bill, line 15, delete the numerals "194,316" and insert in lieu thereof the numerals "189,316"

On page 1 of the engrossed bill, line 17, delete the numerals "16,000" and insert in lieu thereof the numerals "11,000"

On page 1 of the engrossed bill, line 18, delete the numerals "13,500" and insert in lieu thereof the numerals "4,000"

On page 1 of the engrossed bill, line 20, delete the numerals "880,415" and insert in lieu thereof the numerals "827,643"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Decrease salaries and wages of the Commissioner of University and School Lands by \$33,272. Of that amount, \$53,549 is a reduction necessary to delete funds for a new position of range management specialist which was added by the House; and \$20,277 is an increase necessary to provide funds for the existing position of land appraiser which was deleted by the House. Fees and services are decreased \$5,000; of that amount, \$9,000 is a decrease in travel for the deleted position, and \$4,000 is an increase in travel for the restored position. Other decreases related to the deleted position are \$5,000 to supplies and materials, and \$9,500 to equipment.

AMENDMENTS TO HOUSE BILL NO. 1261

On page 2, line 8, delete the comma and word ", and"

On page 2, delete line 9

On page 2, line 10, delete the words "twenty-one cents per net hundredweight"

On page 2, line 15, delete the words "fifteen cents per net"

On page 2, line 16, delete the words and comma "hundredweight on sunflower seeds,"

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1309

On page 6 of the reengrossed bill, after line 7, insert the following subsection:

"9. Any adopted person twenty-one years of age or over whose adoption was finalized in this state or whose genetic parents had their parental rights terminated in this state may request the social service board to secure and disclose identifying information concerning an adult sibling in the same manner as provided for in subsection 4. Identifying information pertaining exclusively to the adult sibling, whether part of the permanent record of a file in the social service board or in an agency, shall be released only upon consent of that adult sibling."

And renumber the lines, subsections, and pages accordingly

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1346

On page 3 of the engrossed bill, delete lines 1 through 8

And renumber the lines accordingly

## AMENDMENTS TO HOUSE BILL NO. 1545

On page 2, line 10, of the engrossed bill, delete the words "subject to" and insert in lieu thereof the word "utilizing"

On page 2, line 24, of the engrossed bill, following the word "board." insert the following language: "A copy of the written standards shall be available upon request."

And renumber the lines and pages accordingly.

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2030

Senate Bill No. 2065

Senate Bill No. 2067

Senate Bill No. 2068

Senate Bill No. 2069

Senate Bill No. 2083

Senate Bill No. 2090

Senate Bill No. 2101

Senate Bill No. 2128

Senate Bill No. 2147

Senate Bill No. 2148

Senate Bill No. 2163

Senate Bill No. 2164

Senate Bill No. 2165

Senate Bill No. 2178

Senate Bill No. 2184

Senate Bill No. 2191

Senate Bill No. 2208

Senate Bill No. 2211

Senate Bill No. 2221

Senate Bill No. 2242

Senate Bill No. 2331

Senate Bill No. 2336

Senate Bill No. 2346

Senate Concurrent Resolution No. 4004

Senate Concurrent Resolution No. 4019

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## MESSAGES TO THE SENATE

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2012

Senate Bill No. 2113

Senate Bill No. 2156

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which



the House has failed to pass:

Senate Bill No. 2220  
Senate Bill No. 2407

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2152  
Senate Bill No. 2154  
Senate Bill No. 2244  
Senate Bill No. 2268  
Senate Bill No. 2294  
Senate Bill No. 2390

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3074  
House Concurrent Resolution No. 3076

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2014  
Senate Bill No. 2017  
Senate Bill No. 2029  
Senate Bill No. 2034  
Senate Bill No. 2258  
Senate Bill No. 2262  
Senate Bill No. 2366  
Senate Bill No. 2375  
Senate Bill No. 2414  
Senate Bill No. 2436  
Senate Bill No. 2453  
Senate Concurrent Resolution No. 4001  
Senate Concurrent Resolution No. 4013  
Senate Concurrent Resolution No. 4026  
Senate Concurrent Resolution No. 4032  
Senate Concurrent Resolution No. 4035  
Senate Concurrent Resolution No. 4036  
Senate Concurrent Resolution No. 4039  
Senate Concurrent Resolution No. 4042  
Senate Concurrent Resolution No. 4046

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2014  
Senate Bill No. 2017  
Senate Bill No. 2029  
Senate Bill No. 2034  
Senate Bill No. 2258  
Senate Bill No. 2262  
Senate Bill No. 2366  
Senate Bill No. 2375

Senate Bill No. 2414  
Senate Bill No. 2436  
Senate Bill No. 2453  
Senate Concurrent Resolution No. 4001  
Senate Concurrent Resolution No. 4013  
Senate Concurrent Resolution No. 4026  
Senate Concurrent Resolution No. 4032  
Senate Concurrent Resolution No. 4035  
Senate Concurrent Resolution No. 4036  
Senate Concurrent Resolution No. 4039  
Senate Concurrent Resolution No. 4042  
Senate Concurrent Resolution No. 4046  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1020  
House Bill No. 1072  
House Bill No. 1170  
House Bill No. 1173  
House Bill No. 1176  
House Bill No. 1272  
House Bill No. 1285  
House Bill No. 1348  
House Bill No. 1365  
House Bill No. 1366  
House Bill No. 1394  
House Bill No. 1408  
House Bill No. 1444  
House Bill No. 1541  
House Concurrent Resolution No. 3016

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1020  
House Bill No. 1072  
House Bill No. 1170  
House Bill No. 1173  
House Bill No. 1176  
House Bill No. 1272  
House Bill No. 1285  
House Bill No. 1348  
House Bill No. 1365  
House Bill No. 1366  
House Bill No. 1394  
House Bill No. 1408  
House Bill No. 1444  
House Bill No. 1541  
House Concurrent Resolution No. 3016

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## MOTION

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1419.

Rep. Peltier requested a recorded roll call vote, which request was granted.

The question was on the motion of Rep. Rued to concur in the Senate amendments to House Bill No. 1419.

## ROLL CALL

The roll was called, and there were ayes, 49; nays, 36; absent and not voting, 15.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•		•
BACKES		•	HERMAN			MATTSON		• UNKJEM
BENEDICT		•	HICKLE	•		MEIERS		• VANDER VORST
BERG		•	HOFFNER		•	MELBY		• VIG
BERGE	•		HOUWMANN		•	MERTENS	•	• WAGNER
• BERGER			HOVE	•		MEYER		• WALD
• BURNSON		•	JACOBSEN, R.		•	MURPHY		• WALSH
• BLACK			JACOBSON, J.		•	MUSHIK		• WEBER
• BOYLUM			KELLY		•	NICHOLAS		• WERTZ
BROKAW		•	KENNELLY			OLSON		• WESSMAN
• CHRISTENSEN			KERMOTT			OPEDAH		• WINKJER
• EONMY			KINGSBURY			PELTIER		
• CRABTREE			KLOUBEC			PETERSON	•	• MR SPEAKER
• DICK			KNUDSON			POMEROY		
• DIETZ			KOSKI		•	REED		
• DOTZENROD			KRETSCHMAR			RETZER		
DuBORD		•	KUCHERA			RICHARD	•	
• EAGLES			LANG		•	RICHIE		
• ERICKSON			LANGLEY	•		RIEHL		
FLEMING		•	LARDY			RUED		
• FREBORG			LARSON, F. # 24			SCHINDLER		•
GACKLE		•	LARSON, G. # 29			SCOFIELD		•
GERL		•	LARSON, H. # 7			SOLBERG		•
GORDER		•	LEE	•		STENEHEW		
GUNTERSON			LEIBMAN		•	STRINDEN	•	
• GUNTSCH			LUPISA			SWONTEK		
HANSON		•	WALKNER		•	THOMPSON		
HAUGLAND		•	MARSDEN			THORSGARD		
HAUSAUER, A # 49		•	MARTIN			TIMM		
HAUSAUER, R # 25		•	MARTINSON			TINJUM		•
HEDSTROM			MATHENY			TWETEN		

The motion prevailed.

## MOTIONS

Rep. Knudson moved that the House do concur in the Senate amendments to House Bill No. 1542, which motion prevailed.

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1612, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3032, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3035, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1219.** — A Bill for an Act to create four new sections to chapter 43-10.1 of the North Dakota Century Code, relating to application of chapter 28-32 to this chapter, and to fraudulent practices, orders and injunctions, and investigations and subpoenas under the pre-need funeral services laws, to amend and reenact section 43-10.1-07 of the North Dakota Century Code, relating to prosecutions for violation of the pre-need funeral services laws, to amend and reenact section 43-10.1-08 of the North Dakota Century Code, relating to penalties for violation of this Act, and to repeal section 43-10.1-06 of the North Dakota Century Code, relating to special audits of funeral establishments or cemetery associations under the reporting requirements of the pre-need funeral services laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 15.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS ●		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD ●
● BJORNSON			● JACOBSEN, R.			● MURPHY ●		● WALSH ●
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER ●
● BOYUM			● KELLY ●			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOIT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEK			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD ●		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBERG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #26			● SCOFIELD		
● GERL ●			● LARSON, H. #7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA ●			● SWONTEK		
● HANSON			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSKARD		
● HAUSAUER, A. #49			● MARTIN			● TIMM		
● HAUSAUER, R. #25			● MARTINSON			● TINJUM ●		
● HEDSTROM			● MATHENY			● TWETEN ●		

So the bill passed and the title was agreed to.

**House Bill No. 1437.** — A Bill for an Act to establish the North Dakota cultural endowment fund under the jurisdiction of the council on the arts; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 10; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY ●		● WALSH ●
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER ●
● BOYUM			● KELLY ●			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOIT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEK			● PETERSON ●		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD ●		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBERG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #26			● SCOFIELD		
● GERL ●			● LARSON, H. #7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA ●			● SWONTEK		
● HANSON			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSKARD		
● HAUSAUER, A. #49			● MARTIN			● TIMM		
● HAUSAUER, R. #25			● MARTINSON			● TINJUM ●		
● HEDSTROM			● MATHENY			● TWETEN ●		



• DuBORD		KUCHERA •	RICHARD •
• EAGLES		LANG •	• RICHIE
• ERICKSON		• LANGLEY	• RIEHL
• FLEMING		• LARDY	• RUED
• FREBORG	•	• LARSON, F. # 24	• SCHINDLER
• GACKLE	•	• LARSON, G. # 29	• SCOFIELD
• GERL		• LARSON, H. # 7	• SOLBERG
• GORDER		• LEE	• STENEHJEM
• GUNDERSON		• LEIBHAN	• STRINDEN
• GUNSCH		• LIPSIEA	• SWONTEK
• HANSON		• MAXNER	• THOMPSON
• HAUGLAND		• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49		• MARTIN	• TIMM
• HAUSAUER, R. # 25		• MARTINSON	• TINJUM
• HEDSTROM		• MATHENY	• TWETEN

So the House Concurrent Resolution was declared adopted.

MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

Rep. Strinden moved that House Bill No. 1340 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2089.** — A Bill for an Act to amend and reenact section 16-13-16 of the North Dakota Century Code, relating to the compensation of members of county canvassing boards.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 3; nays, 79; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSOON		•	• UNHJEM		•
• BENEDECT		•	• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER		•	• MELBY		•	• VIG		•
• BERGE		•	• HOLMANN		•	• MERTENS	•	•	• WAGNER		•
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I.		•	• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS	•	•	• WENTZ		•
• BROKAW		•	• KENNELLY		•	• OLSON		•	• WESSMAN		•
• CHRISTENSEN		•	• KERMOTT		•	• OPEDAHL		•	• WINKLER		•
• CONMY		•	• KINGSBURY		•	• PELTIER		•			
• CRABTREE		•	• KLOUBEC		•	• PETERSON	•	•	• MR. SPEAKER		•
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DuBORD		•	• KUCHERA		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG		•	• LARSON, F. # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G. # 29		•	• SCOFIELD		•			
• GERL		•	• LARSON, H. # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEM		•			
• GUNDERSON		•	• LEIBHAN		•	• STRINDEN		•			
• GUNSCH		•	• LIPSIEA		•	• SWONTEK		•			
• HANSON		•	• MAXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGARD		•			
• HAUSAUER, A. # 49		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, R. # 25		•	• MARTINSON		•	• TINJUM		•			
• HEDSTROM		•	• MATHENY		•	• TWETEN		•			

So the bill lost.

**Senate Bill No. 2150.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide an exemption for coal used for space heating purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 47; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•		•	•			•		
BENEDICT		•	•	HERMAN		•	MATTSON	•	•	UNHJEM	
BERG		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
•	BERGE		•	HOFFNER		•	MELBY		•	VIG	
•	BERGER		•	HOUIMANN		•	MERTENS		•	WAGNER	
	•		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH	
•	BLACK	•	•	JACOBSON, I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	
•	CONMY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON	•		MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
DuBORD		•	•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON, F # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, G # 29		•	SCOFIELD				
•	GERL		•	LARSON, H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEN				
•	GUNSCH		•	LIPSIEA		•	SWONTEK				
•	HANSON		•	MAIXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A # 48		•	MARTIN		•	TIMM				
•	HAUSAUER, R # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill lost.

**Senate Bill No. 2189.** — A Bill for an Act to create a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, combining the funds of the trusts created by the forty-fourth and forty-fifth legislative assemblies under the coal severance tax legislation and administered by the state land department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 59; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•		•	•			•		
BACKES		•	•	HERMAN		•	MATTSON	•	•	UNHJEM	
BENEDICT		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
BERG		•	•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUIMANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH	
•	BLACK	•	•	JACOBSON, I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	
•	CONMY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON	•		MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
DuBORD		•	•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEHL				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON, F # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, G # 29		•	SCOFIELD				
•	GERL		•	LARSON, H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEN				
•	GUNSCH		•	LIPSIEA		•	SWONTEK				
•	HANSON		•	MAIXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A # 48		•	MARTIN		•	TIMM				
•	HAUSAUER, R # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill lost.

**Senate Bill No. 2234.** — A Bill for an Act to amend and reenact sections 16-10-12 and 16-10-16 of the North Dakota Century Code, if House Bill No. 1138 is not approved by the forty-sixth legislative assembly, relating to compensation for election officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 87; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON	•		UNHJEM		•
BENEDICT		•	HICKLE	•		MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK	•		JACOBSON, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
DICK	•		KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. # 29		•	SCOFIELD		•			
GERL		•	LARSON, H. # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIA		•	SWONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER, A. # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHEHY		•	TWETEN		•			

So the bill lost.

**Senate Bill No. 2468.** — A Bill for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collecting the personal property of a decedent by affidavit under the Uniform Probate Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 91; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON	•		UNHJEM		•
BENEDICT		•	HICKLE	•		MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK	•		JACOBSON, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. # 29		•	SCOFIELD		•			
GERL		•	LARSON, H. # 7		•	SOLBERG		•			



GORDER	•	LEE	•	STENEHJEM	•
GUNDERSON	•	LEIBMAN	•	STRINDEN	•
GUNSCH	•	LPSIEA	•	SWONTEK	•
HANSON	•	MAXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSGARD	•
HAUSAUER A #49	•	MARTIN	•	TIMM	•
HAUSAUER R #25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHENY	•	TWETEN	•

So the bill lost.

#### MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1219, 1437, 1513, House Concurrent Resolution No. 3019, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2030  
 Senate Bill No. 2065  
 Senate Bill No. 2067  
 Senate Bill No. 2068  
 Senate Bill No. 2069  
 Senate Bill No. 2083  
 Senate Bill No. 2090  
 Senate Bill No. 2101  
 Senate Bill No. 2128  
 Senate Bill No. 2147  
 Senate Bill No. 2148  
 Senate Bill No. 2163  
 Senate Bill No. 2164  
 Senate Bill No. 2165  
 Senate Bill No. 2178  
 Senate Bill No. 2184  
 Senate Bill No. 2191  
 Senate Bill No. 2208  
 Senate Bill No. 2211  
 Senate Bill No. 2221  
 Senate Bill No. 2242  
 Senate Bill No. 2331  
 Senate Bill No. 2336  
 Senate Bill No. 2346

Senate Concurrent Resolution No. 4004

Senate Concurrent Resolution No. 4019.

The Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2030  
 Senate Bill No. 2065  
 Senate Bill No. 2067  
 Senate Bill No. 2068  
 Senate Bill No. 2069  
 Senate Bill No. 2083  
 Senate Bill No. 2090  
 Senate Bill No. 2101  
 Senate Bill No. 2128  
 Senate Bill No. 2147

Senate Bill No. 2148  
 Senate Bill No. 2163  
 Senate Bill No. 2164  
 Senate Bill No. 2165  
 Senate Bill No. 2178  
 Senate Bill No. 2184  
 Senate Bill No. 2191  
 Senate Bill No. 2208  
 Senate Bill No. 2211  
 Senate Bill No. 2221  
 Senate Bill No. 2242  
 Senate Bill No. 2331  
 Senate Bill No. 2336  
 Senate Bill No. 2346  
 Senate Concurrent Resolution No. 4004  
 Senate Concurrent Resolution No. 4019.  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1020  
 House Bill No. 1072  
 House Bill No. 1170  
 House Bill No. 1173  
 House Bill No. 1176  
 House Bill No. 1272  
 House Bill No. 1285  
 House Bill No. 1348  
 House Bill No. 1365  
 House Bill No. 1366  
 House Bill No. 1394  
 House Bill No. 1408  
 House Bill No. 1444  
 House Bill No. 1541  
 House Concurrent Resolution No. 3016.  
 Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

**Senate Bill No. 2016.** Educational Broadcasting Council — A Bill for an Act making an appropriation for defraying the expenses of the educational broadcasting council of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 22; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN			•	MATTSON	•	UNHJEM	
•			•	HICKLE			•	MEIERS		VANDER VORST	•
•			•	HOFFNER			•	MELBY	•	VIG	
•			•	HOUFMAN			•	MERTENS		WAGNER	
•			•	HOVE			•	WEYER		WALD	•
•			•	JACOBSEN, R			•	MURPHY	•	WALSH	
•			•	JACOBSON, I			•	MUSHIK		WEBER	
•			•	KELLY			•	NICHOLAS		WENTZ	

• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEWING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 25	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2073.** — A Bill for an Act to amend and reenact section 39-17-02 of the North Dakota Century Code, relating to unsatisfied judgment fund administrative expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 5; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKE	•		• HERMAN			• WATSON	•		• UNHJEM		
• BENEDICT	•		• HICKLE			• WEIERS	•		• VANDERVORST		
• BERG	•		• HOFFNER			• MELBY	•		• VIG		
• BERGE	•		• HOUMANN		•	• MERTENS	•		• WAGNER		
• BERGER	•		• HOVE			• MEYER	•		• WALD		
• BJORKSON	•		• JACOBSEN, R			• MURPHY	•		• WALSH		
• BLACK	•		• JACOBSON, I			• MUSHIK	•		• WEBER		
• BOYUM	•		• KELLY			• NICHOLAS	•		• WENTZ		
• BROKAW	•		• KENNELLY			• OLSON	•		• WESSMAN		
• CHRISTENSEN	•		• KERMOTT			• OPEDAHL	•		• WINKJER		
• CONNY	•		• KINGSBURY			• PELTIER	•				
• CRABTREE	•		• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK	•		• KNUDSON		•	• POMEROY	•				
• DIETZ	•		• KOSKI			• REED	•				
• DOTZENROD	•		• KRETSCHMAR			• RETZER	•				
• DUBORD	•		• KUCHERA			• RICHARD	•				
• EAGLES	•		• LANG			• RICHIE	•				
• ERICKSON	•		• LANGLEY			• RIEHL	•				
• FLEWING	•		• LARDY		•	• RUED	•				
• FREBORG	•		• LARSON, F # 24			• SCHINDLER	•				
• GACKLE	•		• LARSON, G # 25			• SCOFIELD	•				
• GERL	•		• LARSON, H # 7			• SOLBERG	•				
• GORDER	•		• LEE			• STENEHJEM	•				
• GUNDERSON	•		• LEIBHAN			• STRINDEN	•				
• GUNSCH	•		• LIPSIA			• SWONTEK	•				
• HANSON	•		• MAIXNER			• THOMPSON	•				
• HAUGLAND	•		• MARSDEN			• THORSGARD	•				
• HAUSAUER, A # 49	•		• MARTIN		•	• TIMM	•				
• HAUSAUER, R # 25	•		• MARTINSON			• TINJUM	•				
• HEDSTROM	•		• MATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

**Senate Bill No. 2107.** — A Bill for an Act to amend and reenact section 6-09.1-02 of the North Dakota Century Code, relating to the appointment, membership, officers, terms, duties, and compensation of the Bank of North Dakota advisory board of directors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 16; absent and not voting, 8.



committee on administrative rules with authority to review proposed and existing administrative rules.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 61; nays, 33; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●								● UNHJEM
BACKES		●	HERMAN			MATTSON					● VANDERVORST
BENEDICT		●	HICKLE			MEIERS		●			● VG
BERG		●	HOFFNER		●	MELBY					● WAGNER
BERGE		●	HOLMANN			MERTENS		●			● WALD
BERGER		●	HOVE			MEYER					● WALSH
BJORNSON			JACOBSEN, R		●	MURPHY					● WEBER
BLACK	●		JACOBSON, I		●	MUSHIK					● WENTZ
BOYUM			KELLY			NICHOLAS					● WESSMAN
BROKAW		●	KENNELLY			OLSON					● WINKJER
CHRISTENSEN			KERMOTT			OPEDAHL		●			
CONMY			KINGSBURY			PELTIER					● MR. SPEAKER
CRABTREE			KLOUBEC			PETERSON					
DICK			KNUDSON			POMERROY		●			
DIETZ			KOSKI		●	REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD		●	KUCHERA			RICHARD		●			
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY		●	RIED		●			
FLEMING			LARDY			RUED					
FREBORG			LARSON, F # 24			SCHINDLER					
GACKLE			LARSON, G # 26			SCOFIELD					
GERL		●	LARSON, H # 7			SOLBERG		●			
GORDER			LEE		●	STENEHJEM		●			
GUNDERSON			LEIBHAN			STRINDEN					
GUNSCH			LIPSIE			SWONTEK					
HANSON		●	WAJNER			THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER, A # 46			MARTIN			TMM					
HAUSAUER, R # 25			MARTINSON			TINJUM		●			
HEDSTROM			MATHENY		●	TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2173.** — A Bill for an Act to amend and reenact sections 54-45-02 and 54-45-03 of the North Dakota Century Code, relating to the duties of the department of civil air patrol and to the expenditure of funds by the civil air patrol for secretarial or administrative personnel.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 3; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN			MATTSON					● UNHJEM
BENEDICT			HICKLE			MEIERS					● VANDERVORST
BERG			HOFFNER			MELBY					● VG
BERGE			HOLMANN			MERTENS					● WAGNER
BERGER			HOVE			MEYER					● WALD
BJORNSON			JACOBSEN, R		●	MURPHY					● WALSH
BLACK			JACOBSON, I			MUSHIK					● WEBER
BOYUM			KELLY			NICHOLAS					● WENTZ
BROKAW			KENNELLY			OLSON					● WESSMAN
CHRISTENSEN			KERMOTT			OPEDAHL					● WINKJER
CONMY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON					● MR. SPEAKER
DICK			KNUDSON			POMERROY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD		●			
EAGLES			LANG			RICHIE		●			
ERICKSON			LANGLEY			RIED					
FLEMING			LARDY			RUED					
FREBORG			LARSON, F # 24			SCHINDLER					
GACKLE			LARSON, G # 26			SCOFIELD					
GERL			LARSON, H # 7			SOLBERG					
GORDER			LEE		●	STENEHJEM					
GUNDERSON			LEIBHAN			STRINDEN					
GUNSCH			LIPSIE			SWONTEK					

• HANSON	• WALKNER	• THOMPSON
• HAUGLAND	• WARSDEN	• THORSGARD
• HAUSAUER A #48	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2180.** — A Bill for an Act to amend and reenact section 13-05-04 of the North Dakota Century Code, relating to the annual license fee for collection agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 8; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE		•	• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER		•			
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON # 24			• SCHINDLER					
• GACKLE		•	• LARSON G # 28			• SCOFIELD		•			
• GERL			• LARSON H # 7			• SOLBERG		•			
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LOEBMAN			• STRINDE					
• GUNSON			• LIPSEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• WARSDEN			• THORSGARD					
• HAUSAUER A #48			• MARTIN			• TIMM					
• HAUSAUER R #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2200.** — A Bill for an Act to amend and reenact sections 6-09-29, 6-10-06, and 7-05-01 of the North Dakota Century Code, relating to fees for the examination of the Bank of North Dakota, agents for deposits, and savings and loan associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 7; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY		•	• VIG		
• BERGE			• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM		•	• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					

● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 26	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIE	● SWINTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2201.** — A Bill for an Act to amend and reenact section 52-09-03 of the North Dakota Century Code, relating to the administration of the old-age and survivors insurance system and to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old-age and survivor insurance system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● EDMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUJCHERA	●		● RICHARD					
● EAGLES	●		● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 26			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE	●		● STENHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIE			● SWINTEK					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A # 49			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2215.** — A Bill for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to permitting nonpublic school teachers to participate in the teachers' fund for retirement; and to amend subsection 3 of section 15-39.1-10 of the North Dakota Century Code, relating to the eligibility of nonpublic school teachers to participate in the teachers' fund for retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BÄCKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HKKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY	•	• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.		•	• MURPHY		• WALSH
• BLACK			• JACOBSON, J.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHE		
• ERICKSON			• LANGLEY	•		• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN		•	• STRINDEN		
• GUNSCH			• LIPSIA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARDSEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2222.** — A Bill for an Act to provide for the leasing of certain lands managed and controlled by the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 2; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BÄCKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HKKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN, R.		•	• MURPHY		• WALSH
• BLACK			• JACOBSON, J.			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHE		
• ERICKSON			• LANGLEY	•		• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN		•	• STRINDEN		
• GUNSCH			• LIPSIA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARDSEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2231.** — A Bill for an Act to amend and reenact subsections 6 and 26 of section 52-01-01, section 52-02-01 and section 52-07.1-02 of the North Dakota Century Code, relating to the North Dakota





• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2263.** — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 14-15-09 of the North Dakota Century Code, relating to the social service board or a county social service board being named as a respondent in an adoption proceeding; and to amend and reenact subsections 2, 5, and 6 of section 14-15-11 and subsection 3 of section 14-15-13 of the North Dakota Century Code, relating to investigations for adoptions, and disposition of adoption petition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 10; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUIMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBUR			• PELTIER					
• CRABTREE			• KLOUBEK			• PETERSON			MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2264.** — A Bill for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to restrictions and conditions on loans to and purchases from directors, officers, and employees of state banking associations and officers and employees of banking department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 10; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY			• VIG		

• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURG	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RIJED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that Senate Bill No. 2284 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that the rules be suspended, and the following Senate Bills be messaged to the Senate immediately: 2016, 2073, 2107, 2136, 2173, 2180, 2200, 2201, 2215, 2222, 2231, 2243, 2263 and 2264, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

- H. B. No. 1020
- H. B. No. 1072
- H. B. No. 1170
- H. B. No. 1173
- H. B. No. 1176
- H. B. No. 1272
- H. B. No. 1285
- H. B. No. 1348
- H. B. No. 1365
- H. B. No. 1366
- H. B. No. 1394
- H. B. No. 1408
- H. B. No. 1444
- H. B. No. 1541

..... were delivered to the } Governor for his approval at the hour of  
4:05 o'clock p.m., March 7, 1979

*Wayne Stenehjem*  
Rep. Stenehjem Chairman.  
BY NORTH DAKOTA PRODUCTS

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3016

..... was delivered to the } Secretary of State at the hour of  
4:05 o'clock pm, March 7, 1979

*Wayne Stenehjem*  
Rep. Stenehjem Chairman.  
BY NORTH DAKOTA PRODUCTS

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2052, but refused to concur in the House amendment to Senate Bill No. 2021 and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2021:

- Senator Strinden
- Senator Hanson
- Senator Tallackson

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2340, but refused to concur in the House amendment to Senate Bill No. 2028 and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2028:

- Senator Thane
- Senator Olin
- Senator Erdman.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2412 and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2412:

- Senator Christensen
- Senator Sorum
- Senator Lashkowitz

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills No. 2230, 2260 and Senate Concurrent Resolution No. 4082.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action by which it refused to concur in the House amendment to Senate Bill No. 2198, and now has concurred in the House amendment to Senate Bill No. 2198 and has discharged the conference committee on same.

LEO LEIDHOLM, Secretary

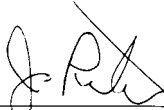
## MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House stand adjourned until 1:00 p.m., Thursday, March 8, 1979, which motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate  
Bill No. 2037, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 1; Absent, 3, that the same  
 do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

  
Chairman


Senate Bill No. 2037 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate  
Bill No. 2044, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 6; Absent, 3, that the same  
 do pass.  do not pass.  be placed on calendar  
 be amended as follows: without recommendation.

On page 1, delete lines 10 through 17 and insert in lieu thereof the following: "REQUIRED.) Legislative council budget section approval is necessary before funds can be received by any state agency, institution, or department under the Federal Comprehensive Employment and Training Act of 1973 (Pub. L. 93-203; 87 Stat. 839; 29 U.S.C. 801 et seq.), as amended, where such funds are to be used to employ personnel, and the state agency, institution, or department receives funds which are appropriated by the legislative assembly. Any positions created because of the availability of funds under such act shall continue for only such period of time as may be approved by the budget section."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

  
Chairman

Senate Bill No. 2044 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2135, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 20, of the reengrossed bill delete the word "To"

On page 1, line 21, delete the words "protect the rights of any" and insert in lieu thereof the word "An"

On page 2, line 1, delete the words "that inmate"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman Rep. Martinson Bill No. 2135 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2153, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 14 of the engrossed bill, delete the strike through over the words "citizen-of-the-United States" and also delete the word "North"

On page 1, line 15 of the engrossed bill, delete the words "Dakota resident"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman Rep. Rued Bill No. 2153 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2159, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1 of the reengrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 1 of section 27-20-10, subsection 1 of section 27-20-13, subsection 2 of section 27-20-37, and section 50-25.1-08 of the North Dakota Century Code, relating to informal adjustment of minors, to taking minors into custody, to the modification or vacation of orders of the juvenile court, and to the appointment of guardians ad litem.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 1 of section 27-20-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Before a petition alleging delinquent or unruly behavior is filed, the juvenile supervisor or Other Officer of the court designated by it, subject to its direction, may give counsel and advice to the parties and impose conditions for the conduct and control of the child with a view to an informal adjustment if it appears:
  - a. The admitted facts bring the case within the jurisdiction of the court;
  - b. Counsel, advice and conditions, if any, for the conduct and control of the child without an adjudication would be in the best interest of the public and the child; and
  - c. The child and his parents, guardian or other custodian consent thereto with knowledge that consent is not obligatory.

SECTION 2. AMENDMENT.) Subsection 1 of section 27-20-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. A child may be taken into custody:
  - a. Pursuant to an order of the court under this chapter;
  - b. Pursuant to the laws of arrest;
  - c. By a law enforcement officer or a juvenile supervisor, or by order of the juvenile supervisor made pursuant to subsection 1 (h) of section 27-20-06, if there are reasonable grounds to believe (1) that the child is suffering from illness or injury or is in immediate danger from his surroundings, and that his removal is necessary, or (2) that the child has run away from his parents, guardian, or other custodian.

SECTION 3. AMENDMENT.) Subsection 2 of section 27-20-37 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. Except an order committing a delinquent or unruly child to the state industrial school, an order terminating parental rights, or an order of dismissal, an order of the court may also be changed, modified, or vacated on the ground that changed circumstances so require in the best interest of the child. An order

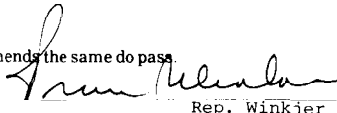
terminating parental rights and the parent and child relationship may be vacated by the court upon motion of the parent if the child is not on placement for adoption and the person having custody of the child consents in writing to the vacation of the decree. An order granting probation to a child found to be delinquent or unruly may be revoked on the ground that the conditions of probation have not been observed.

SECTION 4. AMENDMENT.) Section 50-25.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-25.1-08. GUARDIAN AD LITEM.) The court, in every case involving an abused or neglected child which results in a judicial proceeding ~~or proceedings for informal adjustment under 27-20-10~~, shall appoint a guardian ad litem for the child in those proceedings."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Winkjer

Senate Bill No. 2159 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2160, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, delete lines 11 through 15 and insert in lieu thereof the following:

"Increased by the amount of any unemployment compensation benefits received to the extent that the federal adjusted gross income of the taxpayer, determined without regard to unemployment compensation benefits, and the unemployment compensation exceeds twelve thousand dollars."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Rued

Senate Bill No. 2160 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2175, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.




be amended as follows:

On page 2, line 7, delete the word "of" and insert in lieu thereof the words "not to exceed"

On page 3, line 17, delete the word "shall" and insert in lieu thereof the word "should"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

 Chairman  
Senate Bill No. 2175 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

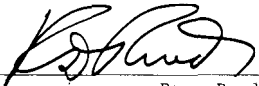
Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2202, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Senate Bill No. 2202 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2204, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Senate Bill No. 2204 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2217, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Senate Bill No. 2217 Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2229, has had the same under consideration and recommends, by a vote of  
Ayes, 10; Nays, 4; Absent, 2, that the same


do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 3, line 16 of the engrossed bill, delete the strike-through over the words "~~at-least-two~~"
- On page 3, line 17 of the engrossed bill, delete the strike-through over the word "~~calendar~~", and delete the first word "~~the~~"
- On page 3, line 18 of the engrossed bill, delete the strike-through over the words "~~forty-times-the~~" and immediately thereafter insert the word "minimum" and also on line 18 delete the strike-through over the word "~~weekly~~"
- On page 3, line 19 of the engrossed bill, delete the strike-through over the words "~~benefit-amount~~"
- On page 3 of the engrossed bill, delete line 20
- On page 3, line 21 of the engrossed bill, delete the words "period high quarter wages"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

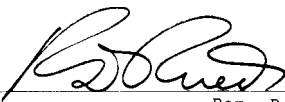
  
Chairman  
Senate Bill No. 2229 Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2232, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 3; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Senate Bill No. 2232 Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred Senate

Bill No. 2241, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

But be re-referred to the Committee on Appropriations


  
\_\_\_\_\_  
Rep. Martinson  
Senate Bill No. 2241 Chairman

re-referred to the Committee on Appropriations.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2265, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

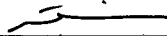
do pass.  do not pass.  be placed on calendar  
without recommendation.

  
\_\_\_\_\_  
Senate Bill No. 2265 Rep. Rued Chairman  
was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred Senate

Bill No. 2273, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

  
\_\_\_\_\_  
Senate Bill No. 2273 Rep. Martinson Chairman  
was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2278, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Chairman

Senate

Bill No. 2278

Rep. Rued

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2283, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Rep. Winkjer

Senate

Bill No. 2283

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2297, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 8, of the engrossed bill delete the word "majority" and insert in lieu thereof the words "sixty percent"

On page 2, line 9, delete the word "majority" and insert in lieu thereof the words "sixty percent"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Martinson

Senate

Bill No. 2297

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2299, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Rep. Gackle

Senate

Bill No. 2299

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

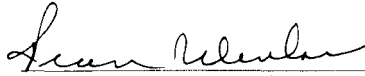
Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2301, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Winkjer

Senate

Bill No. 2301

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2321, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 14, strike the word "majority" and insert in lieu thereof the word "unanimous"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Knudson

Senate

Bill No. 2321

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

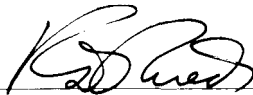
Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2326, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Rued

Senate

Bill No. 2326

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2330, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Senate Rep. Martinson Chairman  
Bill No. 2330 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred Senate

Bill No. 2338, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 3 of the engrossed bill, after the word "gasohol"  
insert the following: "; and declaring an emergency"

On page 1, line 12, after the word "on" insert the word "unleaded"

On page 1, after line 21, insert the following section:

"SECTION 2. EMERGENCY.) This Act is hereby declared  
to be an emergency measure and shall be in effect from and  
after its passage and approval."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Rep. Gackie Chairman  
Senate Bill No. 2338 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2339, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 2, line 5 of the engrossed bill, after the word  
"pension" insert the following:

"except service disability pension"

And renumber the lines and pages accordingly

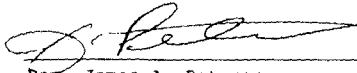
And when so amended, recommends the same do pass.

Rep. Rued Chairman  
Senate Bill No. 2339 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2349, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



Chairman

Senate Rep. James A. Peterson  
Bill No. 2349 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2354, has had the same under consideration and recommends, by a vote of  
Ayes, 7; Nays, 5; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 16 after the word "felony" insert the following:  
"listed in section 62-01-04"

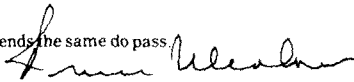
On page 1, line 18 after the word "process" and before the comma  
insert the words "for one week"

On page 1, line 20 after the word "course" and before the comma  
insert the words "for two weeks"

On page 1, line 21 after the word "state" delete the underscore under  
the comma

and renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

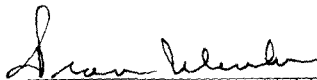
Senate Rep. Winkjer  
Bill No. 2354 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2358, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.



Chairman

Senate Rep. Winkjer  
Bill No. 2358 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

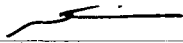
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2359, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Senate Rep. Martinson  
Bill No. 2359 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2360, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Chairman  
Senate Rep. Knudson  
Bill No. 2360 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2377, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

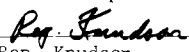
be amended as follows:

On page 1, line 16, after the word "students" insert the following:  
"pursuant to Chapter 15-10-19" and also on line 16 delete the  
word "who" and strike the word "graduated"

On page 1, line 17, strike the words "from North Dakota high schools"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Chairman  
Senate Rep. Knudson  
Bill No. 2377 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

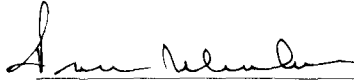
to whom was referred Senate

Bill No. 2394, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 1; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.





Senate Rep. Winkjer Bill No. 2394 was placed on the 14th order of business on the calendar for the succeeding legislative day.

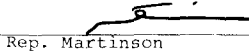
**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2422, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Senate Rep. Martinson Bill No. 2422 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2432, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10 of the engrossed bill, strike the words "shall mean" and insert in lieu thereof the word "means"

On page 1, line 11, delete the words "having a length of"

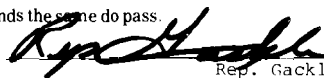
On page 1, line 12, delete the words "twenty-four feet or more,"

On page 1, line 14, after the word "occupant" insert the following: "but does not mean any house trailer, travel trailer, or mobile home which has a width of less than eight feet and which has two or more of the following:

1. A waste holding tank.
2. A water holding tank.
3. A twelve-volt electrical system.
4. An attached gas bottle container."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Senate Rep. Gackle Bill No. 2432 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education

to whom was referred Senate

Bill No. 2461, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 2, of the engrossed bill delete the word "federal" and also on line 2 delete the word "taxes" and insert in lieu thereof the word "benefits"

On page 1, line 6, delete the word "TAXES" and insert in lieu thereof the word "BENEFITS"

On page 1, line 10, delete the word "federal" and also on line 10 delete the word "taxes" and insert in lieu thereof the word "benefits"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Knudson Chairman  
Senate Rep. Knudson Bill No. 2461 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2464, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Martinson Chairman  
Senate Rep. Martinson Bill No. 2464 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2478, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 8; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

Rep. James A. Peterson Chairman  
Senate Rep. James A. Peterson Bill No. 2478 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate

Bill No. 2479, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 2; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Winkjer Chairman  
Senate Rep. Winkjer Bill No. 2479 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate Concurrent Resolutions

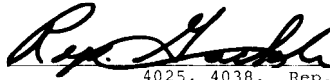
4025, 4038,

No. 4040, 4057, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

And be placed on the consent calendar.



Chairman

Senate Concurrent Resolutions 4025, 4038, Rep. Gackle  
No. 4040, 4057 was placed on the 10th  
order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Thursday, March 8, 1979.

ROY GILBREATH, Chief Clerk

FORTY-SIXTH DAY

Bismarck, March 8, 1979

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

The prayer was offered by Rev. Darrell Saathoff, Christ Lutheran Church, Minot, North Dakota.

The roll was called, and all members were present except Reps. Cloubec, Lee, Tweten and Unhjem.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fifth Day and finds the same to be correct.

Handwritten signature of Rep. Swioniec

Rep. Reed moved that the report be adopted, which motion prevailed.

State of North Dakota
EXECUTIVE OFFICE
BISMARCK

The Honorable Vernon Wagner
Speaker of the House
House Chambers
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 2, 1979, I signed the following House Bills:

- House Bill No. 1013
House Bill No. 1018
House Bill No. 1022
House Bill No. 1023
House Bill No. 1038
House Bill No. 1039
House Bill No. 1040
House Bill No. 1043
House Bill No. 1470

Sincerely yours,
ARTHUR A. LINK
Governor
State of North Dakota
EXECUTIVE OFFICE
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 3, 1979, I signed the following House Bills:

House Bill No. 1017  
House Bill No. 1026  
House Bill No. 1041  
House Bill No. 1049  
House Bill No. 1054  
House Bill No. 1057  
House Bill No. 1059  
House Bill No. 1060  
House Bill No. 1061  
House Bill No. 1064  
House Bill No. 1077  
House Bill No. 1081  
House Bill No. 1084  
House Bill No. 1085  
House Bill No. 1106  
House Bill No. 1107  
House Bill No. 1109  
House Bill No. 1110  
House Bill No. 1112  
House Bill No. 1113  
House Bill No. 1116  
House Bill No. 1119  
House Bill No. 1120  
House Bill No. 1124  
House Bill No. 1127  
House Bill No. 1128  
House Bill No. 1133  
House Bill No. 1135  
House Bill No. 1136  
House Bill No. 1139  
House Bill No. 1140  
House Bill No. 1141  
House Bill No. 1143  
House Bill No. 1148  
House Bill No. 1152  
House Bill No. 1153  
House Bill No. 1155  
House Bill No. 1160  
House Bill No. 1161  
House Bill No. 1167  
House Bill No. 1178  
House Bill No. 1180  
House Bill No. 1186  
House Bill No. 1188  
House Bill No. 1189  
House Bill No. 1204  
House Bill No. 1207  
House Bill No. 1208

House Bill No. 1212  
House Bill No. 1213  
House Bill No. 1218  
House Bill No. 1233  
House Bill No. 1235  
House Bill No. 1237  
House Bill No. 1240  
House Bill No. 1243  
House Bill No. 1259  
House Bill No. 1264  
House Bill No. 1276  
House Bill No. 1282  
House Bill No. 1283  
House Bill No. 1286  
House Bill No. 1287  
House Bill No. 1290  
House Bill No. 1308  
House Bill No. 1311  
House Bill No. 1318  
House Bill No. 1320  
House Bill No. 1330  
House Bill No. 1334  
House Bill No. 1341  
House Bill No. 1345  
House Bill No. 1354  
House Bill No. 1356  
House Bill No. 1361  
House Bill No. 1363  
House Bill No. 1375  
House Bill No. 1376  
House Bill No. 1416  
House Bill No. 1445  
House Bill No. 1451  
House Bill No. 1452  
House Bill No. 1463  
House Bill No. 1474  
House Bill No. 1497  
House Bill No. 1518  
House Bill No. 1525  
House Bill No. 1526  
House Bill No. 1532  
House Bill No. 1560  
House Bill No. 1572  
House Bill No. 1584  
House Bill No. 1592  
House Bill No. 1635  
House Bill No. 1655  
House Bill No. 1680

Sincerely yours,  
ARTHUR A. LINK  
Governor

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner

Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 5, 1979, I signed the following House Bills:

- House Bill No. 1098
- House Bill No. 1214
- House Bill No. 1432
- House Bill No. 1449
- House Bill No. 1536

On March 6, 1979, I forwarded without signature House Bill No. 1512.

Sincerely yours,  
ARTHUR A. LINK  
Governor

**REPORT OF PROCEDURAL COMMITTEES**

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Procedural Committee on Delayed Bills \_\_\_\_\_

recommends that HB 1695 be introduced.



Rep. Earl Strinden Chairman

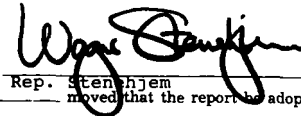
\_\_\_\_\_ Rep. Kretschmar \_\_\_\_\_ moved that the report be adopted, which motion prevailed and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HCR NO. 3001
- HCR NO. 3059
- HCR NO. 3062

and find the same correctly } Engrossed



Rep. Stenehjem Chairman

Representative Meyer \_\_\_\_\_ moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1031
- HB NO. 1034
- HB NO. 1145
- HB NO. 1244
- HB NO. 1258
- HB NO. 1391

- HB NO. 1415 \_\_\_\_\_
- HB NO. 1468 \_\_\_\_\_
- HB NO. 1548 \_\_\_\_\_
- HB NO. 1568 \_\_\_\_\_
- HB NO. 1577 \_\_\_\_\_
- HB NO. 1604 \_\_\_\_\_
- HB NO. 1686 \_\_\_\_\_
- HCR NO. 3022 \_\_\_\_\_
- HCR NO. 3033 \_\_\_\_\_

and find the same correctly } Enrolled

*Wayne Sawyer*  
 \_\_\_\_\_ Chairman

Representative Meyer Rep. Stephien moved that the report be adopted, which motion prevailed, and the report was adopted.

**RECOGNITION**

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Glenn Goodman, and Rep. Goodman was thereupon introduced to the House.

**SIXTH ORDER OF BUSINESS**

Rep. Peterson moved that the amendments to Senate Bill No. 2044 as recommended by the Committee on Appropriations as printed on page 1464 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2135 as recommended by the Committee on State and Federal Government as printed on page 1465 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2153 as recommended by the Committee on Industry, Business and Labor as printed on page 1465 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2159 as recommended by the Committee on Judiciary as printed on pages 1465, 1466 and 1467 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2160 as recommended by the Committee on Industry, Business and Labor as printed on page 1467 of the House Journal be adopted.

Rep. Gerl moved that the amendments to Senate Bill No. 2160 be laid on the table.

**ROLL CALL**

The roll was called, and there were ayes, 33; nays, 59; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•		•	HERMAN	•		WATSON	•		UNHJEM	•	
•	BENEDICT		HICKLE	•		MEIERS	•		VANDERVORST	•	
•	BERG		•	HOFFNER		MELBY	•		VIG	•	
•	BERGE	•	HOLMANN	•		MERTENS	•		WAGNER	•	
•	BERGER		MOVE	•		MEYER	•		WALD	•	
•	BJORNSON		JACOBSEN, R	•		MURPHY	•		WALSH	•	
•	BLACK	•	JACOBSON, I	•		MUSHIK	•		WEBER	•	
•	BOYUM		•	KELLY		NICHOLAS	•		WENTZ	•	
•	BROKAW		•	KENNELLY		OLSON	•		WESSMAN	•	
•	CHRISTENSEN	•	KERMOTT	•		OPEDAH	•		WINKJER	•	
•	CONMY		KINGSBURY	•		PELTIER	•				
•	CRABTREE	•	KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	





Rep. Unhjem moved that the House do concur in the Senate amendments to House Bill No. 1309, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2412:

Rep. Wentz  
Rep. Reed  
Rep. Benedict

#### ANNOUNCEMENT

Speaker Wagner announced that the Conference Committee on Senate Bill No. 2198 has been discharged.

#### MESSAGES TO THE SENATE

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3059  
House Concurrent Resolution No. 3083  
House Concurrent Resolution No. 3087

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2073  
Senate Bill No. 2079  
Senate Bill No. 2094  
Senate Bill No. 2107  
Senate Bill No. 2120  
Senate Bill No. 2136  
Senate Bill No. 2172  
Senate Bill No. 2173  
Senate Bill No. 2180  
Senate Bill No. 2200  
Senate Bill No. 2201  
Senate Bill No. 2215  
Senate Bill No. 2222  
Senate Bill No. 2231  
Senate Bill No. 2243  
Senate Bill No. 2264

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2016  
Senate Bill No. 2207  
Senate Bill No. 2263  
Senate Bill No. 2378

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1031  
House Bill No. 1034  
House Bill No. 1145  
House Bill No. 1244

House Bill No. 1258  
 House Bill No. 1391  
 House Bill No. 1415  
 House Bill No. 1468  
 House Bill No. 1548  
 House Bill No. 1568  
 House Bill No. 1577  
 House Bill No. 1604  
 House Bill No. 1686  
 House Concurrent Resolution No. 3022  
 House Concurrent Resolution No. 3033

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1031  
 House Bill No. 1034  
 House Bill No. 1145  
 House Bill No. 1244  
 House Bill No. 1258  
 House Bill No. 1391  
 House Bill No. 1415  
 House Bill No. 1468  
 House Bill No. 1548  
 House Bill No. 1568  
 House Bill No. 1577  
 House Bill No. 1604  
 House Bill No. 1686  
 House Concurrent Resolution No. 3022  
 House Concurrent Resolution No. 3033

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### FIRST READING OF HOUSE BILL

Rep. Stenehjem introduced:

**House Bill No. 1695.** — A Bill for an Act to repeal chapter 50-24 of the North Dakota Century Code, relating to aid to aged, blind, or disabled program, but continuing certain provisions in effect.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4009.** — A concurrent resolution for the amendment of section 161 of the Constitution of the State of North Dakota, relating to the leasing of lands granted to the state for educational and charitable purposes; and providing an effective date.

Which was read the first time and referred to the Joint Committee on Constitutional Revision.

**Senate Concurrent Resolution No. 4063.** — A concurrent resolution directing a Legislative Council study of the local delivery of programs by the Farmers Home Administration.

Which was read the first time and referred to the Committee on Agriculture.







● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWINTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1612.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the carry back of investment credits for prior taxable years; to amend and reenact section 57-38-01.4 of the North Dakota Century Code, relating to the subchapter S election by shareholders of a corporation for income tax purposes; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 5; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		
● BERG			● HOFNER			● MELBY			● YG		
● BERGE			● HOUWANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER		●	● WALD	●	
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY		●	● PELTIER					
● CRABTREE		●	● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RIEHL					
● ERICKSON			● LANGLEY			● RIED					
● FLEMING			● LARDY			● RUD					
● FREBORG			● LARSON, F. #74			● SCHINDLER					
● GACKLE			● LARSON, G. #78			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCHE			● LIPSIEA			● SWINTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. #49		●	● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3032.** — A concurrent resolution directing a study by the Legislative Council to review the equity and adequacy of retirement provisions for supreme court and district court judges.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		

• BERG	• HOFFNER	MELBY	• VIG
• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R.	• MURPHY	• WALSH
• BLACK	• JACOBSON I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKLER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F. # 24	• SCHINDLER	
• GACKLE	• LARSON G. # 29	• SCOFIELD	
• GERL	• LARSON H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSYGARD	
• HAUSAUER A. # 49	• MARTIN	• TIMM	
• HAUSAUER R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3035.** — A concurrent resolution directing a Legislative Council study of the relationship between American Indian tribal governments and North Dakota state government.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 89; nays, 4; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• WATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R.	•		• MURPHY			• WALSH		
• BLACK			• JACOBSON I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOY			• OPEDAHL			• WINKLER	•	
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ	•		• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG	•		• LARSON F. # 24			• SCHINDLER					
• GACKLE	•		• LARSON G. # 29			• SCOFIELD					
• GERL	•		• LARSON H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE	•		• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSYGARD					
• HAUSAUER A. # 49			• MARTIN			• TIMM					
• HAUSAUER R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY	•		• TWETEN					

So the House Concurrent Resolution was declared adopted.

SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

**Senate Concurrent Resolution No. 4025** — A concurrent resolution directing the legislative council to study the alternative methods



available for the assessment of railroad operating property by the state board of equalization.

**Senate Concurrent Resolution No. 4038.** — A concurrent resolution urging Congress to recognize the contribution of a spouse as homemaker for estate tax and social security purposes.

**Senate Concurrent Resolution No. 4040.** — A concurrent resolution directing the Legislative Council to study the taxation of real property with emphasis upon the role of the state board of equalization.

**Senate Concurrent Resolution No. 4057.** — A concurrent resolution urging the United States Congress to permanently suspend the carryover basis rules enacted under the 1976 Tax Reform Act and to restore the stepped-up basis rules applicable to the basis of property acquired from a decedent dying after 1976 to apply the same basis rules which were applicable prior to the 1976 Tax Reform Act.

Which had been read the second time.

ROLL CALL

The question being on the final passage of the resolutions, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNJEM	
•	BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUJANN		•	MERTENS		•	WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER	
•	CONNY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTZENROD		•	KRETSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE				
•	ERICKSON		•	LANGLEY		•	RIEH				
•	FLEMING		•	LARDY		•	RUED				
•	FREBORG		•	LARSON, F # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, # 29		•	SCOFIELD				
•	GERL		•	LARSON, H # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBHAN		•	STRINDEN				
•	GUNSCH		•	LIRSIEA		•	SWONTEK				
•	HANSON		•	MAIXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSGARD				
•	HAUSAUER, A # 49		•	MARTIN		•	TIMM				
•	HAUSAUER, R # 25		•	MARTINSON		•	TINJUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the resolutions passed.

MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2412:

- Rep. Wentz
- Rep. Reed
- Rep. Benedict

ROY GILBREATH, Chief Clerk

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF A HOUSE BILL

**House Bill No. 1340.** — A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of horses and mules in hunting big game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 42; nays, 57; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	•	UNHJEM	
BENEDICT		•	HICKLE		•	MEIERS		•	•	VANDER VORST	
BERG		•	HOFFNER		•	MELBY		•	•	VIG	
BERGE		•	HOUMANN		•	MERTENS		•	•	WAGNER	
BERGER		•	HOVE		•	MEYER		•	•	WALD	
BJORNSON		•	JACOBSEN R.		•	MURPHY		•	•	WALSH	•
BLACK		•	JACOBSON I.		•	MUSHIK		•	•	WEBER	•
BOYUM		•	KELLY		•	NICHOLAS		•	•	WENTZ	•
BROKAW		•	KENNELLY		•	OLSON		•	•	WESSMAN	•
CHRISTENSEN		•	KERNICHT		•	OPEDAHL		•	•	WINKJER	
CONNY		•	KINGSBURY		•	PELTER		•	•	MR. SPEAKER	
CRABTREE		•	KLOBEC		•	PETERSON		•			
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBERG		•	LARSON F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON G. # 29		•	SCOFIELD		•			
GERL		•	LARSON H. # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIEA		•	SWIONTEK		•			
HANSON		•	MAIKNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER A. # 49		•	MARTIN		•	TIMM		•			
HAUSAUER R. # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHEWY		•	TWETEN		•			

So the bill failed to pass over the governor's veto.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3001.** — A concurrent resolution to create a new article II of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 26 through 44 and sections 46 through 70 of the present article II of the Constitution of the State of North Dakota, relating to the legislative assembly; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 53; nays, 44; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	•	UNHJEM	
BENEDICT		•	HICKLE		•	MEIERS		•	•	VANDER VORST	
BERG		•	HOFFNER		•	MELBY		•	•	VIG	
BERGE		•	HOUMANN		•	MERTENS		•	•	WAGNER	
BERGER		•	HOVE		•	MEYER		•	•	WALD	
BJORNSON		•	JACOBSEN R.		•	MURPHY		•	•	WALSH	•
BLACK		•	JACOBSON I.		•	MUSHIK		•	•	WEBER	•
BOYUM		•	KELLY		•	NICHOLAS		•	•	WENTZ	•
BROKAW		•	KENNELLY		•	OLSON		•	•	WESSMAN	•
CHRISTENSEN		•	KERNICHT		•	OPEDAHL		•	•	WINKJER	
CONNY		•	KINGSBURY		•	PELTER		•	•	MR. SPEAKER	
CRABTREE		•	KLOBEC		•	PETERSON		•			
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBERG		•	LARSON F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON G. # 29		•	SCOFIELD		•			

● GERL	● LARSON H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEBMAN	● STRINDEW
● GUNSC	● LPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A #48	● MARTIN	● TIMM
● HAUSAUER R -25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3062.** — A concurrent resolution for the amendment of section 176 of the Constitution of the State of North Dakota, relating to the taxation of property.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY	●		● VIG		
● BERGE			● HOUMANN			● MERTENS	●		● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R.			● MURPHY			● WALSH		
● BLACK			● JACOBSEN I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #29			● SCOFIELD					
● GERL			● LARSON H #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEBMAN			● STRINDEW	●				
● GUNSC			● LPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER A #48			● MARTIN			● TIMM					
● HAUSAUER R -25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the House Concurrent Resolution was declared adopted.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2283.** — A Bill for an Act to create and enact section 27-20-51.1 of the North Dakota Century Code, relating to the release of the name and age of a child involved in a juvenile court proceeding and the nature of the allegations against him under certain conditions; and to amend and reenact sections 27-20-51 of the North Dakota Century Code, relating to the inspection of a juvenile's court files and records under the Uniform Juvenile Court Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 73; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		HERMAN		●	MATTSOON		●	● UNHJEM		
● BENEDICT		●	HICKLE		●	MEIERS		●	● VANDER VORST		
● BERG		●	HOFFNER		●	MELBY		●	● VIG		
● BERGE		●	HOUMANN		●	MERTENS		●	● WAGNER		

BERGER	•	HOVE	•	MEYER	•	WALD	•
BJORNSON	•	JACOBSEN, R	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON, I	•	MUSHIK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKLER	•
CONNY	•	KINGSBURY	•	PELTIER	•	MR. SPEAKER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•		
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RIEHL	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G # 29	•	SCOFIELD	•		
GERL	•	LARSON, H # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIEA	•	SWIONTEK	•		
HANSON	•	MAXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGAR	•		
HAUSAUER, A # 49	•	MARTIN	•	TIMM	•		
HAUSAUER, R # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**Senate Bill No. 2301.** — A Bill for an Act relating to cutting, rerouting, or diverting telephone lines to prevent telephone communications by a person holding hostages with persons other than law enforcement officers; and to provide for telephone company security employee assistance to law enforcement officers and a defense to legal actions for providing such assistance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 15; nays, 80; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDERVORST	•	
BERG	•		HOFFNER	•		MELBY	•				
BERGE	•		HOUWMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKLER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RIEHL	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
GERL	•		LARSON, H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWIONTEK	•				
HANSON	•		MAXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGAR	•				
HAUSAUER, A # 49	•		MARTIN	•		TIMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**Senate Bill No. 2479.** — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code as contained in section 1 of Senate Bill No. 2100, as approved by the forty-sixth legislative assembly, relating to state preemption of local laws regulating obscenity except when local ordinances are specifically authorized; and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 67; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			● HERMAN			MATTSON	●	UNHJEM ●
BENEDICT		●	HICKLE		●	MEIERS	●	VANDER VORST
BERG		●	HOFFNER		●	MELBY	●	VIG
BERGE		●	HOUWMAN		●	MERTENS	●	WAGNER
BERGER		●	HOVE		●	MEYER	●	WALD
BJORNSON		●	JACOBSEN R		●	MURPHY	●	WALSH
● BLACK		●	JACOBSEN I		●	MUSHIK	●	WEBER
BOYUM		●	KELLY		●	NICHOLAS	●	WENTZ
● BROKAW		●	KENNELLY		●	OLSON	●	WESSMAN
CHRISTENSEN		●	KERMOTT		●	OPEDAHL	●	WINKER
COMMY		●	KINGSBURY		●	PELTER	●	
● CRABTREE		●	KLOUBEC		●	PETERSON	●	MR. SPEAKER
● DICK		●	KNUDSON		●	POMEROY	●	
DIETZ		●	KOSKI		●	REED	●	
● DOTZENROD		●	KRETSCHMAR		●	RETZER	●	
DUBORD		●	KUCHERA		●	RICHARD	●	
● EAGLES		●	LANG		●	RICHIE	●	
ERICKSON		●	LANGLEY		●	RIEHL	●	
FLEMING		●	LARDY		●	RUED	●	
FREBORG		●	LARSON F # 24		●	SCHINDLER	●	
GACKLE		●	LARSON G # 26		●	SCOFIELD	●	
● GEHL		●	LARSON H # 7		●	SOLBERG	●	
● GORDER		●	LEE		●	STENEHEIM	●	
● GUNDERSON		●	LEIHAN		●	STRINDEN	●	
● GUNSCH		●	LIPSIA		●	SWONTEK	●	
HANSON		●	MAXNER		●	THOMPSON	●	
HAUGLAND		●	MARSDEN		●	THORSGARD	●	
HAUSAUER A # 69		●	MARTIN		●	TMM	●	
HAUSAUER R # 25		●	MARTINSON		●	TINJUM	●	
HEDSTROM		●	MATHENY		●	TWETEN	●	

So the bill lost.

### EXPLANATION OF VOTE

Rep. Kuchera: "Mr. Speaker and Members of the Assembly:

"On House Bill No. 2479 I voted 'Yes', and I would like the record to show that I intended to vote 'No'."

### MOTIONS

Rep. Kuchera moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2037, which motion prevailed.

Rep. Kuchera moved that Senate Bill No. 2037 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

### MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1273, 1337, 1414, 1419, 1542, 1612, H.C.R. 3032, 3035.

And subsequently passed the same.

ROY GILBREATH, Chief Clerk

### MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1075
- House Bill No. 1291
- House Bill No. 1431
- House Bill No. 1433
- House Bill No. 1442

House Bill No. 1464  
House Bill No. 1476  
House Bill No. 1503  
House Bill No. 1511  
House Bill No. 1583  
House Bill No. 1589  
House Bill No. 1629  
House Bill No. 1630  
House Concurrent Resolution No. 3043  
House Concurrent Resolution No. 3046

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4078

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1047  
House Bill No. 1321

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2004  
Senate Bill No. 2005  
Senate Bill No. 2041  
Senate Bill No. 2230  
Senate Bill No. 2247  
Senate Bill No. 2248  
Senate Bill No. 2260  
Senate Bill No. 2322  
Senate Bill No. 2333  
Senate Concurrent Resolution No. 4012  
Senate Concurrent Resolution No. 4082  
Senate Concurrent Resolution No. 4083

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1222  
House Bill No. 1250  
House Bill No. 1374  
House Bill No. 1458  
House Bill No. 1479  
House Bill No. 1578  
House Bill No. 1582

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1222

On page 1, line 18, of the engrossed bill, delete the words "Condemnation may only be."

On page 1, lines 19 and 20, delete all of the underlined language.

And renumber the lines and pages accordingly

AMENDMENT TO HOUSE BILL NO. 1250

On page 3, line 26, of the engrossed bill, delete the word "committee" and insert in lieu thereof the word "commission"

AMENDMENTS TO HOUSE BILL No. 1374

On page 2, line 6, of the engrossed bill after the word "trailer" insert the words "registered pursuant to subdivision b of subsection 4 of section 39-04-19"

On page 2, line 8, of the engrossed bill delete the word "the", and delete the words "dollar fee" and insert in lieu thereof the word "dollars"

On page 2, of engrossed bill delete line 9

On page 2, line 10, of the engrossed bill, delete the following: "section 39-04-19"

On page 2, line 12, of the engrossed bill after the word "vehicle" insert the following: "required pursuant to section 39-04-26"

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1458

On page 2, line 2 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "twenty-five"

On page 2, line 5 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

On page 2, line 8 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"

On page 4, line 9 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "twenty-five"

On page 4, line 12 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

On page 4, line 15 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"

On page 4, line 34 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "twenty-five"

On page 5, line 2 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

On page 5, line 4 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"

On page 5, line 13 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "twenty-five"

On page 5, line 18 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "twenty-five"

On page 5, line 20 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

- On page 5, line 25 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"
- On page 6, line 19 of the engrossed bill delete the word "fifteen" and insert in lieu thereof the word "twenty-five"
- On page 6, line 22 of the engrossed bill delete the word "thirty" and insert in lieu thereof the word "fifty"
- On page 6, line 25 of the engrossed bill delete the word "fifteen" and insert in lieu thereof the word "ten"

## AMENDMENTS TO HOUSE BILL NO. 1479

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert the following in lieu thereof: "for an Act to create and enact section 61-16-34.1 of the North Dakota Century Code, relating to the terms and conditions for refunding special assessments warrants of water management districts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Section 61-16-34.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

61-16-34.1. REFUNDING OUTSTANDING REFUNDING WARRANTS - TERMS AND CONDITIONS.) Any district having valid outstanding refunding warrants or bonds issued pursuant to the provisions of this chapter may issue refunding bonds to refund the outstanding warrants or bonds, if there is not sufficient money in the project fund or funds against which the outstanding refunding warrants or bonds are drawn to pay the same. The new bonds may be issued for the purpose of extending the maturities of the outstanding refunding warrants or bonds, or reducing the interest cost thereon, or equalizing the general tax which the county or counties may be, or may become, obligated to levy to discharge deficiencies in the project fund or funds against which they are drawn. The new bonds shall be issued according to the procedure set forth in this chapter for the issuance of the original refunding warrants or bonds. In any case where refunding bonds are issued and sold six months or more before the date on which all outstanding refunding warrants or bonds of the issue to be refunded thereby mature or are to be prepaid in accordance with their terms, the proceeds of the new bonds, including any premium, shall be deposited in escrow with a suitable bank or trust company, having its principal place of business within or without the state, and shall be invested in the amount and in securities maturing on the dates and bearing interest at rates required to provide funds sufficient to pay when due the interest to accrue on each warrant or bond refunded to its maturity or, if it is prepayable, to the earliest prior date for redemption, and to pay and redeem the principal amount of each warrant or bond at maturity or, if prepayable, at the earliest redemption date, and any premium required for redemption on that date. The resolution authorizing the new bonds shall irrevocably appropriate for these purposes the escrow fund and all investments thereof, which shall be held in safekeeping by the escrow agent, and all income therefrom, and shall provide for the call for redemption of prepayable bonds in accordance with their terms. The securities to be purchased with the escrow fund shall be limited to general obligations of



the United States, securities whose principal and interest payments are guaranteed by the United States, and securities issued by the following United States government agencies: banks for cooperatives, federal home loan banks, federal intermediate credit banks, federal land banks, and the federal national mortgage association. Such securities shall be purchased simultaneously with the delivery of the new bonds. Moneys on hand in the fund maintained for the payment of the outstanding bonds, and not immediately needed for the payment of interest or principal due, may likewise be deposited in the escrow fund and invested in the same manner as the proceeds of the new bonds, to the extent consistent with the provisions of resolutions authorizing the outstanding bonds."

And renumber the lines and pages accordingly

AMENDMENT TO HOUSE BILL NO. 1578

- On page 1, line 17, delete the word "federal", and after the word "contracts" insert the words "with the bureau of Indian affairs"
- On page 2, line 2, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 2, line 18, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 2, line 33, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 3, line 21, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 4, line 3, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 4, line 10, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 4, line 19, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- On page 5, line 11, delete the word "federal" and insert in lieu thereof the words "bureau of Indian affairs"
- And renumber the pages, lines and sections accordingly

AMENDMENT TO HOUSE BILL 1582

On page 1, line 17, delete the word "sixty" and insert in lieu thereof the word "eighty"

On page 2, line 20, delete the word "sixty" and insert in lieu thereof the word "eighty"

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
House Bill No. 1031



section 6-09-15 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to increase maximum loan value of farmland from one-half to seventy-five percent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 4; absent and not voting, 9.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● MEERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY	●	● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC	●		● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 26			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON			● MAIXNER	●		● THOMPSON		
● HAUGLAND			● MARSDEN	●		● THORSgard		
● HAUSAUER A # 49			● MARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2202.** — A Bill for an Act to create and enact a new subsection to section 52-04-06 of the North Dakota Century Code, relating to variations in unemployment compensation rates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON		● UNHJEM
● BENEDICT			● HICKLE			● MEERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 26			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWONTEK		

● HANSON	● MAIXNER ●	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A. #49	● MARTIN	● TIMM
● HAUSAUER R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2204.** — A Bill for an Act to amend and reenact subsection 3 of section 52-06-01 of the North Dakota Century Code, relating to eligibility for unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 3; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● WATTSON			● UNHJEM		
●			● HICKLE			● MEIERS			● VANDER VORST		
●			● HOFFNER			● MELBY			● VIG		
●			● HOLMANN			● MERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD		
●			● JACOBSEN, R.			● MURPHY			● WALSH		
●			● JACOBSON, I.			● MUSHIK			● WEBER		
●			● KELLY			● NICHOLAS ●			● WENTZ		
●			● KENNELLY			● OLSON			● WESSMAN		
●			● KERWOTT			● OPEDAHL			● WINKJER		
●			● KINGSBURY			● PELTIER					
●			● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
●			● KNUDSON			● POMEROY					
●			● KOSKI			● REED					
●			● KRETSCHMAR			● RETZER					
●			● KUCHERA			● RICHARD					
●			● LANG			● RIEHL					
●			● LANGLEY			● RUD					
●			● LARSON, F. #24			● SCHINDLER					
●			● LARSON, G. #28			● SCOFIELD					
●			● LARSON, H. #7			● SOLBERG					
●			● LEE			● STENEHJEM					
●			● LEIBHAN			● STRINDEN					
●			● LIPSIEA			● SWINTEK					
●			● MAIXNER ●			● THOMPSON					
●			● MARSDEN			● THORSGARD					
●			● MARTIN			● TIMM					
●			● MARTINSON			● TINJUM					
●			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2217.** — A Bill for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to an offset of social security benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● WATTSON			● UNHJEM		
●			● HICKLE			● MEIERS			● VANDER VORST		
●			● HOFFNER			● MELBY			● VIG		
●			● HOLMANN			● MERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD		
●			● JACOBSEN, R.			● MURPHY			● WALSH		
●			● JACOBSON, I.			● MUSHIK			● WEBER		
●			● KELLY			● NICHOLAS ●			● WENTZ		
●			● KENNELLY			● OLSON			● WESSMAN		
●			● KERWOTT			● OPEDAHL			● WINKJER		
●			● KINGSBURY			● PELTIER					
●			● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
●			● KNUDSON			● POMEROY					
●			● KOSKI			● REED					
●			● KRETSCHMAR			● RETZER					
●			● KUCHERA			● RICHARD					
●			● LANG			● RIEHL					
●			● LANGLEY			●					

• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F. # 24	• SCHINDLER
• GACKLE	• LARSON G. # 29	• SCOFIELD
• GERL	• LARSON H. # 7	• SOLBERG
• GORDER	• LEE	• STENEJUEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A. # 49	• MARTIN	• TIMM
• HAUSAUER R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2232.** — A Bill for an Act to amend and reenact subsection 4 of section 52-01-01 and subsection 1 of section 52-06-02 of the North Dakota Century Code, and to repeal subsection 10 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82, nays, 13; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER		•	• MELBY		• VIG
• BERGE		•	• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R.			• MURPHY		• WALSH
• BLACK		•	• JACOBSON I.			• MUSHK		• WEBER
• BOYUM			• KELLY		•	• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERNDT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTER		
• CRABTREE			• KLOBUCC			• PETERSO		• MR. SPEAKER
• DICK			• KNUDSON			• POWEROY		
• DIETZ			• KOSKI		•	• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD		•	• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F. # 24		•	• SCHINDLER		
• GACKLE			• LARSON G. # 29			• SCOFIELD		
• GERL		•	• LARSON H. # 7			• SOLBERG		
• GORDER			• LEE			• STENEJUEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCHE			• LIPSIA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A. # 49			• MARTIN			• TIMM		
• HAUSAUER R. # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2256.** — A Bill for an Act to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to sales and use tax collection agreements with home rule cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 2; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R.			• MURPHY		• WALSH
• BLACK			• JACOBSON I.			• MUSHK		• WEBER

• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNTSCH	• LIPSIEA	• SWIONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSKARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2265.** — A Bill for an Act to amend and reenact subsections 2 and 3 of section 52-04-03 of the North Dakota Century Code, relating to wages subject to unemployment compensation contributions; to amend and reenact section 52-04-05 of the North Dakota Century Code, relating to standard rate of unemployment compensation contributions; to amend and reenact section 52-04-06 of the North Dakota Century Code, relating to variations in standard rate of unemployment compensation contributions; to provide an effective date; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 67; nays, 29; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		• MATTSON			• UNHJEM			
• BENEDICT			• HICKLE		• MEIERS			• VANDER VORST	•		
• BERG		•	• HOFFNER	•	• MELBY		•	• VIG			
• BERGE		•	• HOUMANN		• MERTENS		•	• WAGNER			
• BERGER		•	• HOVE		• MEYER			• WALD			
• BJORNSON			• JACOBSON, R	•	• MURPHY		•	• WALSH			
• BLACK		•	• JACOBSON, I		• MUSHK			• WEBER	•		
• BOYUM			• KELLY		• NICHOLAS			• WENTZ			
• BROKAW		•	• KENNELLY		• OLSON			• WESSMAN			
• CHRISTENSEN		•	• KERMOTT		• OPEDAHL			• WINKJER			
• CONMY			• KINGSBURY		• PELTIER						
• CRABTREE		•	• KLOUBEC		• PETERSON			• MR. SPEAKER			
• DICK			• KNUDSON	•	• POMEROY						
• DIETZ			• KOSKI		• REED						
• DOTZENROD		•	• KRETSCHMAR		• RETZER						
• DUBORD			• KUCHERA		• RICHARD		•				
• EAGLES			• LANG	•	• RICHIE						
• ERICKSON		•	• LANGLEY		• RIEHL						
• FLEMING			• LARDY		• RUED						
• FREBORG		•	• LARSON, F # 24		• SCHINDLER		•				
• GACKLE			• LARSON, G # 29	•	• SCOFIELD						
• GERL			• LARSON, H # 7		• SOLBERG						
• GORDER		•	• LEE	•	• STENEHJEM						
• GUNDERSON		•	• LEIBHAN		• STRINDEN						
• GUNTSCH			• LIPSIEA	•	• SWIONTEK						
• HANSON			• MAXNER		• THOMPSON						
• HAUGLAND			• MARSDEN		• THORSKARD		•				
• HAUSAUER, A # 49			• MARTIN	•	• TIMM						
• HAUSAUER, R # 25			• MARTINSON		• TINJUM						
• HEDSTROM			• MATHENY		• TWETEN		•				

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MOTIONS

Rep. Strinden moved that the House reconsider its action whereby Senate Bill No. 2095 failed to pass, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2095 be laid over one legislative day, which motion prevailed.

Rep. Black moved that the House reconsider its action whereby Senate Bill No. 2150 failed to pass, which motion prevailed on a verification vote.

Rep. Strinden moved that Senate Bill No. 2150 be laid over one legislative day, which motion prevailed.

ANNOUNCEMENT

Rep. Strinden requested that the record show that the members of the Appropriations Committee have been excused from the chamber.

MOTION

Rep. Strinden moved that Senate Bill No. 2273 be moved to the foot of the calendar, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

- H.B.No. 1031 .....
- H.B.No. 1034 .....
- H.B.No. 1145 .....
- H.B.No. 1244 .....
- H.B.No. 1258 .....
- H.B.No. 1391 .....
- H.B.No. 1415 .....
- H.B.No. 1468 .....
- H.B.No. 1548 .....
- H.B.No. 1568 .....
- H.B.No. 1577 .....
- H.B.No. 1604 .....
- H.B.No. 1686 .....

..... were delivered to the { Governor for his approval at the hour of  
~~SECRETARY OF STATE~~  
 3:30 o'clock P.M. March 8, 1979

*Wayne Stenehjem*  
 Rep. Stenehjem Chairman.  
BY NORTH DAKOTA PRODUCTS

The committee on Enrollment and Engrossment respectfully reports that:

- H.C.R. No. 3022 .....
- H.C.R. No. 3033 .....

..... were delivered to the ~~Secretary~~ Secretary of State ~~at the hour of~~ at the hour of  
 3:40 o'clock p.m., March 8, 1979

*Wayne Stenejem*  
 Rep. Stenejem Chairman  
 NORTH DAKOTA PRODUCTS

SECOND READING OF SENATE BILLS

**Senate Bill No. 2278.** — A Bill for an Act to provide for notification by the employment security bureau to base-period employers of actual or estimated charges against the base-period employers' accounts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 3; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNKJEW ●		
BENEDICT ●			HICKLE ●			WEHRS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			WELBY ●			VIG ●		
BERGE ●			HOLMANN ●			WERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHIL ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			REITZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEWING ●			LARDY ●			RUEF ●					
FREBORG ●			LARSON F # 71 ●			SCHINDLER ●					
GACKLE ●			LARSON G # 70 ●			SCOFFIELD ●					
GERL ●			LARSON H # 7 ●			SOLBERG ●					
GARDER ●			LEE ●			STENEJEM ●					
GUNDERSON ●			LEIBMAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWIONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A # 46 ●			MARTIN ●			TIMM ●					
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the bill passed and the title was agreed to.

MOTIONS

Rep. Martinson moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2284, which motion prevailed.

Rep. Martinson moved that Senate Bill No. 2284 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Rep. Knudson moved that Senate Bill No. 2285 be re-referred to the Committee on Education, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2295.** — A Bill for an Act to amend and reenact subsection 5 of section 43-35-02, and sections 43-35-07 and 43-35-17 of the North Dakota Century Code, relating to certificates issued by the state board of water well contractors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 6; absent and not voting, 22.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• WATTSON			• UNHJEM	•	
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER	•		• WELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD	•	
• BJORNSON			• JACOBSEN	•		• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK	•		• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		•
• CONNY			• KINGSBURG			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI	•		• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES	•		• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE		•	• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG	•				
• GORDER			• LEE	•		• STENEJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH	•		• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN	•		• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

**Senate Bill No. 2299.** — A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, providing a property tax exemption for certain associations and corporations furnishing potable water.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 77; nays, 0; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• WATTSON			• UNHJEM	•	
• BENEDICT			• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER			• WELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD	•	
• BJORNSON			• JACOBSEN	•		• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK	•		• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		•
• CONNY			• KINGSBURG			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES	•		• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG	•				
• GORDER			• LEE	•		• STENEJEW					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH	•		• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN	•		• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

**Senate Bill No. 2304.** — A Bill for an Act to amend and reenact section 30.1-14-01.1 of the North Dakota Century Code, relating to forms

to be provided by a county court and county courts with increased jurisdiction to an applicant for informal probate or informal appointment proceedings under the Uniform Probate Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 61; nays, 16; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		• UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		• VANDER VORST
BERG		•	HOFFNER		•	MELBY		• VIG
BERGE		•	HOUWMANN		•	MERTENS		• WAGNER
BERGER		•	HOVE		•	MEYER		• WALD
BJORNSON		•	JACOBSEN R		•	MURPHY		• WALSH
BLACK		•	JACOBSON I		•	MUSHIK		• WEBER
BOYUM		•	KELLY		•	NICHOLAS		• WENTZ
BROKAW		•	KENNELLY		•	OLSON		• WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAH		• WINKJER
CONMY		•	KINGSBURY		•	PELTIER		•
CRABTREE		•	KLOUBEC		•	PETERSON		• MR. SPEAKER
DICK		•	KNUDSON		•	POMEROY		
DIETZ		•	KOSKI		•	REED		
DOTZENROD		•	KRETSCHMAR		•	RETZER		
DUBORD		•	KUCHERA		•	RICHARD		
EAGLES		•	LANG		•	RICHIE		
ERICKSON		•	LANGLEY		•	RIEHL		
FLEMING		•	LARDY		•	RUED		
FREBORG		•	LARSON # 24		•	SCHINDLER		
GACKLE		•	LARSON G # 28		•	SCOFIELD		
GERL		•	LARSON H # 7		•	SOLBERG		
GORDER		•	LEE		•	STENHJEM		
GUNDERSON		•	LEIBMAN		•	STRINDEN		
GUNSCH		•	LIPSIE		•	SWONTEK		
HANSON		•	MAXNER		•	THOMPSON		
HAUGLAND		•	MARSDEN		•	THORSGARD		
HAUSAUER A # 49		•	MARTIN		•	TIMM		
HAUSAUER R # 25		•	MARTINSON		•	TINJUM		
HEDSTROM		•	MATHENY		•	TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2319.** — A Bill for an Act to amend and reenact section 18-11-07, subsection 2 of section 18-11-15, and section 18-11-18 of the North Dakota Century Code, relating to officers of an alternate firemen's relief association, service pensions for association members, and proportional decrease in benefits for association members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 74; nays, 2; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		• UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		• VANDER VORST
BERG		•	HOFFNER		•	MELBY		• VIG
BERGE		•	HOUWMANN		•	MERTENS		• WAGNER
BERGER		•	HOVE		•	MEYER		• WALD
BJORNSON		•	JACOBSEN R		•	MURPHY		• WALSH
BLACK		•	JACOBSON I		•	MUSHIK		• WEBER
BOYUM		•	KELLY		•	NICHOLAS		• WENTZ
BROKAW		•	KENNELLY		•	OLSON		• WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAH		• WINKJER
CONMY		•	KINGSBURY		•	PELTIER		•
CRABTREE		•	KLOUBEC		•	PETERSON		• MR. SPEAKER
DICK		•	KNUDSON		•	POMEROY		
DIETZ		•	KOSKI		•	REED		
DOTZENROD		•	KRETSCHMAR		•	RETZER		
DUBORD		•	KUCHERA		•	RICHARD		
EAGLES		•	LANG		•	RICHIE		
ERICKSON		•	LANGLEY		•	RIEHL		
FLEMING		•	LARDY		•	RUED		
FREBORG		•	LARSON # 24		•	SCHINDLER		
GACKLE		•	LARSON G # 28		•	SCOFIELD		
GERL		•	LARSON H # 7		•	SOLBERG		





• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAR
• HAUSAUER, A. #48	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2359.** — A Bill for an Act to create and enact a new subsection to section 49-02-02 of the North Dakota Century Code, relating to cooperation with federal and state agencies dealing with federal energy laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 0; absent and not voting, 25.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEW	•	
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK	•		• JACOBSON, I			• MUSHIK	•		• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• REED					
• DIETZ			• KOSKI			• RETZER					
• DOTZENROD			• KRETSCHMAR			• RICHARD					
• DuBORD			• KUCHERA	•		• RIEHL					
• EAGLES	•		• LANG			• RIED	•				
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING	•		• LAROT			• RUD	•				
• FROBORG	•		• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• STENHJEW					
• GORDER			• LEE			• STRINDEN					
• GUNDERSOHN			• LEIBHAN			• SWIONTEK					
• GUNSCH	•		• LIPSIEA			• THOMPSON					
• HANSON			• MAIXNER			• THORSGAR					
• HAUGLAND			• MARSDEN	•		• TIMM					
• HAUSAUER, A. #48			• MARTIN			• TINJUM					
• HAUSAUER, R. #25			• MARTINSON			• TWETEN	•				
• HEDSTROM			• MATHENY								

So the bill passed and the title was agreed to.

**Senate Bill No. 2360.** — A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code relating to residency determination in child placement cases for school tuition purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 0; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSOON			• UNHJEW	•	
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK	•		• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					

• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHER	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, G # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIE	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2383.** — A Bill for an Act to amend and reenact sections 25-15-01, 25-15-02, 25-15-03, 25-15-04, 25-15-05, 25-15-06, and 25-15-07 of the North Dakota Century Code, relating to vocational rehabilitation facilities for the handicapped.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 0; absent and not voting, 22.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSOSON			• UNHJEM	•	
• BENEDET			• NICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUIMANN			• MERTENS			• WAGNER		
• BERGER			• HOWE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHER			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, G # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIE			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2394.** — A Bill for an Act to create and enact a new subsection to section 27-20-51 of the North Dakota Century Code, relating to the confidentiality of juvenile court records and files and the inspection of those files by certain school officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 67; nays, 10; absent and not voting, 23.







HAUSAUER R. #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that the rules be suspended, and the following Senate Bills be messaged to the Senate immediately: 2109, 2256, 2304, 2383, and 2421, which motion prevailed.

Rep. Kloubec moved that the House reconsider its action whereby the House did not concur in the Senate amendments to House Bill No. 1192, which motion prevailed.

Rep. Kloubec moved that the House do concur in the Senate amendments to House Bill No. 1192, and that the Conference Committee appointed on House Bill No. 1192 be discharged, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order the House stand adjourned until 1:00 P.M., Friday, March 9, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred House Concurrent Resolution

No. 3002, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Falouts*

*Wenstrom*

Rep. Conmy Senator Wenstrom Co-Chairman

House Concurrent Resolution No. 3002 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision

to whom was referred House Concurrent Resolution

No. 3079, has had the same under consideration and recommends, by a vote of

Ayes, 4; Nays, 3; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10 delete the word "primary" and insert in lieu thereof the word "general"

On page 1, line 11 delete the word "September"

On page 2, line 32 delete "fil" and insert in lieu thereof "fill"

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

*Falouts*

*Wenstrom*

Rep. Conmy Senator Wenstrom Co-Chairman

House Concurrent Resolution No. 3079 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation  
to whom was referred House

Bill No. 1693, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 6; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Rep. Gackie Chairman

House Bill No. 1693 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2019, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 11, delete the numerals "424,097" and insert in  
lieu thereof the numerals "427,345"

On page 1, line 17, delete the numerals "187,567" and insert in  
lieu thereof the numerals "190,815"

On page 1, line 23, delete the numerals "424,097" and insert in  
lieu thereof the numerals "427,345"

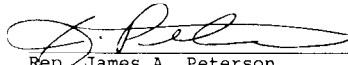
On page 1, line 24, delete the numerals "274,097" and insert in  
lieu thereof the numerals "277,345"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment increases salaries and wages by \$3,248 to provide  
adequate funds for 6.5 percent annual salary increases and  
adequate fringe benefits including family medical insurance.



Rep. James A. Peterson Chairman

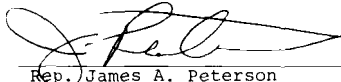
Senate Bill No. 2019 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2023, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 5, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson Chairman

Senate Bill No. 2023 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2024, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 5, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 9, delete the numerals "955,342" and insert in lieu thereof the numerals "981,009"

On page 1 of the engrossed bill, line 15, delete the numerals "745,443" and insert in lieu thereof the numerals "771,110"

On page 1 of the engrossed bill, line 20, delete the numerals "955,342" and insert in lieu thereof the numerals "981,009"

On page 1 of the engrossed bill, line 21, delete the numerals "685,447" and insert in lieu thereof the numerals "703,671"

On page 1 of the engrossed bill, line 22, delete the numerals "269,895" and insert in lieu thereof the numerals "277,338"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase the salaries and wages line item of Disaster Emergency Services by \$25,667, of which \$7,443 is from the general fund and \$18,224 is from federal funds. The increase is to provide for 6.5 percent annual salary increases and adequate fringe benefits including health insurance under the alternate plan.

And when so amended, recommends the same do pass.



Rep. James A. Peterson Chairman

Senate Bill No. 2024 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2070, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 7; Absent, 0, that the same

do pass.
  do not pass.
  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4, after the numerals "1955" insert "; and to provide for the application of this Act"

On page 2, after line 29, insert the following section:

"SECTION 2. APPLICATION.) This Act does not apply to any bond issue authorized by the governing body of the municipality pursuant to section 40-57-04 prior to July 1, 1979, even though the bonds are actually issued or sold after July 1, 1979, nor shall it apply to municipalities having a population of less than 7,500."

And renumber the lines and pages accordingly

And when amended, recommends the same do not pass.

Chairman

Senate

Bill No. 2070

Rep. Rued

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2085, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

but be re-referred to the Committee on Appropriations

Chairman

Senate

Bill No. 2085

Rep. Erickson

was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2086, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 5, line 21 of the engrossed bill after the period insert the following: "No truck under eighty-two thousand pounds operating on the highways of this state shall be required to pay for an improved equipment permit."

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*[Signature]* Chairman  
Rep. Erickson

Senate Bill No. 2086 was placed on the 6th order of business on the calendar for the succeeding legislative day.

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2092, has had the same under consideration and recommends that the same  
 do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 5 of the engrossed bill, after the word "statement" insert the following: ", and declaring an emergency"

On page 2, line 24 of the engrossed bill, delete the following: "LIMITATION ON APPLICABILITY.) The late" and insert in lieu thereof the following: "EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

On page 2 of the engrossed bill, delete lines 25 and 26

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Rued *[Signature]* Rep. Lang *[Signature]*  
Rep. Vander Vorst *[Signature]* Rep. Peltier *[Signature]*  
Rep. Dietz *[Signature]* Rep. Retzer *[Signature]*  
Rep. Hauqland *[Signature]* Rep. Vig *[Signature]*  
Rep. Kloubec *[Signature]* Rep. Wald *[Signature]*  
Rep. Hedstrom *[Signature]* *[Signature]* Chairman  
Rep. Rued

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Minority of your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2092, has had the same under consideration and recommends that the same  
 do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 5 of the engrossed bill, after the word "statement" insert the following: ", and declaring an emergency"

On page 1, line 18 of the engrossed bill, delete the word "and"

On page 1, line 20 of the engrossed bill, after the numbers 54-14, insert the following: ", and money due on hospital and medical accounts"

On page 2, line 24 of the engrossed bill, delete the following: "LIMITATION ON APPLICABILITY.) The late" and insert in lieu thereof the following: "EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

On page 2 of the engrossed bill, delete lines 25 and 26

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Rep. Dubord *Dubord*

Rep. Gerl *Gerl*

Rep. Koski *Koski*

Rep. Langley *Langley*

Rep. Maixner *Maixner*

*Rued* Chairman  
Rep. Rued

Representative Maixner moved that the report of the Minority be substituted for the report of the Majority.

The Reports of the Majority and the report of the Minority with Senate Bill No. 2092 were placed on the 6th order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2099, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

But be re-referred to the Committee on Appropriations

*Lang* Chairman  
Senate Bill No. 2099 Rep. Lang

was re-referred to the Committee on Appropriations.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2110, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 3, following the word "to", insert the following: "participate with subsidiary corporations, to"

On page 1, line 4, following the word "paper" insert the following: ", and to increase maximum loan value of farmland from one-half to seventy-five percent"


On page 1, line 10, delete the word "Centurty" and insert in lieu thereof the word "Century"

On page 1, line 22, after the first comma, insert the following: "subsidiary corporations of state banking associations approved by the state banking board pursuant to section 6-03-38,"

On page 2, line 25, delete the word "one-half" and insert in lieu thereof the words "seventy-five percent of"

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

 Chairman

Senate      Bill No. 2110      Rep. Rued

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2214, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

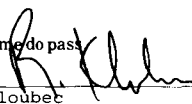
do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

On page 2, line 17 of the engrossed bill after the word "material" insert the words "not brought into this state for disposal"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman

Senate      Rep. Kloubet

Bill No. 2214      was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2219, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 0, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "reenact" insert the words "section 65-05-01, subsection 4 of section 65-05-16, and"

On page 1 of the engrossed bill, line 2, after the word "to" insert the words "filing of claims for compensation and"

On page 1 of the engrossed bill, line 3, after the word "benefits" insert "; and to declare an emergency"

On page 1 of the engrossed bill, after line 5, insert the following new sections:

"SECTION 1. AMENDMENT.) Section 65-05-01 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-05-01. CLAIMS FOR COMPENSATION - WHEN AND WHERE FILED.) All original claims for compensation shall be filed within one year after the injury or within two years after the death. The date of injury for purposes of this section shall be the actual date of injury when such can be determined with certainty by the claimant and bureau. When the actual date of injury cannot be determined with certainty the date of injury shall be the first date that a reasonable person knew or should have known that the injury was related to employment. No compensation or benefits shall be allowed under the provisions of this title to any person, except as provided in section 65-05-04, unless he or she, or someone on his or her behalf, shall file a written claim therefor within the time specified in this section. Such claim shall be filed by:

1. Delivering it at the office of the bureau or to any person whom the bureau by regulation may designate; or
2. Depositing it in the mail properly stamped and addressed to the bureau or to any person whom the bureau by regulation may designate.

SECTION 2. AMENDMENT.) Subsection 4 of section 65-05-16 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. In all events no death benefits shall be payable unless a claim is submitted within ~~one year~~ two years of the death and:
  - a. The death is a direct result of an accepted compensable injury; or
  - b. If no claim was submitted by the deceased, the claim for death benefits is submitted within ~~one-year~~ two years of the injury."

On page 1 of the engrossed bill, line 6, delete the numeral "1" and insert in lieu thereof the numeral "3"

On page 2 of the engrossed bill, after line 20, insert the following section:

"SECTION 4. EMERGENCY.) Sections 1 and 2 of this Act are hereby declared to be an emergency and shall be in effect from and after this Act's passage and approval."

And renumber the lines and pages accordingly



And when so amended, recommends the same do pass.

Chairman

Senate Bill No. 2219 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate

Bill No. 2225, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

Chairman

Senate Bill No. 2225 Rep. Haugland was placed on the 14th. order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2235, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 10 after the word "reenacted" insert the words "to read"

On page 2, line 11 delete the strike-through over the word "fifteen" and also on line 11 delete the word "twenty-five"

On page 2, line 19 after the word "reenacted" insert the words "to read"

On page 2, line 25 delete the word "twenty-five" and insert in lieu thereof the word "thirty"

On page 2, line 27 strike the word "of" and insert in lieu thereof the word "by"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Senate Bill No. 2235 Rep. Erickson was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2245, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

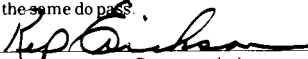
[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 1 of the engrossed bill delete the word "three" and insert in lieu thereof the word "two"
- On page 1, line 3 delete the following: "motorized bicycle,"
- On page 1, line 4 after the word "subsections" delete the following: "2,"
- On page 1, line 5 after the numeral "29" delete the comma
- On page 1, line 6 delete the words and comma "bicycle," and also on line 6 delete the comma after the word "manufacturer"
- On page 1, line 10 delete the word "Three" and insert in lieu thereof the word "Two"
- On page 1, delete lines 15 through 21
- On page 2, delete lines 1 through 7
- On page 2, line 12 after the word "Subsections" delete the following: "2," and also on line 12 delete the comma after the numeral "29"
- On page 2, delete lines 15 through 18

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Erickson

Senate Bill No. 2245 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2246 has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 2, line 30 of the engrossed bill after the period insert the following: "In addition to any other penalty, the registration to a motor vehicle may be suspended or revoked whenever the purchaser or transferee fails to present the endorsed and assigned certificate of title to the department for transfer and make application for a new certificate of title within the prescribed thirty days."
- On page 2, line 33 delete the underscored semi-colon and insert in lieu thereof an underscored period
- On page 2, delete lines 34 and 35
- On page 3, delete lines 1 through 3

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Erickson

Senate Bill No. 2246 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2267, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 9, after the semi-colon insert the words "to amend and reenact section 51-04-03 of the North Dakota Century Code, relating to license fees and issuance of a bond;"

On page 3, after line 15, insert the following new section:  
"SECTION 3. AMENDMENT.) Section 51-04-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

51-04-03. LICENSE FEE, BOND, ISSUANCE.) An applicant for a transient merchant's license shall pay to the treasurer of the county of application a license fee of ~~one hundred-fifty twenty-five dollars, any personal property taxes payable by him pursuant to statute,~~ and shall give a surety bond, or the deposit of cash in lieu thereof, to the county in an amount to be determined by the county treasurer which shall not be less than one thousand dollars nor more than ~~three~~ three ~~twenty~~ thousand dollars, the surety on which shall be a surety company authorized to transact business in the state of North Dakota. The contents and surety therein shall be subject to the approval of the county treasurer, and be conditioned that the applicant will in all things conform to the laws relating to transient merchants and further conditioned upon full compliance with all material oral or written statements and representations made by the applicant, his agents, representatives, or auctioneers with reference to merchandise sold or offered for sale, and on faithful performance under all warranties made with reference thereto. The bond shall not be revocable nor terminate prior to passage of two years' time after the expiration of the license issued pursuant thereto nor until due notice that the terms of the bond are to be canceled has been given to the county auditor.

The county treasurer shall issue to the applicant receipts for the foregoing payments and when the applicant files these receipts, and his application, with the county auditor, the auditor may issue to the applicant a transient merchant's license to do business as such at the place described in the application, and the kind of business to be done shall be described therein.

No license shall be valid for more than one person unless he shall be a bona fide member of a copartnership, nor for more than one place, and shall not be valid outside the county for which it is issued, except that licenses issued by the attorney general shall be valid in all counties of the state. The license shall expire after one year from date of issuance.

No sale under the purview of this chapter shall be conducted in the name of any person other than the bona fide owner of the goods, wares, and merchandise.

The files and records of the county treasurer and auditor pertaining to transient merchants shall be kept in convenient form and open for public inspection."

On page 3, line 19, underscore the word "--PENALTY"

On page 3, line 31, delete the word "our" and insert in lieu thereof the word "out"

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.



Rep. Rued

Chairman

THURSDAY, MARCH 8, 1979

1527

Senate Bill No. 2267 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2272 has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 2, line 18 of the engrossed bill after the word "from" strike the words "a half-hour after" and also on line 18 after the word "to" strike the words "a half-hour"

On page 2, line 19 strike the word "before"

On page 28, line 2 delete the word "provided" and insert in lieu thereof the word "provided"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Erickson Chairman

Senate Bill No. 2272 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2286 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 3, line 14 of the engrossed bill, strike the words "one dollar" and insert in lieu thereof "four dollars"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Lang Chairman

Senate Bill No. 2286 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2302 has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

Chairman

Senate Bill No. 2302 Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2344, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate Bill No. 2344 Rep. Haugland was placed on the 14th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2363, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate Bill No. 2363 Rep. Rued was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2379, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Chairman

Senate Bill No. 2379 Rep. Haugland was placed on the 14th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2405, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4 delete the word "and" and also on line 4 after the word "sheep" insert the following: ", and horses"

On page 2, line 15 delete the word "and"

On page 2, line 16 after the word "sheep" insert the following: ", and horses"

On page 2, line 17 delete the word "and" also on line 17 after the word "sheep" insert the following: ", and horses" also on line 17 after the word "from" insert the words "sickness or" and after the word "disease" insert the following: "at the time the sale is consummated, conditioned upon reasonable showing by the seller that all state and federal regulations pertaining to animal health were complied with"

On page 2, after line 17, insert the following subdivision: "f. Upon filing a complaint based on the provisions of subdivision e, the plaintiff and one or more sufficient sureties shall cause a bond to be executed in a sum equal to the amount of the plaintiff's claim, or such lesser amount as shall be approved by an order of the court, upon the condition that the plaintiff shall pay to the defendant all damages the defendant may sustain by reason thereof if the plaintiff's claim is unsuccessful."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate Bill No. 2405 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources to whom was referred Senate

Bill No. 2424, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 10 of the engrossed bill after the word "promulgate" insert "rules and" and also delete "shall" and insert "may"

On page 1, line 11 delete "in and" and also delete "the"

On page 1, delete lines 12 and 13

On page 1, line 14 delete "state. No" and insert in lieu thereof "A" and also delete "shall" and insert "may"

On page 1, line 15 delete "to do so, if" and insert in lieu thereof "provided"

On page 1, line 16 delete "over" and insert "less than" and also delete "or" and insert "and"

On page 1, line 17 delete "over" and insert "less than"

On page 1, line 18 delete "to conduct a"

On page 1, line 19 delete "fishing tournament"

On page 1, line 20 delete "fourteen" and insert "fifteen" and also after "days" delete ", excluding holidays,"

And renumber the lines accordingly

And when so amended, recommends the same do not pass.

*[Handwritten Signature]*

Rep. Kloubec Chairman

Senate Bill No. 2424 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2430 has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 2, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [x] be amended as follows:

On page 1, line 17 of the engrossed bill, strike the word "inhabitants" and insert in lieu thereof "electors"

On page 1, line 22, strike the word "inhabitants" and insert in lieu thereof "electors"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*[Handwritten Signature]*

Chairman

Senate Rep. Lang Bill No. 2430 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate

Bill No. 2449 has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 2; Absent, 5, that the same

[x] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

*[Handwritten Signature]*

Chairman

Senate Rep. Lang Bill No. 2449 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2462 has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 4; Absent, 1, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation. [x] be amended as follows:

On page 1, line 16, delete the word "twenty" and insert in lieu thereof the word "twenty-one"

On page 2, line 8, delete the word "or" and insert in lieu thereof the word "and"

On page 2, line 13, delete the following: "directing the county"

On page 2, line 14, delete the following: "commissioners to do so"

On page 2, line 16, after the word "petition" insert the words "is presented"

On page 2, line 20, delete the words "is presented"

On page 2, line 21, delete the following: "to the board of county commissioners"

On page 2, line 26, delete the word "shall" and insert in lieu thereof the word "may"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*R. H. Hinkle*  
Rep. Hinkle

Chairman

Senate Bill No. 2462 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision to whom was referred Senate Concurrent Resolution

No. 4009, has had the same under consideration and recommends, by a vote of

Ayes, 6; Nays, 1; Absent, 3, that reengrossed

Senate Concurrent Resolution No. 4009 do pass.

*Bob Conny*

*Wenstrom*

Co-Chairman

Rep. Conny Senator Wenstrom Senate Concurrent Resolution No. 4009 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution

No. 4018, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar

*Lang*

Chairman

Senate Concurrent Resolution No. 4018 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution

No. 4049, has had the same under consideration and recommends, by a vote of



Ayes, 11; Nays, 0; Absent, 5, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

And be placed on the Consent Calendar

*Lang*

Chairman

Senate Concurrent Resolution No. 4049 <sup>Rep. Lang</sup> was placed on the 10th  
order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned un-  
til 1:00 p.m., Friday, March 9, 1979.

ROY GILBREATH, Chief Clerk

FORTY-SEVENTH DAY

Bismarck, March 9, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. Win Stoerker, North Dakota Conference of Churches, Bismarck, North Dakota. The roll was called, and all members were present except Reps. Black, Lee, Mattson, Swiontek and Tweten. A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-sixth

day and recommends that the same be corrected as follows: On page 1511, line 19, delete "2358" and insert in lieu thereof "2349"

And when so corrected recommends that the same be approved.

Handwritten signature of Rep. Swiontek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Carl Meyer, and Rep. Meyer was thereupon introduced to the House.

PRESENTATION OF COMMUNICATIONS STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

The Honorable Vernon Wagner Speaker of the House House Chambers Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 7, 1979, I signed the following House Bills:

- House Bill No. 1016
House Bill No. 1055
House Bill No. 1058
House Bill No. 1118

- House Bill No. 1151
- House Bill No. 1154
- House Bill No. 1171
- House Bill No. 1184
- House Bill No. 1216
- House Bill No. 1224
- House Bill No. 1248
- House Bill No. 1265
- House Bill No. 1269
- House Bill No. 1279
- House Bill No. 1292
- House Bill No. 1313
- House Bill No. 1393
- House Bill No. 1456
- House Bill No. 1460
- House Bill No. 1466
- House Bill No. 1508
- House Bill No. 1562
- House Bill No. 1563
- House Bill No. 1615
- House Bill No. 1665

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

STATE OF NORTH DAKOTA  
 EXECUTIVE OFFICE  
 BISMARCK

The Honorable Vernon Wagner  
 Speaker of the House  
 House Chambers  
 Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill No. 1014 appropriates \$273,766 for the expenses of the Department of Veterans' Affairs.

Section 1 of the bill includes the following line item:

“Salaries and wages. . . . . \$227,006  
 (Includes salary of commissioner not to exceed \$46,200 for the biennium)”

State law provides that the Administrative Committee on Veterans' Affairs shall set the salary of the commissioner. The only restriction on the Committee's authority to determine the salary level of the commissioner is that the salary must be “within the limits of legislative appropriation”. (Section 37-18.1-03 North Dakota Century Code)

With the parenthetical phrase “(Includes salary of commissioner not to exceed \$46,200 for the biennium)”, the Legislature is substituting itself for the statutory committee for purposes of setting the salary of the commissioner. This in effect would amend state statute in an appropriation bill and is inappropriate.

The specific language by which the Legislature proposes to determine the salary of the commissioner is as follows:

“(Includes salary of commissioner not to exceed \$46,200 for the biennium)”

Therefore, I veto this specific language in House Bill No. 1014.

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

MOTIONS

Rep. Strinden moved that House Bill No. 1014 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that House Bill No. 1014 be laid over one legislative day, which motion prevailed.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Luther Kristensen, and Rep. Kristensen was thereupon introduced to the House.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1073 \_\_\_\_\_
- HB NO. 1219 \_\_\_\_\_
- HB NO. 1274 \_\_\_\_\_
- HB NO. 1353 \_\_\_\_\_
- HB NO. 1381 \_\_\_\_\_
- HB NO. 1407 \_\_\_\_\_
- HB NO. 1437 \_\_\_\_\_
- HB NO. 1491 \_\_\_\_\_
- HB NO. 1513 \_\_\_\_\_
- HB NO. 1524 \_\_\_\_\_
- HB NO. 1543 \_\_\_\_\_
- HB NO. 1596 \_\_\_\_\_
- HB NO. 1667 \_\_\_\_\_
- HCR NO. 3008 \_\_\_\_\_
- HCR NO. 3019 \_\_\_\_\_
- HCR NO. 3042 \_\_\_\_\_

and find the same correctly } Enrolled

*Wagner*  
Rep. Stenejem Chairman

Representative Lipsiea moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR 3088 be introduced.

*Earl Strinden*  
Rep. Earl Strinden Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR No. 3089 be introduced.



Chairman

Rep. Earl Strinden

Rep. Kretschmar

moved that the report be adopted, which motion

prevailed and the report was adopted.

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1340 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

Mr. Speaker:

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1340 which has failed to pass the House of Representatives over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the presiding officers of the House of Representatives as to the final action of that body with reference to the passage of this bill,

was delivered to the <sup>Secretary</sup> Secretary of State

9:10 o'clock A.M., March 9, 1979

Rep. Wayne K. Stenehjem, Chairman  
WEST NORTH DAKOTA PRODUCTS

## Report of Conference Committees

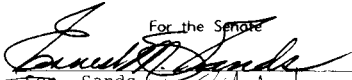
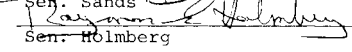


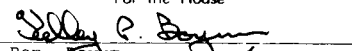
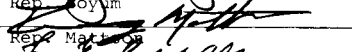
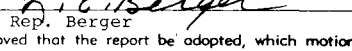
Mr. Speaker: Your Conference Committee to whom was refer-

red House Bill No. 1293 has had the same under consideration and recommends:

That the Senate recede from its amendments and that HB 1293 be amended as follows:

- On page 9, line 29 of the engrossed bill, delete the word "or"
- On page 9, line 33, delete the words "of the combined municipal utilities system"
- On page 9, line 32, delete the words "or of the combined"
- On page 9, line 33, delete the words "municipal utilities system"
- On page 10, line 3, delete the words "or of its combined"
- On page 10, line 4, delete the words "municipal utilities system"
- On page 10, line 11, delete the words "or through its"
- On page 10, line 12, delete the words "combined municipal utilities system"
- On page 10, line 19, delete the words "or related to its"
- On page 10, line 20, delete the words "combined municipal utilities system"
- On page 10, line 27, after the word "pledge" insert the words "of revenues"
- On page 10, line 30, delete the words "and any other funds" and also delete the words "and held or"
- On page 10, delete all of line 31

And renumber the lines, pages and sections accordingly

<p>For the Senate                    Sen. Sands                    Sen. Holmberg                    Sen. Berube                    Rep. Boyum</p>	<p>For the House                    Rep. Boyum                    Rep. Matthews                    Rep. Berger</p>
---	---

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1293 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

MESSAGE TO THE SENATE  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2109
- Senate Bill No. 2256
- Senate Bill No. 2304
- Senate Bill No. 2383
- Senate Bill No. 2421

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

- Senate Bill No. 2089
- Senate Bill No. 2189
- Senate Bill No. 2234
- Senate Bill No. 2468
- Senate Concurrent Resolution No. 4041

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

- Senate Bill No. 2151

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

- Senate Bill No. 2004
- Senate Bill No. 2005
- Senate Bill No. 2041
- Senate Bill No. 2230
- Senate Bill No. 2247
- Senate Bill No. 2248
- Senate Bill No. 2260
- Senate Bill No. 2322
- Senate Bill No. 2333
- Senate Concurrent Resolution No. 4012
- Senate Concurrent Resolution No. 4082
- Senate Concurrent Resolution No. 4083

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
 House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2004  
 Senate Bill No. 2005  
 Senate Bill No. 2041  
 Senate Bill No. 2230  
 Senate Bill No. 2247  
 Senate Bill No. 2248  
 Senate Bill No. 2260  
 Senate Bill No. 2322  
 Senate Bill No. 2333  
 Senate Concurrent Resolution No. 4012  
 Senate Concurrent Resolution No. 4082  
 Senate Concurrent Resolution No. 4083  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### SIXTH ORDER OF BUSINESS

Rep. Conmy moved that the amendments to House Concurrent Resolution No. 3079 as recommended by the Joint Committee on Constitutional Revision as printed on page 1516 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2019 as recommended by the Committee on Appropriations as printed on page 1517 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2024 as recommended by the Committee on Appropriations as printed on page 1518 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2070 as recommended by the Committee on Industry, Business and Labor as printed on pages 1518 and 1519 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2086 as recommended by the Committee on Transportation as printed on page 1519 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2092 as recommended by the Majority of the Committee on Industry, Business and Labor as printed on page 1520 of the House Journal be adopted.

#### PARLIAMENTARY RULING

Speaker Wagner ruled, according to House Rule No. 48, that if the Report of the Majority of the Committee on Industry, Business and Labor is adopted on Senate Bill No. 2092, the House then will vote only on that portion of the Minority report which states:

“On page 1, line 18 of the engrossed bill, delete the word ‘and’

“On page 1, line 20 of the engrossed bill, after the numbers 54-14, insert the following: ‘, and money due on hospital and medical accounts’”.

If the Report of the Majority is not adopted, then the House will vote on the entire Report of the Minority on Senate Bill No. 2092.

The question then was on the motion of Rep. Rued to adopt the amendments to Senate Bill No. 2092 as recommended by the Majority of the Committee on Industry, Business and Labor, as printed on page 1520 of the House Journal, which motion prevailed.

The question then was on the adoption of the amendments on that portion of the Minority Report on Senate Bill No. 2092, as shown on pages 1520 and 1521 of the House Journal, as follows:

“On page 1, line 18 of the engrossed bill, delete the word ‘and’

“On page 1, line 20 of the engrossed bill, after the numbers 54-14, insert

the following: ', and money due on hospital and medical accounts''

Rep. Maixner requested a recorded roll call vote, which request was granted.

The question then was on the motion of Rep. Rued to adopt that portion of the amendments as recommended by the Minority of the Committee on Senate Bill No. 2092.

ROLL CALL

The roll was called, and there ayes, 43; nays, 53; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN		●	MATTSON		●	UNHJEM		●
●			HICKLE		●	MEIERS		●	VANDER VORST		●
●			HOFFNER		●	MELBY		●	VIG		●
	●		HOLMANN		●	MERTENS		●	WAGNER		●
●			HOVE		●	MEYER		●	WALD		●
	●		JACOBSEN		●	WURPHY		●	WALSH		●
●			JACOBSON		●	MUSHK		●	WEBER		●
●			KELLY		●	NICHOLAS		●	WENTZ		●
●			KENNELLY		●	OLSON		●	WESSMAN		●
	●		KERMOTT		●	OPEDAHL		●	WINKJER		●
	●		KINGSBURY		●	PELTIER		●			
	●		KLOUBEC		●	PETERSON		●	MR. SPEAKER		
	●		KNUDSON		●	POMEROY		●			
	●		KOSKI		●	REED		●			
●			KRETSCHMAR		●	RETZER		●			
●			KUCHERA		●	RICHARD		●			
	●		LANG		●	RICHIE		●			
	●		LANGLEY		●	RIEHL		●			
●			LARDY		●	RUED		●			
●			LARSON F # 24		●	SCHINDLER		●			
●			LARSON G # 20		●	SCOFIELD		●			
●			LARSON H # 7		●	SOLBERG		●			
	●		LEE		●	STENEHJEM		●			
	●		LEIBHAN		●	STRINDEN		●			
	●		LIPSIEA		●	SWONTEK		●			
●			MAIXNER		●	THOMPSON		●			
	●		MARSDEN		●	THORSGARD		●			
●			MARTIN		●	TIMM		●			
●			MARTINSON		●	TINJUM		●			
●			MATHENY		●	TWETEN		●			

So the motion failed.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4076

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1190
- House Bill No. 1202
- House Bill No. 1305
- House Bill No. 1322
- House Bill No. 1379
- House Bill No. 1457
- House Bill No. 1462
- House Bill No. 1473
- House Bill No. 1477
- House Bill No. 1487
- House Bill No. 1505
- House Bill No. 1510



House Bill No. 1590  
 House Concurrent Resolution No. 3018  
 House Concurrent Resolution No. 3045  
 House Concurrent Resolution No. 3052

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1142  
 House Bill No. 1364  
 House Bill No. 1410  
 House Bill No. 1421

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1025  
 House Bill No. 1092  
 House Bill No. 1200  
 House Bill No. 1217  
 House Bill No. 1236  
 House Bill No. 1409  
 House Bill No. 1412  
 House Bill No. 1481  
 House Bill No. 1500  
 House Bill No. 1507  
 House Bill No. 1585

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1025

On page 1 of the engrossed bill, line 9, delete the numerals "748,328" and insert in lieu thereof the numerals "745,794"

On page 1 of the engrossed bill, line 15, delete the numerals "403,513" and insert in lieu thereof the numerals "400,979"

On page 1 of the engrossed bill, line 20, delete the numerals "748,328" and insert in lieu thereof the numerals "745,794"

On page 1 of the engrossed bill, line 22, delete the numerals "673,328" and insert in lieu thereof the numerals "670,794"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the salaries and wages of the Business and Industrial Development Department by \$2,534 to reflect the final adjustment necessary to allow full family medical coverage under the alternate plan.

AMENDMENTS TO HOUSE BILL NO. 1092

On page 1, line 16, delete the words "in which any person is" and insert in lieu thereof the words "rated X by the Motion Picture Association of America"

On page 1, delete line 17

On page 1, line 18, delete the words "sexual excitement"

On page 1, line 21, delete the word "person" and insert in lieu thereof the word "minor"

On page 2, delete lines 3 through 8

On page 2, delete the strike-through on lines 31 through 33

And renumber the pages, lines and sections accordingly

AMENDMENTS TO HOUSE BILL NO. 1200

On page 1, line 20, of the engrossed bill, following the word "state" delete the word "which" and insert in lieu thereof the word "who"

On page 2, line 16, of the engrossed bill, delete the following: "that is specifically designed,"

On page 2, of the engrossed bill, delete lines 17 and 18

On page 2, line 19, of the engrossed bill, after the word "state" insert the words "for the transportation"

On page 2, line 20, of the engrossed bill, after the word "helpless" and before the period insert the words "by any person who either holds himself out to the public for such a service or who regularly provides such a service"

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1217

On page 1, line 18, delete the words "The sum of thirty-five"

On page 1, delete lines 18-22

On page 1, line 23, delete the words and the period "as a standing appropriation."

And renumber the lines, sections and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1236

On page 1, line 13, of the engrossed bill, delete the strike-through over the word "nine" and delete the word "ten"

On page 1, line 14, of the engrossed bill, delete the word "Three" and insert in lieu thereof the word "Two"

On page 1, line 15, of the engrossed bill, following the word "officer," insert the words "and the"

On page 1, line 16, of the engrossed bill, following the word "Dakota" delete the following: ", and the commissioner of higher education"

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1409

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections"; and on the same line, after the numerals "40-55-06" insert the following: "and 40-55-07"

On page 1, line 16, delete the strike-through on the words "in such municipality" and insert the following: ", school district or park district,"

On page 1, line 19, after the period insert the following: "The members of the recreation board or commission shall be appointed by the mayor or presiding officer of the municipality, park district or school district involved, whichever of said political subdivisions establishes the recreation board."

- On page 2, line 1, after the comma insert the following: "park district or school district,"
- On page 2, line 4, strike-through the word "municipality" and following that word insert the following: "area involved, one shall be chosen from the membership of the governing body of the municipality,"
- On page 2, line 6, after the word "municipality" insert the word "involved" and after the period insert the following: "the remaining members shall be chosen at large from the largest geographic area represented by the municipality, park district or school district involved."
- On page 2, delete lines 7 through 12
- On page 2, line 13 delete the word and period "system."
- On page 2, line 19, after the word "officer" insert the following: "of the municipality, school district or park district involved"
- On page 2, line 22, delete the words "Appointments made after"
- On page 2, delete lines 23 through 25

On page 2, after line 25 insert the following new section:  
 "SECTION 2. AMENDMENT.) Section 40-55-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-55-07. GOVERNING BODY, BOARD, OR COMMISSION MAY ACCEPT GRANTS OF REAL ESTATE AND MONEY - CONDITIONS. The governing body of a municipality, school district or park district, recreation board or commission or other authority in which is vested the power to provide, establish, maintain and conduct such supervised recreation system may accept any grant or devise of real estate or any gift or bequest of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or recreation purposes, but if the acceptance thereof for such purposes will subject such municipality, school district or park district to additional expense for improvement, maintenance or removal, the acceptance or any grant or devise of real estate shall always be subject to the approval of the governing body of such municipality, school district or park district. Money received for such purpose, unless otherwise provided by the terms of the gift or bequest shall be deposited with the treasurer of such ~~municipality~~ the governing body to the account of the recreation board or commission or other body having charge of such work, and the same may be withdrawn and paid out by such body in the same manner as money appropriated for recreation purposes.

And renumber the lines, pages and sections accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1412

- on page 1, line 17, delete the words "twenty-five" and insert in lieu thereof the word "twenty"
- on page 1, line 20, delete the strike-through on the word "ten" and delete the word "twenty"

#### AMENDMENTS TO HOUSE BILL NO. 1481

- On page 1, line 16, strike through the words "five hundred thousand" and after the word "thousand" insert the words "one million"

#### AMENDMENTS TO HOUSE BILL NO. 1500

- On page 2, line 16, delete the word "who" and insert in lieu thereof the word "that"
- On page 2, line 25, delete the words "who receives" and insert in lieu thereof the words "that receive"

## AMENDMENTS TO HOUSE BILL NO. 1507

On page 1, line 1, after the word "reenact" insert the words  
"subsection 5 of section 57-39.2-01 and"

On page 1, line 3, delete the words "fairs and"

On page 1, line 4, after the word "are" insert the word "not"

On page 1, after line 7, insert the following new section:

"SECTION 1. AMENDMENT.) Subsection 5 of section 57-39.2-01 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. "Retailer" includes every person engaged in the business of leasing or renting hotel, motel, or tourist court accommodations, and every person engaged in the business of selling tangible goods, wares, or merchandise at retail, or furnishing of steam, gas, electricity, water and communication services, or tickets or admissions to places of amusement, entertainment and athletic events including the playing of any machine for amusement or entertainment in response to the use of a coin, or magazines, or other periodicals, and any person engaged in operating or managing a publicly-owned facility; and shall include any person as herein defined who by contract or otherwise agrees to furnish for a consideration a totally or partially finished product consisting in whole or in part of tangible personal property subject to the sales tax herein provided, and all items of tangible personal property entering into the performance of such contract as a component part of the product agreed to be furnished under said contract shall be subject to the sales tax herein provided and the sales thereon shall be collected by the contractor from the person from whom the contract has been performed in addition to the contract price agreed upon, and shall be remitted to the state in the manner provided in this chapter; and shall include the state or any municipality furnishing steam, gas, electricity, water, or communication service to members of the public in its proprietary capacity. For the purpose of this chapter retailer shall also include every clerk, auctioneer, agent or factor selling tangible personal property owned by any other retailer."

On page 1, line 8, delete the numeral "1" and insert in lieu thereof the numeral "2"

On page 1, line 12, delete the strike-through over the word "the"

On page 1, line 14, after the word "activities" insert the following: "unless the activities are held in a publicly-owned facility"; and on the same line delete the strike-through over the word "net"

On page 1, line 15, delete the underscored word "gross"

And renumber the lines, sections and pages accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1585

On page 1, line 8, of the engrossed bill, delete the word "noncustodial" and insert in lieu thereof the word "custodial"

On page 4, line 16, of the engrossed bill, delete the word "who" and insert in lieu thereof the word "whom"

On page 4, line 33, of the engrossed bill, following the word "decree" insert the following language ", however, a court order shall not be required if the noncustodial parent has not exercised such visitation rights for a period of one year"

And renumber the lines and pages accordingly

#### SIXTH ORDER OF BUSINESS

Rep. Rued moved that the amendments to Senate Bill No. 2110 as recommended by the Committee on Industry, Business and Labor as printed on pages 1521 and 1522 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2214 as recommended by the Committee on Natural Resources as printed on page 1522 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2219 as recommended by the Committee on Industry, Business and Labor as printed on pages 1522 and 1523 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2235 as recommended by the Committee on Transportation as printed on page 1524 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2245 as recommended by the Committee on Transportation as printed on pages 1524 and 1525 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2246 as recommended by the Committee on Transportation as printed on page 1525 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2267 as recommended by the Committee on Industry, Business and Labor as printed on page 1526 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2272 as recommended by the Committee on Transportation as printed on page 1527 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2286 as recommended by the Committee on Political Subdivisions as printed on page 1527 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to Senate Bill No. 2405 as recommended by the Committee on Agriculture as printed on pages 1528 and 1529 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2424 as recommended by the Committee on Natural Resources as printed on pages 1529 and 1530 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2430 as recommended by the Committee on Political Subdivisions as printed on page 1530 of the House Journal be adopted, which motion prevailed on a verification vote.

Rep. Gackle moved that the amendments to Senate Bill No. 2462 as recommended by the Committee on Finance and Taxation as printed on pages 1530 and 1531 of the House Journal be adopted, which motion prevailed.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

Reps. Kingsbury and Freborg introduced:

**House Concurrent Resolution No. 3088.** — A concurrent resolution for a constitutional amendment providing for the creation of a coal development impact trust fund; and providing an effective date.

Was read the first time and referred to the Joint Committee on Constitutional Revision.

Reps. F. Larson and Berge and Senator Strinden introduced:

**House Concurrent Resolution No. 3089.** — A concurrent resolution congratulating Willis "Bill" Osmon, the Valley City State College athletic director, on being named to the National Association of Intercollegiate Athletics Hall of Fame.

Which was read the first time.

Rep. Strinden moved that the rules be suspended, that House Concurrent Resolution No. 3089 not be referred to committee, not printed as a bill but printed in the journal, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION No. 3089

Introduced by Reps. F. Larson, Berge, Senator Strinden (Approved by Committee on Delayed Bills).

A concurrent resolution congratulating Willis "Bill" Osmon, the Valley City State College athletic director, on being named to the National Association of Intercollegiate Athletics Hall of Fame.

WHEREAS, he has coached at Valley City State College for 31 years; and

WHEREAS, he began as a basketball and track coach in 1947 and became athletic director in 1948, winning nine conference basketball championships, eleven golf titles, and two track titles; and

WHEREAS, he has been the National Association of Intercollegiate Athletics (NAIA) District 12 chairman for 20 years; and

WHEREAS, he has been selected to receive the Meritorious Service Award, being named to the NAIA Hall of Fame, and will be honored at an NAIA Hall of Fame luncheon on Thursday, March 15, 1979, in Kansas City, Missouri; and

WHEREAS, to date (since 1952) only 27 such awards have been given, and he is one of only six in the nation receiving this award in 1979; and

WHEREAS, March 15, 1979, has been declared Bill Osmon Day in his honor;

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

That the Forty-sixth Legislative Assembly extends its congratulations to Bill Osmon on being selected to receive the Meritorious Service Award and being named to the NAIA Hall of Fame; and

BE IT FURTHER RESOLVED, that enrolled copies of this resolution be sent to Bill Osmon and to Valley City State College.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3089.** — A concurrent resolution congratulating Willis "Bill" Osmon, the Valley City State College athletic director, on being named to the National Association of Intercollegiate Athletics Hall of Fame.

Was read the second time.

So the House Concurrent Resolution was declared adopted on a voice vote.

FIRST READING OF  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4078.** — A concurrent resolution directing the Legislative Council to study eminent domain procedures for condemnation of land acquired for public use, and relocation assistance.

Which was read the first time and referred to the Committee on Judiciary.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2052

Senate Bill No. 2152

Senate Bill No. 2154

Senate Bill No. 2198

Senate Bill No. 2244

Senate Bill No. 2268

Senate Bill No. 2294

Senate Bill No. 2340

Senate Bill No. 2390

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1006, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1019, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1032, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1035, which motion prevailed.

Rep. Kingsbury moved that House Bill No. 1037 be moved to the foot of the 12th Order of Business, which motion prevailed.

Rep. Kloubec moved that the House not concur on Senate amendments to House Bill No. 1222, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

Rep. Kloubec moved that the House do concur in the Senate amendments to House Bill No. 1250, which motion prevailed.

Rep. Erickson moved that the House do concur in the Senate amendments to House Bill No. 1374, which motion prevailed.

Rep. Erickson moved that the House do concur in the Senate amendments to House Bill No. 1458, which motion prevailed.

Rep. Lang moved that House Bill No. 1479 be laid over one legislative day, which motion prevailed.

Rep. Lang moved that the House do concur in the Senate amendments to House Bill No. 1578, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1582, which motion prevailed.

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1037, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner appointed the following conference committees:

On House Bill No. 1006:

Rep. R. Hausauer

Rep. Kingsbury

Rep. Mushik

House Bill No. 1019:

Rep. Tweten

Rep. R. Jacobsen

Rep. Mertens

House Bill No. 1032:

Rep. Unhjem

Rep. Gunsch

Rep. Opedahl

House Bill No. 1222:

Rep. Wessman

Rep. Crabtree

Rep. Tinjum

Senate Bill No. 2021:

Rep. Marsden

Rep. R. Christensen

Rep. Opedahl

Senate Bill No. 2028:

Rep. Eagles

Rep. Unhjem

Rep. Mushik

Senate Bill No. 2113:

Rep. Kermott

Rep. Herman

Rep. Brokaw

#### MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2156, 2207, but has refused to concur in the House amendment to Senate Bill No. 2016.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2016:

Senator Fritzell

Senator Lips

Senator Erdman

LEO LEIDHOLM, Secretary

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1192** — A Bill for an Act to create and enact a new section to chapter 20.1-10 of the North Dakota Century Code, relating to searching a building without a search warrant or permission; to amend and reenact section 20.1-02-15 of the North Dakota Century Code, relating to the police powers of the game and fish commissioner and his appointees, and prohibiting building searches without a warrant or permission; and providing a penalty.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.





relating to definitions in the Revised Uniform Adoption Act; and to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the disclosure of adoptive information and providing for retroactive application.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 5; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON		• UNHJEM
• BENEDICT			• HICKLE			• WEIERS		• VANDER VORST
• BERG		•	• HOFFNER			• WELBY		• VIG
• BERGE			• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• WEYER	•	• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK		•	• JACOBSON I			• MUSHIK	•	• WEBER
• BOYLUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POWEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL	•	
• FLEWING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 26			• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIHAN			• STRINDEN		
• GUNSCH			• LIPSIA			• SWONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49	•		• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1346.** — A Bill for an Act to amend and reenact sections 23-19-01, 23-19-04, and 23-19-05 of the North Dakota Century Code, relating to license and permit requirements for the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; license and permit fees; and licenses and license tags.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 17; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON		• UNHJEM
• BENEDICT			• HICKLE			• WEIERS		• VANDER VORST
• BERG		•	• HOFFNER			• WELBY		• VIG
• BERGE			• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• WEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYLUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONNY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER
• DICK			• KNUDSON			• POWEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL	•	
• FLEWING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		

• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSON	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1509.** — A Bill for an Act to amend and reenact section 23-07-17.1 of the North Dakota Century Code, relating to inoculations required before admission to school and providing exemptions; and to repeal section 23-14-02 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 6; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY		• VIG			
• BERGE			• HOUMANN			• MERTENS		• WAGNER			
• BERGER			• HOVE			• MEYER		• WALD			•
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH			
• BLACK			• JACOBSON I			• MUSHIK		• WEBER			
• BOYUM			• KELLY			• NICHOLAS		• WENTZ			
• BROKAW			• KENNELLY			• OLSON		• WESSMAN			
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKER			
• CONNY			• KINGSBURY			• PELTER					
• CRABTREE			• KLOUBEC			• PETERSON		• MR. SPEAKER			
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUICHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSON			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1545.** — A Bill for an Act to create and enact a new section to chapter 50-01 of the North Dakota Century Code, relating to the determination of eligibility for county poor relief, notice of the determination regarding county poor relief eligibility, and appeals from such determination; and to amend and reenact section 50-01-01 of the North Dakota Century Code, relating to eligibility for county poor relief.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		

• BERG	• HOFFNER	• MELBY	• WIG
• BERGE	• HOLMANN	• WERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHK	• WEBER
• BOYLUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POWEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 46	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1073

House Bill No. 1219

House Bill No. 1274

House Bill No. 1353

House Bill No. 1381

House Bill No. 1407

House Bill No. 1437

House Bill No. 1491

House Bill No. 1513

House Bill No. 1524

House Bill No. 1543

House Bill No. 1596

House Bill No. 1667

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3019

House Concurrent Resolution No. 3042

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1073

House Bill No. 1219

House Bill No. 1274

House Bill No. 1353

House Bill No. 1381

House Bill No. 1407

House Bill No. 1437

House Bill No. 1491

House Bill No. 1513

House Bill No. 1524

House Bill No. 1543

House Bill No. 1596

House Bill No. 1667

House Concurrent Resolution No. 3008



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUWANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A. # 49	•		MARTIN	•		TMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TNJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost for want of a constitutional majority.

SECOND READING OF HOUSE BILLS

**House Bill No. 1693.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide for a partial exemption from such tax on coal used for the production of methanol.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 43; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT	•		HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUWANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G. # 29	•		SCOFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A. # 49	•		MARTIN	•		TMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TNJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost for want of a constitutional majority.

## MOTION

Rep. Strinden moved that the House stand in recess for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

## MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1073

House Bill No. 1219

House Bill No. 1274

House Bill No. 1353

House Bill No. 1381

House Bill No. 1407

House Bill No. 1437

House Bill No. 1491

House Bill No. 1513

House Bill No. 1524

House Bill No. 1543

House Bill No. 1596

House Bill No. 1667

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3019

House Concurrent Resolution No. 3042

Which the President has signed.

LEO LEIDHOLM, Secretary

## MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1261, 1309, 1346, 1509, 1545, and subsequently passed the same, but refused to concur in the Senate amendment to House Bills Nos. 1006, 1019, 1032, 1222.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bills Nos. 1006, 1019, 1032, and 1222:

House Bill No. 1006:

Rep. R. Hausauer

Rep. Kingsbury

Rep. Mushik

House Bill No. 1019:

Rep. Tweten

Rep. Jacobson

Rep. Mertens

House Bill No. 1032:

Rep. Unjhem

Rep. Gunsch

Rep. Opedahl

House Bill No. 1222:

Rep. Wessman

Rep. Crabtree

Rep. Tinjum

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it refused to concur in the Senate amendments to House Bill No. 1192, and now has concurred in the Senate amendments

to House Bill No. 1192; has discharged the Conference Committee, and subsequently passed House Bill No. 1192.

ROY GILBREATH, Chief Clerk

## REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H.B. No. 1073 .....

H.B. No. 1219 .....

H.B. No. 1274 .....

H.B. No. 1353 .....

H.B. No. 1381 .....

H.B. No. 1407 .....

H.B. No. 1437 .....

H.B. No. 1491 .....

H.B. No. 1513 .....

H.B. No. 1524 .....

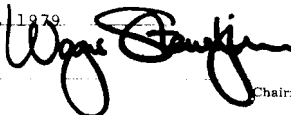
H.B. No. 1543 .....

H.B. No. 1596 .....

H.B. No. 1667 .....

..... were delivered to the { Governor  
Secretary of State for his approval at the hour of

3:00 o'clock P.M., March 9, 1979.



Chairman.

### MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2021:

Rep. Marsden

Rep. R. Christensen

Rep. Opedahl

Senate Bill No. 2028:

Rep. Eagles

Rep. Unhjem

Rep. Mushik

Senate Bill No. 2113:

Rep. Kermott

Rep. Herman

Rep. Brokaw

ROY GILBREATH, Chief Clerk



## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2052

Senate Bill No. 2152

Senate Bill No. 2154

Senate Bill No. 2198

Senate Bill No. 2244

Senate Bill No. 2268

Senate Bill No. 2294

Senate Bill No. 2340

Senate Bill No. 2390

And the Speaker signed the same in the presence of the House of Representatives.

## MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2052

Senate Bill No. 2152

Senate Bill No. 2154

Senate Bill No. 2198

Senate Bill No. 2244

Senate Bill No. 2268

Senate Bill No. 2294

Senate Bill No. 2340

Senate Bill No. 2390

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3008

H.C.R. No. 3019

H.C.R. No. 3042

were delivered to the } ~~Speaker~~  
Secretary of State ~~XXXXXXXXXX~~ at the hour of

3:09 o'clock pm, March 8, 1979

Rep. Stebbins

Chairman.

## MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 1156.

LEO LEIDHOLM, Secretary

SECOND READING OF  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3002.** — A concurrent resolution to create a new section of the Constitution of the State of North Dakota relating to legislative reimbursement; to repeal section 45 of the Constitution of the State of North Dakota, relating to legislative salaries and mileage; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 65; nays, 4; absent and not voting, 31.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			●	MATTSON		●	UNHJEM	
BENEDICT ●			HICKLE ●			●	MEIERS		●	VANDER VORST	●
BERG ●			HOFFNER ●			●	MELBY		●	VIG	
BERGE ●			HOUMANN ●			●	MERTENS		●	WAGNER	
BERGER ●			HOVE ●			●	MEYER ●		●	WALD	
BJORNSON ●			JACOBSEN R ●			●	MURPHY ●		●	WALSH ●	
BLACK ●			JACOBSON I ●			●	MUSHIK ●		●	WEBER ●	
BOYUM ●			KELLY ●			●	NICHOLAS ●		●	WENTZ ●	
BROKAW ●			KENNELLY ●			●	OLSON ●		●	WESSMAN	
CHRISTENSEN ●			KERMOTT ●			●	OPEDAHL ●		●	WINKJER ●	
CONMY ●			KINGSBURY ●			●	PELTIER ●		●		
CRABTREE ●			KLOUBEC ●			●	PETERSON ●		●	MR. SPEAKER	
DICK ●			KNUDSON ●			●	POMEROY ●				
DIETZ ●			KOSKI ●			●	REED ●				
DOTZENROD ●			KRETSCHMAR ●			●	RETZER ●				
DUBORD ●			KUCHERA ●			●	RICHARD ●				
EAGLES ●			LANG ●			●	RICHIE ●				
ERICKSON ●			LANGLEY ●			●	RIEHL ●				
FLEMING ●			LARDY ●		●	●	RUED ●				
FREBERG ●			LARSON F # 24 ●			●	SCHINDLER ●				
GACKLE ●			LARSON # 29 ●			●	SCOFIELD ●				
GERL ●			LARSON # 7 ●			●	SOLBERG ●				
GORDER ●			LEE ●			●	STENEHJEM ●				
GUNDERSON ●			LEIBHAN ●			●	STRINDEN ●				
GUNSON ●			LIPSIE ●			●	SWONTEK ●				
HANSON ●			MAXNER ●			●	THOMPSON ●				
HAUGLAND ●			MARSDEN ●			●	THORSGARD ●				
HAUSAUER A # 49 ●			MARTIN ●			●	TIMM ●				
HAUSAUER R # 25 ●			MARTINSON ●			●	TINJUM ●		●		
HEDSTROM ●			MATHENY ●			●	TWETEN ●				

So the House Concurrent Resolution was declared adopted.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2023.** Adjutant General — A Bill for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 0; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			●	MATTSON		●	UNHJEM	
BENEDICT ●			HICKLE ●			●	MEIERS		●	VANDER VORST	
BERG ●			HOFFNER ●			●	MELBY		●	VIG	
BERGE ●			HOUMANN ●			●	MERTENS		●	WAGNER	
BERGER ●			HOVE ●			●	MEYER ●		●	WALD	
BJORNSON ●			JACOBSEN R ●			●	MURPHY ●		●	WALSH ●	
BLACK ●			JACOBSON I ●			●	MUSHIK ●		●	WEBER ●	
BOYUM ●			KELLY ●			●	NICHOLAS ●		●	WENTZ ●	
BROKAW ●			KENNELLY ●			●	OLSON ●		●	WESSMAN	
CHRISTENSEN ●			KERMOTT ●			●	OPEDAHL ●		●	WINKJER ●	
CONMY ●			KINGSBURY ●			●	PELTIER ●		●		
CRABTREE ●			KLOUBEC ●			●	PETERSON ●		●	MR. SPEAKER	
DICK ●			KNUDSON ●			●	POMEROY ●				
DIETZ ●			KOSKI ●			●	REED ●				
DOTZENROD ●			KRETSCHMAR ●			●	RETZER ●				
DUBORD ●			KUCHERA ●			●	RICHARD ●				
EAGLES ●			LANG ●			●	RICHIE ●				
ERICKSON ●			LANGLEY ●			●	RIEHL ●				
FLEMING ●			LARDY ●			●	RUED ●				
FREBERG ●			LARSON F # 24 ●			●	SCHINDLER ●				
GACKLE ●			LARSON # 29 ●			●	SCOFIELD ●				
GERL ●			LARSON # 7 ●			●	SOLBERG ●				
GORDER ●			LEE ●			●	STENEHJEM ●				
GUNDERSON ●			LEIBHAN ●			●	STRINDEN ●				
GUNSON ●			LIPSIE ●			●	SWONTEK ●				
HANSON ●			MAXNER ●			●	THOMPSON ●				
HAUGLAND ●			MARSDEN ●			●	THORSGARD ●				
HAUSAUER A # 49 ●			MARTIN ●			●	TIMM ●				
HAUSAUER R # 25 ●			MARTINSON ●			●	TINJUM ●				
HEDSTROM ●			MATHENY ●			●	TWETEN ●				

So the bill passed and the title was agreed to.

**Senate Bill No. 2044.** — A Bill for an Act to require state agencies, departments, and institutions to obtain the approval of the budget section of the legislative council prior to employing persons through programs provided under the Federal Comprehensive Employment and Training Act of 1973.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 28; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	HERMAN ●			MATTSON ●		●	● UNHJEM		
			● HICKLE			● MEIERS ●			● VANDERVORST		
		●	● HOFFNER		●	● MELBY			● VIG		
●			● HOUWMANN			● WERTENS		●	● WAGNER		
●			● HOVE			● MEYER		●	● WALD		
●	BJORNSON		● JACOBSEN R			● MURPHY			● WALSH		●
●	BLACK		JACOBSON I		●	● MUSHIK		●	● WEBER		●
●	BOYUM		● KELLY			● NICHOLAS			● WENTZ ●		
●	BROKAW	●	● KENNELLY			● OLSON			● WESSMAN		●
●	CHRISTENSEN		● KERMOTT			● OPEDAHL		●	● WINKJER		●
●	CONNY		● KINGSBURY			● PELTIER					
●	CRABTREE		● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
●	DICK		● KNUDSON			● POMEROY		●			
●	DIETZ		● KOSKI		●	● REED					
●	DOTZENROD		● KRETSCHMAR			● RETZER					
●	DUBORD		● KUCHERA			● RICHARD		●			
●	EAGLES	●	● LANG			● RICHIE					
●	ERICKSON		● LANGLEY		●	● RIEHL		●			
●	FLEMING	●	● LARDY		●	● RUED					
●	FREBORG		● LARSON F #24			● SCHINDLER					
●	GACKLE		● LARSON G #26			● SCOFIELD					
●	GERL	●	● LARSON H #27			● SOLBERG		●			
●	GORDER		● LEE		●	● STENEHJEM					
●	GUNDERSON		● LEIBMAN		●	● STRINDEN					
●	GUNSCH		● LIPSIEA			● SWIONTEK					
●	HANSON	●	● MAIXNER		●	● THOMPSON					
●	HAUGLAND		● MARSDEN			● THORSGARD					
●	HAUSAUER A #49		● MARTIN			● TIMM					
●	HAUSAUER R #25		● MARTINSON			● TINJUM		●			
●	HEDSTROM		● MATHENY			● TWETEN ●					

So the bill passed and the title was agreed to.

**Senate Bill No. 2095.** — A Bill for an Act to create and enact a new section to chapter 44-02 of the North Dakota Century Code, relating to the ineligibility of the governor for appointment as United States senator or to elective state office.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 25; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN ●			● MATTSON		●	● UNHJEM		
●			● HICKLE			● MEIERS			● VANDERVORST		
●		●	● HOFFNER		●	● MELBY			● VIG		●
●			● HOUWMANN			● WERTENS		●	● WAGNER		
●			● HOVE			● MEYER		●	● WALD		
●	BJORNSON		● JACOBSEN R			● MURPHY			● WALSH		●
●	BLACK		JACOBSON I		●	● MUSHIK		●	● WEBER		●
●	BOYUM		● KELLY			● NICHOLAS			● WENTZ ●		
●	BROKAW		● KENNELLY			● OLSON			● WESSMAN		●
●	CHRISTENSEN		● KERMOTT			● OPEDAHL		●	● WINKJER		●
●	CONNY		● KINGSBURY			● PELTIER		●			
●	CRABTREE	●	● KLOUBEC			● PETERSON ●			● MR. SPEAKER		
●	DICK	●	● KNUDSON			● POMEROY		●			
●	DIETZ		● KOSKI		●	● REED					
●	DOTZENROD		● KRETSCHMAR			● RETZER					
●	DUBORD		● KUCHERA			● RICHARD		●			
●	EAGLES	●	● LANG			● RICHIE					
●	ERICKSON		● LANGLEY		●	● RIEHL		●			
●	FLEMING	●	● LARDY		●	● RUED					

● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 28	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIHAN	● STRINDEN
● GUNSON	● LIPSIEA	● SWONTEK
● HANSON	● MAIKNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.  
**Senate Bill No. 2135.** — A Bill for an Act to amend section 54-21-25 of the North Dakota Century Code, relating to contracting of services if suitable facilities or services are not available for adult inmates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 2; absent and not voting, 16.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN	●		● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE	●		● MEIERS			● VANDER VORST		
● BERG			● HOFFNER	●		● MELBY			● VIG		
● BERGE			● HOUMANN	●		● MERTENS			● WAGNER		
● BERGER			● HOVE	●		● MEYER			● WALD	●	
● BJORNSON			● JACOBSEN R	●		● MURPHY			● WALSH		
● BLACK			● JACOBSON I	●		● MUSHIK			● WEBER	●	
● BOYUM			● KELLY	●		● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY	●		● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT	●		● OPEDAHL	●		● WINKLER	●	
● CONMY			● KINGSBURY	●		● PELTIER					
● CRABTREE			● KLOUBEC	●		● PETERSON	●		● MR SPEAKER		
● DICK	●		● KNUDSON	●		● POMEROY					
● DIETZ			● KOSKI	●		● REED					
● DOTZENROD			● KRETSCHMAR	●		● RETZER					
● DUBORD			● KUCHERA	●		● RICHARD					
● EAGLES	●		● LANG	●		● RICHIE					
● ERICKSON			● LANGLEY	●		● RIEHL					
● FLEMING			● LARDY	●		● RUED					
● FREBORG			● LARSON F # 24	●		● SCHINDLER					
● GACKLE			● LARSON G # 28	●		● SCOFIELD					
● GERL			● LARSON H # 7	●		● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIHAN	●		● STRINDEN					
● GUNSON			● LIPSIEA	●		● SWONTEK					
● HANSON			● MAIKNER	●		● THOMPSON					
● HAUGLAND			● MARSDEN	●		● THORSGARD					
● HAUSAUER A # 49			● MARTIN	●		● TIMM					
● HAUSAUER R # 25			● MARTINSON	●		● TINJUM					
● HEDSTROM			● MATHENY	●		● TWETEN	●				

So the bill passed and the title was agreed to.  
**Senate Bill No. 2153.** — A Bill for an Act to amend and reenact subsection 2 of section 43-23-08 and subsection 1 of section 43-23-11.1 of the North Dakota Century Code, relating to license standards and grounds for suspension or revocation of licenses of real estate brokers and salesmen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 0; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN	●		● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE	●		● MEIERS			● VANDER VORST		
● BERG			● HOFFNER	●		● MELBY			● VIG		
● BERGE			● HOUMANN	●		● MERTENS			● WAGNER		
● BERGER			● HOVE	●		● MEYER			● WALD		
● BJORNSON			● JACOBSEN R	●		● MURPHY			● WALSH		
● BLACK			● JACOBSON I	●		● MUSHIK			● WEBER	●	
● BOYUM			● KELLY	●		● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY	●		● OLSON			● WESSMAN		

CHRISTENSEN	● KERMOTT	OPEDAH ●	WINKJER ●
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK ●	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED ●	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES ●	● LANG	● RICHIE	
● ERICSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON # 7	● SOLBERG	
● GORDER	● LEE ●	● STENEHEW	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIA ●	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGRAD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN ●	

So the bill passed and the title was agreed to.

**Senate Bill No. 2159.** — A Bill for an Act to amend and reenact subsection 1 of section 27-20-10, subsection 1 of section 27-20-13, subsection 2 of section 27-20-37, and section 50-25.1-08 of the North Dakota Century Code, relating to informal adjustment of minors, to taking minors into custody, to the modification or vacation of orders of the juvenile court, and to the appointment of guardians ad litem.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 0; absent and not voting, 20.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN ●			● MATTSON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG ●			● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK ●			● JACOBSON J			● MUSHIK		● WEBER
● BOYUM			● KELLY ●			● NICHOLAS		● WENTZ ●
● BROKAW			● KENNEL			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAH ●		● WINKJER ●
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK ●			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES ●			● LANG			● RICHIE		
● ERICSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL			● LARSON # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHEW		
● GUNDERSON			● LEIBMAN			● STRINDEN		
● GUNSCH			● LIPSIA ●			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGRAD		
● HAUSAUER A # 49			● MARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN ●		

So the bill passed and the title was agreed to.

**Senate Bill No. 2160.** — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an adjustment to taxable income for individuals and fiduciaries with respect to unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 35; absent and not voting, 19.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN	•		• MATTON		• UNHJEM
• BENEDICT	•		• HICKLE			• MEIERS	•	• VANDER VORST
• BERG		•	• HOFFNER	•	•	• MELBY	•	• VIG
• BERGE			• HOUMANN	•		• MERTENS	•	• WAGNER
• BERGER		•	• HOVE		•	• MEYER	•	• WALD
• BJORNSON	•		• JACOBSEN R	•	•	• MURPHY	•	• WALSH
• BLACK		•	• JACOBSON J	•		• MUSHIK	•	• WEBER
• BOYUM		•	• KELLY	•	•	• NICHOLAS	•	• WENTZ
• BROKAW		•	• KENNELLY		•	• OLSON	•	• WESSMAN
• CHRISTENSEN		•	• KERWOTT	•		• OPEDAH	•	• WINKJER
• CONNY		•	• KINGSBURY			• PELTIER		
• CRABTREE		•	• KLOUBEK		•	• PETERSON		• MR. SPEAKER
• DICK	•		• KNUDSON			• POMEROY		
• DIETZ		•	• KOSKI	•	•	• REED		
• DOTZENROD		•	• KRETSCHMAR	•		• RETZER		
• DUBORD			• KUCHERA	•		• RICHARD		
• EAGLES		•	• LANG		•	• RICHIE		
• ERICKSON		•	• LANGLEY	•		• RIEHL		
• FLEMING			• LARDY	•		• RUED		
• FREBORG	•		• LARSON F # 24			• SCHINDLER		
• GACKLE	•		• LARSON G # 29		•	• SCOFIELD		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON		•	• LEIBHAN			• STRINDEN		
• GUNSCHE		•	• LIPSIEA			• SWONTEK		
• HANSON		•	• MAIXNER	•		• THOMPSON		
• HAUGLAND		•	• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN		•	• TIMM		
• HAUSAUER R # 25			• MARTINSON	•		• TINJUM	•	
• HEDSTROM			• MATHENY			• TWETEN		

So the bill lost for want of a constitutional majority.

**Senate Bill No. 2175.** — A Bill for an Act to provide for fees for applications presented to the state banking board; and to amend and reenact sections 6-02-06 and 6-03-15 of the North Dakota Century Code, relating to fees for applications presented to the state banking board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 8; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTON		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG		•	• HOFFNER	•	•	• MELBY		• VIG
• BERGE		•	• HOUMANN	•		• MERTENS		• WAGNER
• BERGER			• HOVE		•	• MEYER		• WALD
• BJORNSON			• JACOBSEN R		•	• MURPHY	•	• WALSH
• BLACK		•	• JACOBSON J	•		• MUSHIK		• WEBER
• BOYUM		•	• KELLY	•		• NICHOLAS		• WENTZ
• BROKAW		•	• KENNELLY		•	• OLSON		• WESSMAN
• CHRISTENSEN		•	• KERWOTT	•		• OPEDAH	•	• WINKJER
• CONNY		•	• KINGSBURY		•	• PELTIER		
• CRABTREE		•	• KLOUBEK		•	• PETERSON		• MR. SPEAKER
• DICK	•		• KNUDSON			• POMEROY		
• DIETZ		•	• KOSKI	•	•	• REED		
• DOTZENROD		•	• KRETSCHMAR	•		• RETZER		
• DUBORD			• KUCHERA	•		• RICHARD		
• EAGLES		•	• LANG		•	• RICHIE		
• ERICKSON		•	• LANGLEY	•		• RIEHL		
• FLEMING			• LARDY	•		• RUED		
• FREBORG	•		• LARSON F # 24		•	• SCHINDLER		
• GACKLE	•		• LARSON G # 29		•	• SCOFIELD		
• GERL			• LARSON H # 7		•	• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON		•	• LEIBHAN			• STRINDEN		
• GUNSCHE		•	• LIPSIEA			• SWONTEK		
• HANSON		•	• MAIXNER	•		• THOMPSON		
• HAUGLAND		•	• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN		•	• TIMM		
• HAUSAUER R # 25			• MARTINSON	•		• TINJUM	•	
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bills Nos. 2229 and 2273 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2225. — A Bill for an Act to amend and reenact sections 37-11-01 and 37-11-02 and to repeal sections 37-11-04, 37-11-06 and 37-11-07 of the North Dakota Century Code, relating to compensation for disability or death of members of the North Dakota National Guard.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 77; nays, 0; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON			UNHJEM		
BENEDICT			HICKLE	•		MEIERS			VANDER VORST		
BERG	•		HOFFNER	•		MELBY	•		VIG		
BERGE			HOUWMANN	•		MERTENS			WAGNER		
BERGER			HOVE	•		MEYER			WALD	•	
BJORNSON			JACOBSEN, R	•		MURPHY	•		WALSH		
BLACK			JACOBSON, M	•		MUSHIK			WEBER		
BOYUM			KELLY	•		NICHOLAS			WENTZ	•	
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHN	•		WINKJER	•	
CONNY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON	•		MR SPEAKER	•	
DICK	•		KNUDSON			POMERROY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA	•		RICHARD					
EAGLES	•		LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEWING	•		LARDY			RUED					
FREBORG			LARSON F # 24			SCHINDLER					
GACKLE			LARSON G # 29			SCOFIELD					
GEAL			LARSON H # 7			SOLBERG					
GORDER			LEE	•		STENEHEW					
GUNDERSON			LEIBHAN			STRINDEN					
GUNSCH			LIPSEA			SWONTEK					
HANSON	•		MAXNER			THOMPSON					
HAUGLAND			MARSDEN			THORGARR	•				
HAUSAUER A # 49			MARTIN			TMM					
HAUSAUER R # 25			MARTINSON			TALUM	•				
HEDSTROM			MATHENY			TWETEN	•				

So the bill passed and the title was agreed to.

Senate Bill No. 2297. — A Bill for an Act to provide for a mill levy or service charge by cities or park districts for the operation and maintenance of forestry activities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 2; absent and not voting, 23.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON			UNHJEM		
BENEDICT			HICKLE	•		MEIERS			VANDER VORST		
BERG	•		HOFFNER	•		MELBY	•		VIG		
BERGE			HOUWMANN	•		MERTENS			WAGNER		
BERGER			HOVE	•		MEYER			WALD		
BJORNSON			JACOBSEN, R	•		MURPHY	•		WALSH		
BLACK			JACOBSON, M	•		MUSHIK			WEBER		
BOYUM			KELLY	•		NICHOLAS			WENTZ	•	
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHN	•		WINKJER	•	
CONNY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON	•		MR SPEAKER	•	
DICK	•		KNUDSON			POMERROY					
DIETZ			KOSKI			REED					
DOTZENROD			KRETSCHMAR			RETZER					

• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F. # 24	• SCHINDLER
• GACKLE	• LARSON G. # 29	• SCOFIELD
• GERL	• LARSON H. # 7	• SOLBERG
• GORDER	• LEE	• STENEJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A. # 49	• MARTIN	• TIMM
• HAUSAUER R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2302.** — A Bill for an Act to prohibit duplication of keys marked with "Do Not Duplicate", "Do Not Copy", or words of similar intent; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 4; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERNOTT			• OPEDAH			• WINKLER		
• CONWAY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLUBBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F. # 24			• SCHINDLER					
• GACKLE			• LARSON G. # 29			• SCOFIELD					
• GERL			• LARSON H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A. # 49			• MARTIN			• TIMM					
• HAUSAUER R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2321.** — A Bill for an Act to amend and reenact section 15-53.1-27 of the North Dakota Century Code, relating to the continuance of elementary schools in reorganized districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 2; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		



BROKAW ●	KENNELLY ●	OLSON ●	WESSMAN ●
CHRISTENSEN ●	KERMOTT ●	OPEDAH ●	WINKLER ●
CONMY ●	KINGSBURY ●	PELTIER ●	
CRABTREE ●	KLOUBEC ●	PETERSON ●	MR. SPEAKER
DICK ●	KNUDSON ●	POMEROY ●	
DIETZ ●	KOSKI ●	REED ●	
DOTZENROD ●	KRETSCHMAR ●	RETZER ●	
DUBORD ●	KUCHERA ●	RICHARD ●	
EAGLES ●	LANG ●	RICHIE ●	
ERICKSON ●	LANGLEY ●	RIEHL ●	
FLEMING ●	LARDY ●	RUED ●	
FREBORG ●	LARSON # 24 ●	SCHINDLER ●	
GACKLE ●	LARSON G # 26 ●	SCOFIELD ●	
GERL ●	LARSON # 7 ●	SOLBERG ●	
GORDER ●	LEE ●	STENEHJEM ●	
GUNDERSON ●	LEIBHAN ●	STRINDEN ●	
GUNSCH ●	LIPSIEA ●	SWONTEK ●	
HANSON ●	MAIXNER ●	THOMPSON ●	
HAUGLAND ●	MARSDEN ●	THORSGARD ●	
HAUSAUER, A. # 49 ●	MARTIN ●	TIMM ●	
HAUSAUER, R. # 25 ●	MARTINSON ●	TINJUM ●	
HEDSTROM ●	MATHENY ●	TWETEN ●	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bill No. 2354 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2354.** — A Bill for an Act to amend and reenact section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 57; nays, 22; absent and not voting, 21.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN ●			WATTSON ●			UNHJEM ●		
●			HICKLE ●			WEIERS ●			VANDER VORST ●		
●		●	HOFFNER ●		●	WELBY ●		●	VIG ●		
●			HOUWANN ●			WERTENS ●		●	WAGNER ●		
●			HOVE ●			WEYER ●			WALD ●		
●			JACOBSEN, R. ●		●	MURPHY ●			WALSH ●		●
●			JACOBSON, I. ●			MUSHIK ●			WEBER ●		
●		●	KELLY ●			NICHOLAS ●			WENTZ ●		●
●		●	KENNELLY ●			OLSON ●			WESSMAN ●		
●			KERMOTT ●			OPEDAH ●			WINKLER ●		
●			KINGSBURY ●		●	PELTIER ●			MR. SPEAKER		
●			KLOUBEC ●			PETERSON ●					
●		●	KNUDSON ●			POMEROY ●		●			
●			KOSKI ●		●	REED ●					
●			KRETSCHMAR ●			RETZER ●					
●			KUCHERA ●			RICHARD ●		●			
●			LANG ●			RICHIE ●					
●			LANGLEY ●			RIEHL ●					
●		●	LARDY ●		●	RUED ●					
●			LARSON # 24 ●			SCHINDLER ●					
●			LARSON G # 26 ●			SCOFIELD ●					
●		●	LARSON # 7 ●			SOLBERG ●		●			
●			LEE ●			STENEHJEM ●		●			
●			LEIBHAN ●			STRINDEN ●					
●			LIPSIEA ●			SWONTEK ●					
●			MAIXNER ●		●	THOMPSON ●					
●			MARSDEN ●			THORSGARD ●					
●			MARTIN ●			TIMM ●					
●			MARTINSON ●			TINJUM ●					
●		●	MATHENY ●			TWETEN ●					

So the bill passed and the title was agreed to.

**Senate Bill No. 2338.** — A Bill for an Act to amend and reenact section 57-54-08 of the North Dakota Century Code, to reduce the motor vehicle fuel tax on sales of gasohol; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 6; absent and not voting, 22.



● CRABTREE	● KLOUBEC	PETERSON ●	● MR. SPEAKER
● DICK ●	● KNUDSON	● POMEROY	
● DIETZ ●	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	●
● EAGLES ●	● LANG	● RICHIE	●
● ERICKSON	● LANGLEY	● RIEHL	●
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL ●	● LARSON H # 7	● SOLBERG	●
● GORDER ●	● LEE ●	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON ●	● MAIXNER ●	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGAR	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2363.** — A Bill for an Act to create and enact subsection 12 of section 6-06-06 of the North Dakota Century Code, relating to authority of state credit unions to exercise federal powers; to amend and reenact section 6-06-04 of the North Dakota Century Code, relating to amendments to bylaws and certificate of organization; to amend and reenact subsection 7 of section 6-06-12 of the North Dakota Century Code, relating to loan limits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 0; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES ●			● HERMAN ●			● WATTSON		● UNHJEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY ●		● YIG
● BERGE			● HOUMANN			● MEPTENS		● WAGNER
● BERGER			● HOVE ●			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY ●		● WALSH
● BLACK			● JACOBSEN I			● MUSHIK		● WEBER
● BOYUM			● KELLY ●			● NICHOLAS		● WENTZ ●
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL ●		● WINKJER ●
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK ●			● KNUDSON			● POMEROY		
● DIETZ ●			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES ●			● LANG			● RICHIE	●	
● ERICKSON			● LANGLEY			● RIEHL	●	
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL ●			● LARSON H # 7			● SOLBERG		
● GORDER ●			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON ●			● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGAR		
● HAUSAUER A # 49			● MARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN ●		

So the bill passed and the title was agreed to.

**Senate Bill No. 2377.** — A Bill for an Act to amend and reenact sections 15-62.2-01, 15-62.2-02, 15-62.2-03, and 15-62.2-04 of the North Dakota Century Code, relating to the student financial assistance program and providing that the program be administered by the state board of higher education.

Which has been read.





Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2064, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 1; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate

Bill No. 2064 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2096, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate

Bill No. 2096 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2142, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 2 delete the numeral "60" and insert in lieu thereof the word "sixty"

and renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate

Bill No. 2142 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2218, has had the same under consideration and recommends, by a vote of

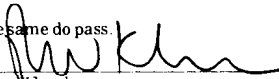
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3 of the engrossed bill delete "and appropriation"  
 On page 1, line 4 delete "and" and insert in lieu thereof "or"  
 On page 1, line 7 delete "and" and insert in lieu thereof "or"  
 On page 1, line 16 delete "and" and insert in lieu thereof "or"  
 On page 1, line 17 delete "and" and insert in lieu thereof "or"  
 On page 2, line 1 delete "and" and insert in lieu thereof "or"  
 On page 2, line 8 delete "AND" and insert in lieu thereof "OR"  
 And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
 Rep. Kloubec \_\_\_\_\_ Chairman


Senate \_\_\_\_\_ Bill No. 2218 \_\_\_\_\_ was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Agriculture  
 to whom was referred Senate

Bill No. 2306, has had the same under consideration and recommends, by a vote of  
 Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

but be re-referred to the Committee on Appropriations

  
 Rep. Nicholas \_\_\_\_\_ Chairman

Senate \_\_\_\_\_ Bill No. 2306 \_\_\_\_\_ was placed on the ~~11th~~  
~~X order of business on the calendar for the succeeding legislative day.~~  
 re-referred to the Committee on Appropriations.

**Mr. Speaker:** Your Committee on Agriculture  
 to whom was referred Senate

Bill No. 2327, has had the same under consideration and recommends, by a vote of  
 Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

  
 Rep. Nicholas \_\_\_\_\_ Chairman

Senate \_\_\_\_\_ Bill No. 2327 \_\_\_\_\_ was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Social Services and Veterans Affairs  
 to whom was referred Senate

Bill No. 2356, has had the same under consideration and recommends, by a vote of  
 Ayes, 12; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

be amended as follows:

On page 1 of the reengrossed bill, line 4, delete the comma and word ", and" and insert in lieu thereof a semicolon

On page 1, line 6, after the word "definitions" insert the following: "; and providing an expiration date"

On page 3, after line 32, insert the following section:

"SECTION 4. EXPIRATION DATE.) The provisions of section 1 of this Act expire at twelve midnight on June 30, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Senate Bill No. 2356 Rep. Haugland Chairman was placed on the 6th. order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2372, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass. [X] do not pass. be placed on calendar without recommendation.

Senate Rep. Knudson Chairman Bill No. 2372 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2380, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

XX be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "61-16-08" insert the word and numerals "and 61-21-03"

On page 1, line 4, after the word "board" insert the commas and words ", and the appointment, term, removal, and compensation of the board of drainage commissioners"

On page 2, after line 35, insert the following section:

"SECTION 2. AMENDMENT.) Section 61-21-03 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-21-03. BOARD OF DRAINAGE COMMISSIONERS - APPOINTMENT - TERM - REMOVAL - COMPENSATION.) The board of county commissioners of any county in this state, at any meeting of such the board, by majority vote of all the members upon its own motion, or on the petition of any interested person, may appoint three residents of the county to the board of drainage commissioners of such the



county. The members of the board shall be appointed for terms of three years each and their terms shall be so arranged that the term of one member shall expire each year. Each member of the board shall hold his office until his successor is appointed and qualified. The board of county commissioners may remove any or all of ~~such~~ the drain commissioners and shall appoint successors to fill any vacancies that occur. Each member of the board may be allowed the sum of ~~fifteen~~ forty-five dollars per day while performing his duties as a member of the board of drainage commissioners, and an allowance for actual meals and lodging ~~expenses in an amount of not to exceed twelve dollars per day for each day actually employed in the performance of his duties as a drainage board commissioner. Compensation for expenses incurred in the performance of these duties shall be made in the manner provided in chapter 44-08~~ expense at the rates provided in section 44-08-04, and shall receive mileage expense reimbursement at the same rate as provided in section 11-10-15, with expense claims stated as provided in section 21-05-01."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Rep. Nicholas

Chairman

Senate Bill No. 2380 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2386, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Nicholas

Chairman

Senate Bill No. 2386 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2398, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 2; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Nicholas

Chairman

Senate Bill No. 2398 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2410, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Nicholas*

Chairman

Senate

Rep. Nicholas

Bill No. 2410

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2417, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 7; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

*Rep. Nicholas*

Chairman

Senate

Rep. Nicholas

Bill No. 2417

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2438, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, of the reengrossed bill delete all of lines 2 and 3 and insert in lieu thereof the words "safety education"

On page 1, line 4 delete the word "sixteen"

On page 1, line 7 after the first semicolon insert the following: "and to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to motorcycle education requirements for motorcycle operators permits and licenses for applicants under sixteen years of age;"

On page 1, underscore lines 11 through 14

On page 1, line 13 after the word "a" insert the words "motorcycle safety education"

On page 1, line 14 delete the word "for" and insert in lieu thereof the word "at" and after the word "the" insert the words "time of"

On page 1, delete lines 15 through 22

On page 2, delete lines 1 through 4

On page 2, underscore lines 5 through 33

On page 2, line 34 delete the words "state highway" and insert in lieu thereof the word "general" and also on line 34 underscore the following: "fund in the state treasury."

On page 2, after line 34 insert the following new section:

"SECTION 6. AMENDMENT.) Subsection 3 of section 39-06-14 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. All applicants holding a valid North Dakota driver's license making application for a renewal of such license, shall be issued a class 3 license without being subjected to an examination as herein provided. All applicants, except those holding a valid North Dakota driver's

license who will be issued a class 3 license applying for issuance of driver licenses shall be issued a classified license after having been required to submit to an examination in the type of motor vehicle or combination of vehicles for which license is desired and which license shall authorize the holder to drive the vehicles set forth in such class as follows:

- Class 1. Any vehicle or combination of vehicles except vehicles under class 4.
- Class 2. Any vehicle or combination of vehicles except:
  - a. Vehicles towing a trailer when the trailer being towed has a gross weight in excess of six thousand pounds.
  - b. Vehicles under class 4.
- Class 3. Any two-axle or tandem-axle vehicle except:
  - a. A truck tractor combination as defined in subsection 70 of section 39-01-01.
  - b. A bus more than 80 inches in width and designed to carry more than ten persons and used for carrying passengers.
  - c. A two-axle or tandem-axle or combination of vehicles when towing a trailer when the trailer being towed has a gross weight in excess of six thousand pounds.
  - d. Vehicles under class 4.

Provided, however, an operator with a class 3 license may operate a farm tractor towing another vehicle having a gross weight in excess of six thousand pounds, and may operate a truck towing a farm trailer.

- Class 4. Any motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding tractors and vehicles on which the operator or passengers, or both, ride within an enclosed cab.

The holder of a class 1, 2, or 3 license may receive a class 4 endorsement upon successful completion of an examination. An applicant sixteen years of age and older, who does not hold a current valid driver's license may be issued a class 4 learner's permit after successful completion of a written examination. The class 4 license will be issued after the applicant has successfully completed a driver's examination. ~~Applicants of the age of fourteen or fifteen years may receive a class 4 learner's permit to operate a motorcycle with an engine displacement of two hundred cubic centimeters or less only after successful completion of a written examination as required by the commissioner. A class 4 license or endorsement shall be issued to a fourteen or fifteen year old applicant only after he has successfully completed a driving examination, and has produced evidence satisfactory to the commissioner of either of the following:~~

No person under the age of sixteen shall be issued a motorcycle learner's permit unless the applicant is enrolled in or has completed an approved motorcycle safety course. Applicants for a motorcycle operator's license who are under sixteen shall hold an initial learner's permit for at least two months prior to applying for a class 4 operators license, shall have

completed an approved motorcycle safety course, and shall hold a valid motorcycle learner's permit at the time of application.

Any person under sixteen years of age who holds a permit or license shall be restricted to the operation of a motorcycle powered with an engine of two hundred cubic centimeters, or less, displacement.

Evidence that the applicant has met one of the following standards shall accompany the application for a class 4 license:

- a. Satisfactory completion of a motorcycle course

which included at least six hours of classroom instruction and six hours of actual motorcycle operation.

- b. Successful completion of a motorcycle course at an approved commercial driver training school which included at least six hours of classroom instruction and six hours of actual motorcycle operation."

On page 3, line 2 delete the words "state highway" and insert in lieu thereof the word "general"

On page 3, line 8 delete the words "state highway" and insert in lieu thereof the word "general"

On page 3, line 14 delete the words "state highway" and insert in lieu thereof the word "general"

On page 3, line 22, delete the words "state highway" and insert in lieu thereof the word "general"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same to pass, but be re-referred to the Committee on Appropriations.

Rep. Erickson Chairman
Senate Bill No. 2438 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate

Bill No. 2475, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 5, that the same

do pass. do not pass. be placed on calendar without recommendation.

Rep. Nicholas Chairman
Senate Bill No. 2475 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution

No. 4016, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 5, that the same

do pass. do not pass. be placed on calendar without recommendation.


and be placed on the consent calendar.

Rep. Nicholas Chairman
Senate Concurrent Resolution No. 4016 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate Concurrent Resolution

No. 4021, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman

~~Senate Concurrent Resolution~~ No. 4021 Rep. Erickson was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate Concurrent Resolution

No. 4029, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 16 of the engrossed bill delete the word "is" and insert in lieu thereof the words "and the Secretary of Agriculture are"

On page 2, line 22 before the second word "President" insert the word "the"

On page 2, line 24 after the comma insert the following: "the Secretary of Agriculture, the"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman

Senate Concurrent Resolution No. 4029 Rep. Erickson was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate Concurrent Resolution

No. 4034, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

and be placed on the consent calendar

 Chairman

Senate Concurrent Resolution No. 4034 Rep. Nicholas was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate Concurrent Resolution

No. 4045, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

and be placed on the consent calendar.

*Rep. Nicholas*

Chairman

Senate Concurrent Resolution No. 4045 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate Concurrent Resolution

No. 4053, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar

*Haugland*

Chairman

Rep. Haugland

Senate Concurrent Resolution No. 4053 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate Concurrent Resolution

No. 4055, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

*Rep. Erickson*

Chairman

Rep. Erickson

Senate Concurrent Resolution No. 4055 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate Concurrent Resolution

No. 4067, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar

*Rep. Kloubec*

Chairman

Rep. Kloubec

Senate Concurrent Resolution No. 4067 was placed on the 10th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate Concurrent Resolution

No. 4079 has had the same under consideration and recommends, by a vote of  
 Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
 without recommendation.

And be placed on the Consent Calendar

 Chairman

Rep. Kloubec  
Senate Concurrent Resolution No. 4079 was placed on the 10th  
 order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned un-  
 til 1:00 p.m., Monday, March 12, 1979.

ROY GILBREATH, Chief Clerk

FORTY-EIGHTH DAY

Bismarck, March 12, 1979

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

The prayer was offered by Rev. Sherman Martell, Bethany Lutheran Church, Minot, North Dakota.

The roll was called, and all members were present except Reps. Dick, Lee, Martin and Mertens.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-seventh

day and recommends that the same be corrected as follows:

On page 1555, line 21, delete "8" and insert in lieu thereof "9"

On page 1565, line 46, delete "2239" and insert in lieu thereof "2339"

And when so corrected recommends that the same be approved.

Rep. Swiontek Chairman

Rep. Pomeroy

moved that the report be adopted, which motion

prevailed.

REPORT OF PROGEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1075
HB NO. 1273
HB NO. 1291
HB NO. 1337
HB NO. 1414
HB NO. 1419
HB NO. 1431
HB NO. 1433
HB NO. 1442



- HB NO. 1464
- HB NO. 1476
- HB NO. 1503
- HB NO. 1511
- HB NO. 1542
- HB NO. 1583
- HB NO. 1589
- HB NO. 1612
- HB NO. 1629
- HB NO. 1630
- HCR NO. 3032
- HCR NO. 3035
- HCR NO. 3043
- HCR NO. 3046

and find the same correctly } Enrolled

Representative Dietz }  
 Rep. Stenejem } Chairman  
 moved that the report be adopted, which motion prevailed, and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HCR NO. 3079

and find the same correctly } Engrossed

Representative Dietz }  
 Rep. Stenejem } Chairman  
 moved that the report be adopted, which motion prevailed, and the report was adopted.

POINT OF PERSONAL PRIVILEGE

Rep. Dietz: "Mr. Speaker and Members of this Assembly:

"I rise to a point of personal privilege.

"It is a custom of the Legislative Assembly to recognize and honor North Dakota citizens for their outstanding accomplishments. With this in mind, I feel it is in order that the House of Representatives of the Forty-sixth Legislative Assembly extend its heartiest congratulations to the Wahpeton WOPS for winning the 1978-79 North Dakota Class A High School Basketball Championship in Fargo, Saturday night, March 10, 1979.

"I recommend that the House give highest commendation to Coach Lance Wolf, who time and time again displayed his coaching excellence on the bench during the tournament, for defeating a formidable opponent, the Jamestown Blue Jays - 47-43, and for earning Wahpeton High School its first high school basketball crown in 25 years.

"The players who executed Coach Wolf's game plan to perfection, not only during the championship contest and the preceding tournament action, but throughout the entire basketball season, were:

Dennis Eastman  
 Kerry Lindemann  
 Steve Krause  
 George Swenson  
 Kerry Nelson  
 Roger Tobin  
 Billy Meyer  
 Paul Tehle  
 Don Shorma  
 Kevin Winkels  
 Daron Olson  
 Mike Randall

Assisting head coach Wolf in his title-winning efforts were assistant coaches Tom Bennett and Ben Fink.

"I also urge that the House of Representatives do authorize that copies of this commendation be sent to Wahpeton School Superintendent Glenn Schimke, Wahpeton Athletic Director Dan Winters, Wahpeton High School Principal Dan Tehle, the Wahpeton High School Library and Basketball Coach Lance Wolf."

#### SIXTH ORDER OF BUSINESS

Rep. Boyum moved that the amendments to House Bill No. 1293 as recommended by the Conference Committee on Political Subdivisions as printed on page 1536 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to Senate Bill No. 2142 as recommended by the Committee on Agriculture as printed on page 1569 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2218 as recommended by the Committee on Natural Resources as printed on pages 1569 and 1570 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to Senate Bill No. 2356 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 1570 and 1571 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to Senate Bill No. 2380 as recommended by the Committee on Agriculture as printed on pages 1571 and 1572 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2438 as recommended by the Committee on Transportation as printed on pages 1573, 1574 and 1575 of the House Journal be adopted, which motion prevailed.

Senate Bill No. 2438 was re-referred to the Committee on Appropriations.

Rep. Erickson moved that the amendments to Senate Concurrent Resolution No. 4029 as recommended by the Committee on Transportation as printed on page 1576 of the House Journal be adopted, which motion prevailed.

#### MOTION

Rep. Gunderson moved that the House reconsider its action whereby Senate Bill No. 2160 failed to pass, which motion prevailed on a verification vote.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2160.** — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an adjustment to taxable income for



● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 28	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIE	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 48	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MOTIONS

Rep. Strinden moved that Senate Bills Nos. 2043 and 2327 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1200, which motion prevailed.

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1236, which motion prevailed.

Rep. Olson moved that the House reconsider its action whereby Senate Bill No. 2150 failed to pass.

Speaker Wagner ruled that in accordance with "Mason's Legislative Manual", Section 457, Paragraph 2, the motion to reconsider Senate Bill No. 2150 for the second time is out of order.

RECOGNITION

Rep. Richie introduced Nancy Jo Rustad, Miss Rodeo North Dakota 1979. Nancy was crowned October 15, 1978, in Bismarck, and will reign until October, 1979. She will be representing North Dakota in Oklahoma City at the Miss Rodeo America pageant in December, 1979, as she tries for the national title.

She is 19 years old and a junior at North Dakota State University, where she is majoring in Foods and Nutrition Communication and minoring in Animal Science. Her parents are Mr. and Mrs. Speed Rustad from Kindred, North Dakota.

MOTIONS

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1092, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1217, which motion prevailed.

Rep. Lang moved that the House not concur on Senate amendments to House Bill No. 1409, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1409:

- Rep. Boyum
- Rep. G. Larson
- Rep. Gerl

MOTIONS

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1412, which motion prevailed.

Rep. Lang moved that the House do concur in the Senate amendments to House Bill No. 1479, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1481, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1500, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1585, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1035.** Teachers' Fund for Retirement — A Bill for an Act making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92, nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOLMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R		●	MURPHY		●	WALSH	
●			●	JACOBSON I		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON	●			● MR. SPEAKER
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE	●			
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON F # 24		●	SCHINDLER				
●			●	LARSON G # 28		●	SCOFIELD				
●			●	LARSON H # 7		●	SOLBERG				
●			●	LEE		●	STENEHJEM				
●			●	LEIBMAN		●	STRINDEN				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAIXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSgard				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1037.** Workmen's Compensation Bureau — A Bill for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 1; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE		●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOLMANN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN R		●	MURPHY	●	●	WALSH	
●			●	JACOBSON I		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON	●	●		MR. SPEAKER
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE	●			
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON F # 24		●	SCHINDLER				

● GACKLE	● LARSON G # 25	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHUEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAINER	● THOMPSON
● HAUGLAND	● WARSDEN	● THORSgard
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1250.** — A Bill for an Act to amend and reenact section 38-12-01, section 38-12-02 and section 38-12-03 of the North Dakota Century Code relating to subsurface mineral regulation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSICK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWITT			● OPEDAH			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 26			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHUEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAINER			● THOMPSON					
● HAUGLAND			● WARSDEN			● THORSgard					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1374.** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees for trailers, semitrailers, and farm trailers; to create and enact a new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemption from registration of trailers, semitrailers, and farm trailers; and to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, section 39-04-26, and subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to registration of motor vehicles, registration fees, gross weight requirements of towing vehicles, and operators' licenses; and providing an effective date.

Which has been read.

Rep. Strinden moved that the House waive the reading of the title to House Bill No. 1374, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 2; absent and not voting, 7.



<input checked="" type="checkbox"/> GERL	<input checked="" type="checkbox"/> LARSON H #7	<input checked="" type="checkbox"/> SOLBERG
<input checked="" type="checkbox"/> GORDER	<input checked="" type="checkbox"/> LEE	<input checked="" type="checkbox"/> STENEHJEM
<input checked="" type="checkbox"/> GUNDERSON	<input checked="" type="checkbox"/> LEIBHAN	<input checked="" type="checkbox"/> STRINDEN
<input checked="" type="checkbox"/> GUNTSCH	<input checked="" type="checkbox"/> LIPSIEA	<input checked="" type="checkbox"/> SWIONTEK
<input checked="" type="checkbox"/> HANSON	<input checked="" type="checkbox"/> MAIXNER	<input checked="" type="checkbox"/> THOMPSON
<input checked="" type="checkbox"/> HAUGLAND	<input checked="" type="checkbox"/> MARSDEN	<input checked="" type="checkbox"/> THORSGARD
<input checked="" type="checkbox"/> HAUSAUER A #49	<input checked="" type="checkbox"/> MARTIN	<input checked="" type="checkbox"/> TIMM
<input checked="" type="checkbox"/> HAUSAUER R #25	<input checked="" type="checkbox"/> MARTINSON	<input checked="" type="checkbox"/> TINJUM
<input checked="" type="checkbox"/> HEDSTROM	<input checked="" type="checkbox"/> MATHENY	<input checked="" type="checkbox"/> TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1578.** — A Bill for an Act to amend and reenact sections 21-02-02, 21-02-03, 21-02-06, 21-02-07, 21-02-08, and 21-02-10 of the North Dakota Century Code, to allow political subdivisions to borrow against funds due them under federal contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input checked="" type="checkbox"/> BACKES	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> HERMAN			<input checked="" type="checkbox"/> MATTON			<input checked="" type="checkbox"/> UNHJEM		
<input checked="" type="checkbox"/> BENEDICT			<input checked="" type="checkbox"/> HICKLE			<input checked="" type="checkbox"/> MEIERS			<input checked="" type="checkbox"/> VANDER VORST		
<input checked="" type="checkbox"/> BERG			<input checked="" type="checkbox"/> HOFFNER			<input checked="" type="checkbox"/> MELBY			<input checked="" type="checkbox"/> VIG		
<input checked="" type="checkbox"/> BERGE			<input checked="" type="checkbox"/> HOUWMANN			<input checked="" type="checkbox"/> MERTENS			<input checked="" type="checkbox"/> WAGNER		
<input checked="" type="checkbox"/> BERGER			<input checked="" type="checkbox"/> HOVE			<input checked="" type="checkbox"/> MEYER			<input checked="" type="checkbox"/> WALD		
<input checked="" type="checkbox"/> BJORNSON			<input checked="" type="checkbox"/> JACOBSEN R			<input checked="" type="checkbox"/> MURPHY		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> WALSH		
<input checked="" type="checkbox"/> BLACK			<input checked="" type="checkbox"/> JACOBSON I			<input checked="" type="checkbox"/> MUSHIK			<input checked="" type="checkbox"/> WEBER		
<input checked="" type="checkbox"/> BOYUM			<input checked="" type="checkbox"/> KELLY			<input checked="" type="checkbox"/> NICHOLAS			<input checked="" type="checkbox"/> WENTZ		
<input checked="" type="checkbox"/> BROKAW			<input checked="" type="checkbox"/> KENNELLY			<input checked="" type="checkbox"/> OLSON	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> WESSMAN		
<input checked="" type="checkbox"/> CHRISTENSEN			<input checked="" type="checkbox"/> KERMOTT			<input checked="" type="checkbox"/> OPEDAH			<input checked="" type="checkbox"/> WINNER		
<input checked="" type="checkbox"/> CONNY			<input checked="" type="checkbox"/> KINGSBURY			<input checked="" type="checkbox"/> PELTER					
<input checked="" type="checkbox"/> CRABTREE			<input checked="" type="checkbox"/> KLOUBEC			<input checked="" type="checkbox"/> PETERSON	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> WR SPEAKER		
<input checked="" type="checkbox"/> DICK	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> KUJOSON			<input checked="" type="checkbox"/> POMEROY					
<input checked="" type="checkbox"/> DIETZ			<input checked="" type="checkbox"/> KOSKI			<input checked="" type="checkbox"/> REED					
<input checked="" type="checkbox"/> DOTZENROD			<input checked="" type="checkbox"/> KRETSCHMER			<input checked="" type="checkbox"/> REITZER					
<input checked="" type="checkbox"/> DVBORD			<input checked="" type="checkbox"/> KUCHERA			<input checked="" type="checkbox"/> RICHARD					
<input checked="" type="checkbox"/> EAGLES			<input checked="" type="checkbox"/> LANG			<input checked="" type="checkbox"/> RICHIE	<input checked="" type="checkbox"/>				
<input checked="" type="checkbox"/> ERICKSON			<input checked="" type="checkbox"/> LANGLEY			<input checked="" type="checkbox"/> RIEHL					
<input checked="" type="checkbox"/> FLEMING			<input checked="" type="checkbox"/> LARDY			<input checked="" type="checkbox"/> RUED					
<input checked="" type="checkbox"/> FREBORG			<input checked="" type="checkbox"/> LARSON F #24			<input checked="" type="checkbox"/> SCHINDLER					
<input checked="" type="checkbox"/> GACKLE			<input checked="" type="checkbox"/> LARSON G #29			<input checked="" type="checkbox"/> SCOFIELD					
<input checked="" type="checkbox"/> GERL			<input checked="" type="checkbox"/> LARSON H #7			<input checked="" type="checkbox"/> SOLBERG					
<input checked="" type="checkbox"/> GORDER			<input checked="" type="checkbox"/> LEE			<input checked="" type="checkbox"/> STENEHJEM					
<input checked="" type="checkbox"/> GUNDERSON			<input checked="" type="checkbox"/> LEIBHAN			<input checked="" type="checkbox"/> STRINDEN					
<input checked="" type="checkbox"/> GUNTSCH			<input checked="" type="checkbox"/> LIPSIEA			<input checked="" type="checkbox"/> SWIONTEK					
<input checked="" type="checkbox"/> HANSON			<input checked="" type="checkbox"/> MAIXNER			<input checked="" type="checkbox"/> THOMPSON					
<input checked="" type="checkbox"/> HAUGLAND			<input checked="" type="checkbox"/> MARSDEN			<input checked="" type="checkbox"/> THORSGARD					
<input checked="" type="checkbox"/> HAUSAUER A #49			<input checked="" type="checkbox"/> MARTIN			<input checked="" type="checkbox"/> TIMM					
<input checked="" type="checkbox"/> HAUSAUER R #25			<input checked="" type="checkbox"/> MARTINSON			<input checked="" type="checkbox"/> TINJUM					
<input checked="" type="checkbox"/> HEDSTROM			<input checked="" type="checkbox"/> MATHENY			<input checked="" type="checkbox"/> TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1582.** — A Bill for an Act to amend and reenact sections 47-18-01, 47-18-03, 47-18-14, 47-18-17, 47-18-18, and 47-18-19 of the North Dakota Century Code, relating to the homestead; and to repeal section 47-18-02 of the North Dakota Century Code, relating to the homestead.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
<input checked="" type="checkbox"/> BACKES			<input checked="" type="checkbox"/> HERMAN			<input checked="" type="checkbox"/> MATTON			<input checked="" type="checkbox"/> UNHJEM		
<input checked="" type="checkbox"/> BENEDICT			<input checked="" type="checkbox"/> HICKLE			<input checked="" type="checkbox"/> MEIERS			<input checked="" type="checkbox"/> VANDER VORST		
<input checked="" type="checkbox"/> BERG			<input checked="" type="checkbox"/> HOFFNER			<input checked="" type="checkbox"/> MELBY			<input checked="" type="checkbox"/> VIG		
<input checked="" type="checkbox"/> BERGE			<input checked="" type="checkbox"/> HOUWMANN			<input checked="" type="checkbox"/> MERTENS			<input checked="" type="checkbox"/> WAGNER		
<input checked="" type="checkbox"/> BERGER			<input checked="" type="checkbox"/> HOVE			<input checked="" type="checkbox"/> MEYER			<input checked="" type="checkbox"/> WALD		
<input checked="" type="checkbox"/> BJORNSON			<input checked="" type="checkbox"/> JACOBSEN R			<input checked="" type="checkbox"/> MURPHY			<input checked="" type="checkbox"/> WALSH		
<input checked="" type="checkbox"/> BLACK			<input checked="" type="checkbox"/> JACOBSON I			<input checked="" type="checkbox"/> MUSHIK			<input checked="" type="checkbox"/> WEBER		
<input checked="" type="checkbox"/> BOYUM			<input checked="" type="checkbox"/> KELLY			<input checked="" type="checkbox"/> NICHOLAS			<input checked="" type="checkbox"/> WENTZ		
<input checked="" type="checkbox"/> BROKAW			<input checked="" type="checkbox"/> KENNELLY			<input checked="" type="checkbox"/> OLSON	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> WESSMAN		



● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKLER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. #24	● SCHINDLER	
● GACKLE	● LARSON, G. #29	● SCOFIELD	
● GERL	● LARSON, H. #17	● SOLBERG	
● GORDER	● LEE	● STENHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWIONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● WARSDEN	● THORSGARD	
● HAUSAUER, A. #49	● MARTIN	● TIMM	
● HAUSAUER, R. #25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

#### POINT OF PERSONAL PRIVILEGE

Rep. Gackle: "Mr. Speaker and Members of the Assembly:

"In looking at House Bill No. 1582, I do not have the Senate amendments in my bill book, and I think we have just gone through that order of business too rapidly. I think the Committee Chairman or members of the committee handling the bill should explain the amendments. When the amendments are not in the bill book, I think it is important that everyone knows what we are voting on."

#### SECOND READING OF

#### SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

**Senate Concurrent Resolution 4016.** — A concurrent resolution directing the Legislative Council to study and review the possibility of barge traffic on the Missouri River above Sioux City, Iowa, with emphasis on alternative means and economic and logistical effects of such navigation, and routes to be taken by extension of the Missouri River Navigation Project from its present head at Sioux City, Iowa.

**Senate Concurrent Resolution No. 4034.** — A concurrent resolution urging the governor to request an emergency condition designation for North Dakota from the Environmental Protection Agency to control or eliminate blackbird depredation of sunflowers and other crops.

**Senate Concurrent Resolution No. 4045.** — A concurrent resolution directing the Legislative Council to study the potential for agricultural crop residue or waste known as biomass residue, as an energy source, with emphasis on the economic feasibility, the cost of production, evaluation of the technology, and the possibility of state and federal grants and tax incentives and relief, to further the development of agricultural crop residue powered systems.

**Senate Concurrent Resolution No. 4053.** — A concurrent resolution requesting the legislative council to study the laws relating to residence for poor relief purposes, North Dakota Century Code chapters 50-01 and 50-02, and to determine the adequacy of the provisions of these chapters.

**Senate Concurrent Resolution No. 4055.** — A concurrent resolution directing the Legislative Council to study and review motor vehicle registration and title registration.

**Senate Concurrent Resolution No. 4067.** — A concurrent resolution directing the Legislative Council to conduct an interim study to consider the adequacy and sufficiency of the state's surface mining and reclamation laws to enable the state to secure an approved state



DOTZENROD	•	•	KRETSCHMAR	•	RETZER
DUBORD	•	•	KUCHERA	•	RICHARD
EAGLES	•	•	LANG	•	RICHIE
ERICKSON	•	•	LANGLEY	•	RIEHL
FLEMING	•	•	LARDY	•	RUED
FREBORG	•	•	LARSON F #24	•	SCHINDLER
GACKLE	•	•	LARSON G #29	•	SCOFFIELD
GERL	•	•	LARSON H #7	•	SOLBERG
GORDER	•	•	LEE	•	STENEHJEM
GUNDERSON	•	•	LEIBHAN	•	STRINDEN
GUNSCH	•	•	LIPSIEA	•	SWONTEK
HANSON	•	•	MAIXNER	•	THOMPSON
HAUGLAND	•	•	MARSDEN	•	THORSGROND
HAUSAUER A #49	•	•	MARTIN	•	TIMM
HAUSAUER R #25	•	•	MARTINSON	•	TINJUM
HEDSTROM	•	•	MATHENY	•	TWETEN

So that portion of House Bill No. 1014 which the Governor vetoed failed to pass, and the veto was Sustained.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3079.** — A concurrent resolution for the amendment of subdivision a of subsection 2 of article 54 of the Constitution of the State of North Dakota, relating to appointing a student member to the board of higher education.

Was read the second time. ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 35; nays, 58; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
BACKES	•		HERMAN			MATTSON					• UNHJEM
BENEDICT		•	HICKLE		•	MEIERS	•				• VANDERVOEST
BERG			HOFFNER			MELBY		•			• VIG
BERGE			HOLMANN		•	MERTENS			•		• WAGNER
BERGER			HOVE			MEYER		•			• WALD
BJORNSON			JACOBSEN R			MURPHY			•		• WALSH
BLACK			JACOBSON I			MUSHIK					• WEBER
BOYUM			KELLY			NICHOLAS					• WENTZ
BROKAW		•	KENNELLY			OLSON		•			• WESSMAN
CHRISTENSEN		•	KERMOTT			OPEDAH					• WINKLER
CONNY			KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC			PETERSON					
DICK		•	KNUDSON			POMEROY					MR SPEAKER
DIETZ		•	KOSKI			REED		•			
DOTZENROD			KRETSCHMAR		•	RETZER			•		
DUBORD		•	KUCHERA			RICHARD		•			
EAGLES		•	LANG		•	RICHIE					
ERICKSON		•	LANGLEY		•	RIEHL					
FLEMING			LARDY		•	RUED			•		
FREBORG		•	LARSON F #24		•	SCHINDLER					
GACKLE		•	LARSON G #29		•	SCOFFIELD					
GERL			LARSON H #7		•	SOLBERG					
GORDER		•	LEE			STENEHJEM			•		
GUNDERSON		•	LEIBHAN			STRINDEN					
GUNSCH		•	LIPSIEA			SWONTEK					
HANSON			MAIXNER			THOMPSON			•		
HAUGLAND		•	MARSDEN			THORSGROND					
HAUSAUER A #49		•	MARTIN			TIMM			•		
HAUSAUER R #25		•	MARTINSON			TINJUM					
HEDSTROM		•	MATHENY		•	TWETEN					

So the House Concurrent Resolution was declared lost.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2070.** — A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to the definitions of projects and municipalities under the Municipal Industrial Development Act of 1955; and to provide for the application of this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 46; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUWMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON I	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON F #24	•		SCHINDLER	•				
GACKLE	•		LARSON G #26	•		SCOFIELD	•				
GERL	•		LARSON H #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWINTEX	•				
HANSON	•		MAUXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER A #48	•		MARTIN	•		TIMM	•				
HAUSAUER R #25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2372.** — A Bill for an Act to authorize school districts to levy for replacement costs for school buses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 88; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE	•		HOUWMANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON	•		JACOBSEN R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON I	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG	•		LARSON F #24	•		SCHINDLER	•				
GACKLE	•		LARSON G #26	•		SCOFIELD	•				
GERL	•		LARSON H #7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWINTEX	•				
HANSON	•		MAUXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSgard	•				
HAUSAUER A #48	•		MARTIN	•		TIMM	•				
HAUSAUER R #25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				



• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2024.** Disaster Emergency Services — A Bill for an Act making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 5; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			• HERMAN			• MATTSON		• UNHJEM
•			• HOCKLE			• MEIERS		• VANDER VORST
•			• HOFFNER			• MELBY		• VIG
•			• HOUMANN			• WERTENS		• WAGNER
•			• HOVE			• WEYER		• WALD
•			• JACOBSEN R			• MURPHY	•	• WALSH
•			• JACOBSON I			• MUSHIK		• WEBER
•			• KELLY			• NICHOLAS		• WENTZ
•			• KENNELLY			• OLSON		• WESSMAN
•			• KERWOTT			• OPEDAHL		• WINKJER
•			• KINGSBURY			• PELTIER		
•			• KLOUBEC			• PETERSON		• MR SPEAKER
•			• KNUDSON			• POWEROY		
•			• KOSKI			• REED		
•			• KRETSCHMAR			• RETZER		
•			• KUCHERA			• RICHARD		
•			• LANG			• RICHIE		
•			• LANGLEY			• RIEHL		
•			• LARDY			• RUED		
•			• LARSON F #24			• SCHINDLER	•	
•			• LARSON #29			• SCOFIELD		
•			• LARSON H #7			• SOLBERG		
•			• LEE			• STENENJEM		
•			• LEIBHAN			• STRINDEN		
•			• LPSIEA			• SWIONTEK		
•			• MAIXNER			• THOMPSON		
•			• MARSDEN			• THORSGARD		
•			• MARTIN			• TIMM		
•			• MARTINSON			• TINJUM		
•			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2064.** — A Bill for an Act relating to "best management practices", for farming land to be irrigated by water from the Garrison Diversion Unit of the Pick-Sloan Missouri River basin project.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 16; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			• HERMAN			• MATTSON		• UNHJEM
•			• HOCKLE			• MEIERS		• VANDER VORST
•			• HOFFNER			• MELBY		• VIG
•			• HOUMANN			• WERTENS		• WAGNER
•			• HOVE			• WEYER		• WALD
•			• JACOBSEN R			• MURPHY	•	• WALSH
•			• JACOBSON I			• MUSHIK		• WEBER
•			• KELLY			• NICHOLAS		• WENTZ
•			• KENNELLY			• OLSON		• WESSMAN
•			• KERWOTT			• OPEDAHL		• WINKJER
•			• KINGSBURY			• PELTIER		
•			• KLOUBEC			• PETERSON		• MR SPEAKER
•			• KNUDSON			• POWEROY		
•			• KOSKI			• REED		

• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F # 24	• SCHINDLER
• GACKLE	• LARSON, G # 29	• SCOFIELD
• GERL	• LARSON, H # 7	• SOLBERG
• GORDER	• LEE	• STENEHEJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2086.** — A Bill for an Act to amend and reenact the second table of subdivision b of subsection 2 of section 39-04-19, subsection 3 of section 39-12-04, subsection 2 of section 39-12-05, and subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to motor vehicle registration fees, length limitations on vehicles and combinations of vehicles, weight limitations for vehicles on the interstate system, and gross weight limitations on designated highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 21; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN		•	• MATTSON			• UNJEM		•
• BENEDICT			• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG			• HOFFNER			• MELBY		•	• VIG		•
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		•
• BERGER		•	• HOVE			• MEYER			• WALD		•
• BJORNSON		•	• JACOBSEN, R			• MURPHY			• WALSH		•
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS			• WENTZ		•
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKLER		•
• CONMY			• KINGSBURY			• PELTER					
• CRABTREE			• KLOUBEC			• PETERSON		•	• MP SPEAKER		
• DICK		•	• KNUDSON			• POMEROY					
• DIETZ			• NOKSI			• REED		•			
• DOTZENROD			• KRETSCHMAR			• RETZER		•			
• DUBORD		•	• KUCHERA		•	• RICHARD		•			
• EAGLES			• LANG		•	• RICHIE		•			
• ERICKSON			• LANGLEY		•	• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREBORG			• LARSON, F # 24		•	• SCHINDLER					
• GACKLE			• LARSON, G # 29		•	• SCOFIELD					
• GERL		•	• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHEJEM		•			
• GUNDERSON			• LEIBHAN			• STRINDEN		•			
• GUNSCHE			• LIPSIEA			• SWONTEK		•			
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON		•	• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2092.** — A Bill for an Act to allow creditors to charge a late payment charge in the amount of one and one-half percent on accounts receivable from thirty days after the obligation is incurred, and to require creditors to supply debtors with a periodic statement, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 54; nays, 43; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON			UNHJEM		
BENEDICT		•	HICKLE			MEIERS		•	VANDER VORST		
BERG			HOFFNER		•	MELBY		•	WIG		
BERGE			HOUWANN		•	MERTENS			WAGNER		
BERGER		•	HOVE			MEYER		•	WALD		
BJORNSON			JACOBSEN R			MURPHY		•	WALSH		•
BLACK		•	JACOBSEN I		•	MUSHIK		•	WEBER		•
BOYUM			KELLY		•	NICHOLAS			WENTZ		•
BROKAW		•	KENNELLY			OLSON		•	WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL		•	WINKLER		
CONMY			KINGSBURY			PELTIER			MR SPEAKER		
CRABTREE			KLOUBEC			PETERSON	•				
DICK	•		KNUDSON		•	POWERDY		•			
DIETZ			KOSKI		•	REED					
DOTZENROD		•	KRETSCHMAR			RETZER					
DUBORD		•	KUCHERA			RICHARD					
EAGLES			LANG			RIEHL		•			
ERICKSON			LANGLEY			RIED					
FLEWING		•	LARDY		•	RUED					
FREBORG			LARSON F # 24			SCHINDLER					
GACKLE			LARSON G # 29			SCOFIELD					
GERL		•	LARSON H # 7		•	SOLBERG		•			
GORDER			LEE			STENEHJEM		•			
GUNDERSON			LEIHAN		•	STRINDER					
GUNSCH		•	LIPSEA			SWIONTEK					
HANSON			MAIXNER		•	THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER A # 49		•	MARTIN			TIMM					
HAUSAUER R # 25		•	MARTINSON			TINJUM		•			
HEDSTROM			MATHENY		•	TWETEN					

So the bill passed and the title was agreed to, and the emergency clause failed.

**Senate Bill No. 2096.** — A Bill for an Act to create and enact nine new sections to chapter 4-30 of the North Dakota Century Code, relating to applicants for a dairy industries license satisfying the dairy department as to financial condition or otherwise providing security for payments to dairy producers; to amend and reenact sections 4-30-04, 4-30-07, 4-30-08, and 4-30-15 of the North Dakota Century Code, relating to the dairy department becoming trustee upon default of the licensee, remedies of claimants upon default of the licensee, dairy department appeals or compromises of actions, and suspension or revocation of license and judicial review; and to repeal section 4-30-03 of the North Dakota Century Code, relating to bonding of purchasers of dairy products.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON			UNHJEM		
BENEDICT			HICKLE			MEIERS		•	VANDER VORST		
BERG			HOFFNER		•	MELBY		•	WIG		
BERGE			HOUWANN		•	MERTENS			WAGNER		
BERGER		•	HOVE			MEYER		•	WALD		
BJORNSON			JACOBSEN R			MURPHY		•	WALSH		•
BLACK		•	JACOBSEN I		•	MUSHIK		•	WEBER		•
BOYUM			KELLY		•	NICHOLAS			WENTZ		•
BROKAW		•	KENNELLY			OLSON		•	WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAHL		•	WINKLER		
CONMY			KINGSBURY			PELTIER			MR SPEAKER		
CRABTREE			KLOUBEC			PETERSON	•				
DICK	•		KNUDSON		•	POWERDY		•			
DIETZ			KOSKI		•	REED					
DOTZENROD		•	KRETSCHMAR			RETZER					
DUBORD		•	KUCHERA		•	RICHARD					
EAGLES			LANG			RIEHL		•			
ERICKSON			LANGLEY			RIED					
FLEWING		•	LARDY		•	RUED					
FREBORG			LARSON F # 24			SCHINDLER					
GACKLE			LARSON G # 29			SCOFIELD					



● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2110.** — A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to participate with subsidiary corporations, to purchase short term commercial and finance company paper, and to increase maximum loan value of farmland from one-half to seventy-five percent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 8; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY	●		● VIG		
● BERGE			● HOUWMANN	●		● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R.			● MURPHY	●		● WALSH		
● BLACK			● JACOBSON I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON	●		● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER	●				
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK	●		● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANGE			● RICHE					
● ERICKSON			● LANGLEY			● RIEH					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F. #24			● SCHINDLER					
● GACKLE			● LARSON H. #29			● SCOFIELD					
● GERL			● LARSON H. #7			● SOLBERG	●				
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN	●		● THORSGARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2214.** — A Bill for an Act placing jurisdiction over storage or disposal of nuclear and other wastes in the industrial commission, providing for permits for such storage or disposal, providing exemptions, providing for administrative regulations; and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		

• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBERG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIGHAN	• STRINDEN	
• GUNSCHE	• LIPSIEA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSON	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2219.** — A Bill for an Act to amend and reenact section 65-05-01, subsection 4 of section 65-05-16, and section 65-05-17 of the North Dakota Century Code, relating to filing of claims for compensation and an increase in death benefits; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOEN			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HULMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBERG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIGHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSON					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2229.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 52-06-04 of the North Dakota Century Code, relating to unemployment compensation weekly benefit amount and qualifying wages; and to amend and reenact section 52-06-05 of the North Dakota Century Code, relating to maximum potential unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 34; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	•	HERMAN		•	MATTSON		•	UNHJEM	
BENEDICT		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
BERG		•	•	HOFFNER		•	MELBY		•	VIG	
BERGE		•	•	HOUMANN		•	MERTENS		•	WAGNER	
BERGER		•	•	HOVE		•	MEYER		•	WALD	
BJORNSON		•	•	JACOBSEN R		•	MURPHY		•	WALSH	•
BLACK		•	•	JACOBSEN I		•	MUSHK		•	WEBER	•
BOYUM		•	•	KELLY		•	NICHOLAS		•	WENTZ	•
BROKAW		•	•	KENNELLY		•	OLSON		•	WESSMAN	•
CHRISTENSEN		•	•	KERMOTT		•	OPEDAHL		•	WINKJER	•
CONMY		•	•	KINGSBURY		•	PELTIER		•		
CRABTREE		•	•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
DICK	•		•	KNUDSON		•	POMEROY				
DIETZ		•	•	KOSKI		•	REED				
DOTZENROD		•	•	KRETSCHMAR		•	RETZER				
DUBORD		•	•	KUCHERA		•	RICHARD		•		
EAGLES		•	•	LANG		•	RICHE				
ERICKSON		•	•	LANGLEY		•	RIEHL				
FLEMING		•	•	LARDY	•		RIED				
FREBORG		•	•	LARSON F # 24		•	SCHINDLER				
GACKLE	•		•	LARSON G # 29		•	SCOFIELD				
GERL		•	•	LARSON H # 7		•	SOLBERG				
GORDER		•	•	LEE		•	STENEHJEW		•		
GUNDERSON		•	•	LEIBHAN	•		STRINDEN				
GUNSCHE		•	•	LIPSIEA		•	SWONTEK				
HANSON		•	•	MAIKNER		•	THOMPSON				
HAUGLAND		•	•	MARSDEN		•	THORSGAR	•			
HAUSAUER A # 49		•	•	MARTIN		•	TIMM				
HAUSAUER R # 25		•	•	MARTINSON		•	TINJUM		•		
HEDSTROM		•	•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**Senate Bill No. 2235.** — A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to authority of the board of county commissioners to construct, rebuild or repair a bridge under its own supervision.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOUMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN R		•	MURPHY		•	WALSH	•
•			•	JACOBSEN I		•	MUSHK		•	WEBER	•
•			•	KELLY		•	NICHOLAS		•	WENTZ	•
•			•	KENNELLY		•	OLSON		•	WESSMAN	•
•			•	KERMOTT		•	OPEDAHL		•	WINKJER	•
•			•	KINGSBURY		•	PELTIER		•		
•			•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
•			•	KNUDSON		•	POMEROY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD				
•			•	LANG		•	RICHE				
•			•	LANGLEY		•	RIEHL				
•			•	LARDY		•	RIED				
•			•	LARSON F # 24		•	SCHINDLER				
•			•	LARSON G # 29		•	SCOFIELD				
•			•	LARSON H # 7		•	SOLBERG				
•			•	LEE		•	STENEHJEW				
•			•	LEIBHAN	•		STRINDEN				
•			•	LIPSIEA		•	SWONTEK				
•			•	MAIKNER		•	THOMPSON				
•			•	MARSDEN		•	THORSGAR	•			
•			•	MARTIN		•	TIMM				
•			•	MARTINSON		•	TINJUM				
•			•	MATHENY		•	TWETEN				



• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2267.** — A Bill for an Act to create and enact a new section to chapter 51-04 of the North Dakota Century Code, relating to optional licensing of transient merchants by the attorney general; and to amend and reenact subsection 1 of section 51-04-01 of the North Dakota Century Code, relating to the definition of transient merchants; to amend and reenact section 51-04-02 of the North Dakota Century Code, relating to the application for a transient merchants license; to amend and reenact section 51-04-03 of the North Dakota Century Code, relating to license fees and issuance of a bond; to amend and reenact section 51-04-05 of the North Dakota Century Code, relating to the failure of a transient merchant's affidavit for certain sales; to amend and reenact section 51-04-07 of the North Dakota Century Code, relating to service of process; to amend and reenact section 51-04-08 of the North Dakota Century Code, relating to certain excepted sales from the transient merchants law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 2; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKE			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT			• HICKE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSA			• REED					
• DOTZENPOD			• KRETSCHMAR			• REITZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA			• SWIONTEK					
• HANSON			• MAIXNER			• THOMPSON		•			
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2272.** — A Bill for an Act to create and enact three new sections to chapter 39-21 of the North Dakota Century Code, relating to additional lighting equipment on vehicles, vehicular hazard





Dakota businessman will wake up to the fact that he is being squeezed by the large companies operating in the state.”

ANNOUNCEMENT BY SPEAKER

Speaker Wagner announced that an opinion has been requested from the legal staff of the Legislative Council in regard to his ruling earlier today in regard to reconsideration of a measure which had been previously reconsidered, and on which he had ruled today the reconsideration of Senate Bill No. 2150 had been out of order. Inasmuch as there is question that his ruling might be incorrect, he would entertain a motion at this time for the reconsideration of Senate Bill No. 2150, thereby not allowing any bill failing to pass because the ruling from the chair was questionable.

Rep. Olson moved that the House reconsider its action whereby Senate Bill No. 2150 failed to pass, which motion prevailed on a verification vote.

Rep. Winkjer moved that Senate Bill No. 2150 be laid over one legislative day, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1126

House Bill No. 1275

House Bill No. 1446

House Bill No. 1494

House Bill No. 1529

House Bill No. 1610

House Bill No. 1675

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3055

House Concurrent Resolution No. 3064

House Concurrent Resolution No. 3077

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1101

House Bill No. 1561

House Bill No. 1600

House Bill No. 1619

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4069.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1003

House Bill No. 1301

House Bill No. 1388

House Bill No. 1400.

LEO LEIDHOLM, Secretary



## AMENDMENT TO HOUSE BILL NO. 1003

On page 1, line 8 of the engrossed bill delete the amount "\$372,130.00" and insert in lieu thereof the amount "\$307,130.00"

And renumber lines and pages accordingly.

PURPOSE OF INTENT: This bill is to delete the \$65,000 for electronic bulletin boards in this biennium. The intent is to include the recessing of file cabinets in the Senate and House remodeling.

## AMENDMENT TO HOUSE BILL NO. 1301

On page 1, line 16, after the word "premium" insert the words and commas ", in an amount equal to that contributed under the alternate family contract, including major medical coverage,"

On page 2, line 9, delete the strike-through over the words "~~monthly-by-enrolled-eligible~~"

On page 2, line 10, delete the strike-through over the words "~~employees~~" and "paid"

On page 2, line 11, delete the strike-through over the words "~~monthly-by-enrolled-eligible-employees~~"

On page 2, line 28, strike the word "entire"

And renumber the lines accordingly

## AMENDMENT TO HOUSE BILL NO. 1388

On page 1, line 1 of the engrossed bill after the word "to" insert the words "create and enact a new section to Chapter 51-13 of the North Dakota Century Code, relating to applicability; and to amend and"

On page 1, after line 5 of the engrossed bill insert the following new section:

"SECTION 1.) A new section to chapter 51-13 of the North Dakota Century Code is hereby created and enacted to read as follows:

APPLICABILITY.) No provision of this chapter shall apply to a retail installment sale of personal property if:

1. The cash price of the personal property exceeds twenty-five thousand dollars; and
2. The personal property is to be used primarily for a business or commercial purpose, not a personal, family, household or agricultural purpose."

On page 3, line 2 of the engrossed bill after the period insert the words "This finance charge may be precomputed on the amount financed calculated on the assumption that all scheduled payments will be paid when due and the effect of prepayment is governed by the provisions on rebate upon prepayment."

And renumber the lines, sections and pages accordingly.

## AMENDMENT TO HOUSE BILL NO. 1400

On page 7, line 15 delete the word "initiated" and insert in lieu thereof the word "initiates"

And renumber the lines accordingly

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3001

House Concurrent Resolution No. 3062.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2283

Senate Bill No. 2301

Senate Bill No. 2479

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2202

Senate Bill No. 2204

Senate Bill No. 2217

Senate Bill No. 2232

Senate Bill No. 2265

Senate Bill No. 2278

Senate Bill No. 2295

Senate Bill No. 2299

Senate Bill No. 2319

Senate Bill No. 2326

Senate Bill No. 2330

Senate Bill No. 2358

Senate Bill No. 2359

Senate Bill No. 2360

Senate Bill No. 2394

Senate Bill No. 2422

Senate Bill No. 2464

Senate Concurrent Resolution No. 4025

Senate Concurrent Resolution No. 4038

Senate Concurrent Resolution No. 4040

Senate Concurrent Resolution No. 4057

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1075

House Bill No. 1273

House Bill No. 1291

House Bill No. 1337

House Bill No. 1414

House Bill No. 1419

House Bill No. 1431

House Bill No. 1433

House Bill No. 1442

House Bill No. 1464

House Bill No. 1476

House Bill No. 1503

House Bill No. 1511

House Bill No. 1542  
 House Bill No. 1583  
 House Bill No. 1589  
 House Bill No. 1612  
 House Bill No. 1629  
 House Bill No. 1630

House Concurrent Resolution No. 3032  
 House Concurrent Resolution No. 3035  
 House Concurrent Resolution No. 3043  
 House Concurrent Resolution No. 3046

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1075  
 House Bill No. 1273  
 House Bill No. 1291  
 House Bill No. 1337  
 House Bill No. 1414  
 House Bill No. 1419  
 House Bill No. 1431  
 House Bill No. 1433  
 House Bill No. 1442  
 House Bill No. 1464  
 House Bill No. 1476  
 House Bill No. 1503  
 House Bill No. 1511  
 House Bill No. 1542  
 House Bill No. 1583  
 House Bill No. 1589  
 House Bill No. 1612  
 House Bill No. 1629  
 House Bill No. 1630

House Concurrent Resolution No. 3032  
 House Concurrent Resolution No. 3035  
 House Concurrent Resolution No. 3043  
 House Concurrent Resolution No. 3046

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2073  
 Senate Bill No. 2079  
 Senate Bill No. 2094  
 Senate Bill No. 2107  
 Senate Bill No. 2120  
 Senate Bill No. 2136  
 Senate Bill No. 2172  
 Senate Bill No. 2173  
 Senate Bill No. 2180  
 Senate Bill No. 2200  
 Senate Bill No. 2201

Senate Bill No. 2215  
 Senate Bill No. 2222  
 Senate Bill No. 2231  
 Senate Bill No. 2243  
 Senate Bill No. 2264

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills No. 2256, 2304, 2421.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2073  
 Senate Bill No. 2079  
 Senate Bill No. 2094  
 Senate Bill No. 2107  
 Senate Bill No. 2120  
 Senate Bill No. 2136  
 Senate Bill No. 2172  
 Senate Bill No. 2173  
 Senate Bill No. 2180  
 Senate Bill No. 2200  
 Senate Bill No. 2201  
 Senate Bill No. 2215  
 Senate Bill No. 2222  
 Senate Bill No. 2231  
 Senate Bill No. 2243  
 Senate Bill No. 2264

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2073  
 Senate Bill No. 2079  
 Senate Bill No. 2094  
 Senate Bill No. 2107  
 Senate Bill No. 2120  
 Senate Bill No. 2136  
 Senate Bill No. 2172  
 Senate Bill No. 2173  
 Senate Bill No. 2180  
 Senate Bill No. 2200  
 Senate Bill No. 2201  
 Senate Bill No. 2215  
 Senate Bill No. 2222  
 Senate Bill No. 2231  
 Senate Bill No. 2243  
 Senate Bill No. 2264

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
 Senate Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 1035, 1037,

1250, 1374, 1458, 1578 and subsequently passed the same, refused to concur in the Senate amendment to House Bill No. 1409, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1409:

Rep. Boyum  
Rep. G. Larson  
Rep. Gerl

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1075  
House Bill No. 1273  
House Bill No. 1291  
House Bill No. 1337  
House Bill No. 1414  
House Bill No. 1419  
House Bill No. 1431  
House Bill No. 1433  
House Bill No. 1442  
House Bill No. 1464  
House Bill No. 1476  
House Bill No. 1503  
House Bill No. 1511  
House Bill No. 1542  
House Bill No. 1583  
House Bill No. 1589  
House Bill No. 1612  
House Bill No. 1629  
House Bill No. 1630  
House Concurrent Resolution No. 3032  
House Concurrent Resolution No. 3035  
House Concurrent Resolution No. 3043  
House Concurrent Resolution No. 3046.  
Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1075	H. B. No. 1612
H. B. No. 1273	H. B. No. 1629
H. B. No. 1291	H. B. No. 1630
H. B. No. 1337	
H. B. No. 1414	
H. B. No. 1419	
H. B. No. 1431	
H. B. No. 1433	

- H.B. No. 1442 .....
- H.B. No. 1464 .....
- H.B. No. 1476 .....
- H.B. No. 1503 .....
- H.B. No. 1511 .....
- H.B. No. 1542 .....
- H.B. No. 1583 .....
- H.B. No. 1589 .....

were delivered to the } Governor  
 } ~~Secretary of State~~ for his approval at the hour of

3:30 o'clock P.m., March 12, 1979

*Wayne Stenehjem*  
 Rep. Stenehjem Chairman.  
BY ROTY

The committee on Enrollment and Engrossment respectfully reports that:

- H.C.R. No. 3032 .....
- H.C.R. No. 3035 .....
- H.C.R. No. 3043 .....
- H.C.R. No. 3046 .....

were delivered to the } ~~Governor~~  
 } Secretary of State ~~XXXXXXXXXX~~ at the hour of

3:22 o'clock P.m., March 12, 1979

*Wayne Stenehjem*  
 Rep. Stenehjem Chairman.  
BY ROTY

MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee on:

- House Bill No. 1006:
- Senator Melland
- Senator Hanson
- Senator Tallackson
- House Bill No. 1019:
- Senator Fritzell
- Senator Olin
- Senator Erdman
- House Bill No. 1032:
- Senator Naaden
- Senator Smykowski
- Senator Walsh

House Bill No. 1222:  
Senator Nelson  
Senator Roen  
Senator Krauter

LEO LEIDHOLM, Secretary

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House be on the Thirteenth Order of Business, and at the conclusion of the Thirteenth Order, the House stand adjourned until 1:00 p.m., Tuesday, March 13, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate

Bill No. 2054, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 3; Absent, 0, that the same

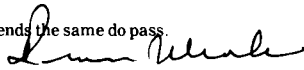
- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 27 of the engrossed bill delete the word "shall" and insert in lieu thereof the word "may" and also delete the words "Notwithstanding the"

On page 2, delete all of lines 28 through 34

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

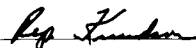


Senate Rep. Winkjer Chairman  
Bill No. 2054 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education  
to whom was referred Senate

Bill No. 2059, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.



Senate Rep. Knudson Chairman  
Bill No. 2059 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate

Bill No. 2122, has had the same under consideration and recommends, by a vote of  
Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

  
Rep. Winkjer

Chairman

Senate

Bill No. 2122

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

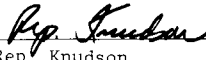
Bill No. 2139, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



Chairman

Rep. Knudson

Senate

Bill No. 2139

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2186, has had the same under consideration and recommends, by a vote of

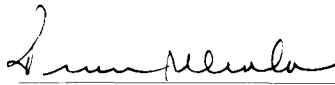
Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

But be re-referred to the Committee on Appropriations



Chairman

Rep. Winkjer

Senate

Bill No. 2186

was

re-referred to the Committee on Appropriations

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2196, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19 of the engrossed bill, delete the word "primarily"

On page 2, line 5, delete the word "residential" and insert in lieu thereof the following: "principal dwelling."

On page 2, delete lines 6 and 7

On page 2, line 10, delete the word "primarily"



On page 2, line 18, delete the word "primarily"

On page 2, line 24, delete the word "residential" and insert in lieu thereof the following: "principal dwelling."

On page 2, delete lines 25 and 26

On page 2, line 29. delete the word "primarily"

On page 3, line 6, after the word "disability," delete the remainder of the line and insert in lieu thereof the following: "or by permanently physically disabled individuals who have either surrendered or who have been denied a driver's license because of a permanent physical disability, provided the individuals obtain from the state highway commissioner or his authorized representative a statement that the individual has such a restricted driver's license or has either surrendered or has not been issued a driver's license because of a permanent physical disability; a copy of the statement shall be attached to the application for registration of the title to the motor vehicle for which the exemption from tax under this chapter is claimed. Any motor vehicle acquired subject to this exemption must be disposed of either by transfer to another permanently physically disabled person or by a trade-in on another exempt sale or by a transfer involving a sale subject to sales or use tax before another motor vehicle can be acquired subject to the benefits of this exemption clause."

On page 3, delete lines 7 and 8

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman  
Rep. Gackle

Senate Bill No. 2196 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred Senate

Bill No. 2226, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Knudson*

Chairman  
Rep. Knudson

Senate Bill No. 2226 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2237, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Gackle*

Chairman  
Rep. Gackle

Senate Bill No. 2237 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred Senate

Bill No. 2285, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 12, delete the word "of" and insert in lieu thereof  
the word "to" and after the word "amended" insert the  
following: "and reenacted"

On page 2, line 23, delete the word "credited" and insert in lieu  
thereof the word "credited"

On page 3, line 5, delete "71" and insert in lieu thereof "1971"

On page 3, line 21, after the word "education" strike "and any"

On page 3, strike all of line 22

On page 3, line 23, strike the words "nonpublic school"

On page 3, line 24, strike "As used in this"

On page 3, strike all of lines 25 through 29

On page 3, line 34, delete the numeral "4" and insert in lieu thereof  
the numeral "3"

And renumber the lines, pages, and sections accordingly

And when so amended, recommends the same do pass.

Rep. Hudson Chairman  
Rep. Hudson

Senate Bill No. 2285 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2300, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.



Senate Bill No. 2300 was placed on the 14th  
Chairman  
Rep. Rued

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred Senate

Bill No. 2384, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 6; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

JOURNAL OF THE HOUSE

*Rep. Knudson* Chairman

Senate Rep. Knudson Bill No. 2384 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education to whom was referred Senate

Bill No. 2395, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 0; Absent, 6, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Knudson* Chairman

Senate Rep. Knudson Bill No. 2395 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary to whom was referred Senate

Bill No. 2433, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 14 of the engrossed bill after the word "vehicle" delete the words "within any city"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rep. Winkjer* Chairman

Senate Rep. Winkjer Bill No. 2433 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2465, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1 of the engrossed bill, delete the comma and insert in lieu thereof the word "and"

On page 1, line 2, delete the following: ", and 15-18-07"

On page 1, line 3, delete the words "and state aid"

On page 3, delete lines 9 through 35

On page 4, delete lines 1 through 19

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

Senate Bill No. 2465 Rep. Gackle was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2469, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Rued*

Chairman

Senate Bill No. 2469 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution

No. 4050, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

*Rep. Peterson*

Chairman

Senate Concurrent Resolution No. 4050 Rep. James A. Peterson was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education to whom was referred Senate Concurrent Resolution

No. 4062, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Knudson*

Chairman

Senate Concurrent Resolution No. 4062 Rep. Knudson was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution

No. 4078, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same



FORTY-NINTH DAY

Bismarck, March 13, 1979

The House convened at 1:00 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. William Puls, First Presbyterian Church, Minot, North Dakota. The roll was called, and all members were present except Reps. Gerl, R. Jacobsen, F. Larson, Lee, Strinden and Thorsgard. A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-eighth

day and recommends that the same be corrected as follows:

On page 1590, delete line 18, and insert in lieu thereof, "So that portion of House Bill No.1014 which the Governor vetoed failed to pass, and the veto was sustained."

And when so corrected recommends that the same be approved.

Signature of Steven J. Swiorter, Rep. Swiorter

Rep. Houmann moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker Your Procedural Committee on Delayed Bills

recommends that HCR #3090 be introduced.

Signature of Earl Strinden, Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1156
- HB NO. 1190
- HB NO. 1192
- HB NO. 1202
- HB NO. 1261
- HB NO. 1305
- HB NO. 1309
- HB NO. 1322
- HB NO. 1346
- HB NO. 1379
- HB NO. 1457
- HB NO. 1462
- HB NO. 1473
- HB NO. 1477
- HB NO. 1487
- HB NO. 1505
- HB NO. 1509
- HB NO. 1510
- HB NO. 1545
- HB NO. 1590
- HCR NO. 3018
- HCR NO. 3045
- HCR NO. 3052

and find the same correctly } Enrolled

Representative Hanson Rep. Stenehjem Chairman  
 motion prevailed, and the report was adopted. moved that the report be adopted, which

STATE OF NORTH DAKOTA  
 EXECUTIVE OFFICE  
 BISMARCK

The Honorable Vernon Wagner  
 Speaker of the House  
 House Chambers  
 Bismarck, North Dakota 58505

Dear Mr. Speaker:  
 This letter is to inform you that on March 8, 1979, I signed the following House Bills:  
 House Bill No. 1012  
 House Bill No. 1020  
 House Bill No. 1053  
 House Bill No. 1072  
 House Bill No. 1166  
 House Bill No. 1170  
 House Bill No. 1173  
 House Bill No. 1176  
 House Bill No. 1191

House Bill No. 1251  
 House Bill No. 1272  
 House Bill No. 1280  
 House Bill No. 1284  
 House Bill No. 1285  
 House Bill No. 1327  
 House Bill No. 1348  
 House Bill No. 1365  
 House Bill No. 1366  
 House Bill No. 1389  
 House Bill No. 1394  
 House Bill No. 1408  
 House Bill No. 1422  
 House Bill No. 1426  
 House Bill No. 1434  
 House Bill No. 1441  
 House Bill No. 1444  
 House Bill No. 1495  
 House Bill No. 1541  
 House Bill No. 1557  
 House Bill No. 1601  
 House Bill No. 1664

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

#### MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3002  
 House Concurrent Resolution No. 3089

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2023  
 Senate Bill No. 2225  
 Senate Bill No. 2302  
 Senate Bill No. 2349  
 Senate Bill No. 2363  
 Senate Concurrent Resolution No. 4018  
 Senate Concurrent Resolution No. 4049

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2044  
 Senate Bill No. 2095  
 Senate Bill No. 2135  
 Senate Bill No. 2153  
 Senate Bill No. 2159  
 Senate Bill No. 2175  
 Senate Bill No. 2297  
 Senate Bill No. 2321  
 Senate Bill No. 2338



Senate Bill No. 2354  
 Senate Bill No. 2377  
 Senate Bill No. 2432

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2151  
 Senate Bill No. 2156  
 Senate Bill No. 2207  
 Senate Bill No. 2378

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2151  
 Senate Bill No. 2156  
 Senate Bill No. 2207  
 Senate Bill No. 2378

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
 House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2151  
 Senate Bill No. 2156  
 Senate Bill No. 2207  
 Senate Bill No. 2378

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1156  
 House Bill No. 1190  
 House Bill No. 1192  
 House Bill No. 1202  
 House Bill No. 1261  
 House Bill No. 1305  
 House Bill No. 1309  
 House Bill No. 1322  
 House Bill No. 1346  
 House Bill No. 1379  
 House Bill No. 1457  
 House Bill No. 1462  
 House Bill No. 1473  
 House Bill No. 1477  
 House Bill No. 1487  
 House Bill No. 1505  
 House Bill No. 1509  
 House Bill No. 1510  
 House Bill No. 1545  
 House Bill No. 1590

House Concurrent Resolution No. 3018  
 House Concurrent Resolution No. 3045  
 House Concurrent Resolution No. 3052

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1156

House Bill No. 1190

House Bill No. 1192

House Bill No. 1202

House Bill No. 1261

House Bill No. 1305

House Bill No. 1309

House Bill No. 1322

House Bill No. 1346

House Bill No. 1379

House Bill No. 1457

House Bill No. 1462

House Bill No. 1473

House Bill No. 1477

House Bill No. 1487

House Bill No. 1505

House Bill No. 1509

House Bill No. 1510

House Bill No. 1545

House Bill No. 1590

House Concurrent Resolution No. 3018

House Concurrent Resolution No. 3045

House Concurrent Resolution No. 3052

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIXTH ORDER OF BUSINESS

Rep. Winkjer moved that the amendments to Senate Bill No. 2054 as recommended by the Committee on Judiciary as printed on page 1610 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2196 as recommended by the Committee on Finance and Taxation as printed on pages 1611 and 1612 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2285 as recommended by the Committee on Education as printed on page 1613 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2433 as recommended by the Committee on Judiciary as printed on page 1614 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2465 as recommended by the Committee on Finance and Taxation as printed on pages 1614 and 1615 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Concurrent Resolution No. 4078 as recommended by the Committee on Judiciary as printed on pages 1615 and 1616 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Timm moved that the House reconsider its action whereby Senate Bill No. 2070 passed, which motion failed on a verification vote.

## FIRST READING OF HOUSE RESOLUTIONS

Committee on Employment introduced:

**House Concurrent Resolution No. 3090.** — A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

Was read the first time.

## MOTION

Rep. Martinson moved that the rules be suspended, that House Concurrent Resolution No. 3090 not be printed as a bill, not referred to a committee, but printed in the Journal and laid over one legislative day, which motion prevailed.

## HOUSE CONCURRENT RESOLUTION No. 3090

Introduced by Committee on Employment (Approved by Committee on Delayed Bills).

A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

WHEREAS, it is necessary to complete and close all legislative work; and

WHEREAS, in order to complete and close all current legislative work of the Forty-sixth Legislative Assembly, it is necessary to retain certain employees;

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

That the following named positions may be retained by the House of Representatives and the Senate after the close of the Session:

## HOUSE POSITIONS

Chief Clerk  
 Assistant Chief Clerk  
 Desk Reporter  
 Bill Clerk  
 Chief Stenographer and Payroll Clerk  
 Secretary to the Speaker  
 Secretary to the Majority Floor Leader  
 Secretary to the Minority Floor Leader  
 Sergeant-at-Arms  
 Deputy Sergeant-at-Arms  
 Assistant Sergeant-at-Arms  
 Appropriations Committee Clerk  
 Chief Committee Clerk  
 Committee Clerks  
 Chief Journal and Bill Room Clerk  
 Bill Room Clerk  
 Chief Page  
 Pages  
 Desk Pages  
 Journal Proofreaders

## SENATE POSITIONS

Secretary to the Senate  
 Assistant Secretary to the Senate  
 Desk Reporter  
 Bill Clerk

Chief Stenographer and Payroll Clerk  
 Secretary to Majority Floor Leader  
 Secretary to Minority Floor Leader  
 Sergeant-at-Arms  
 Assistant Sergeant-at-Arms  
 Chief Telephone Clerk  
 Appropriations Committee Clerk  
 Assistant Appropriations Committee Clerk  
 Chief Committee Clerk  
 Committee Clerks  
 Journal Room Clerk  
 Chief Page  
 Pages  
 Desk Pages  
 Journal Proofreaders

BE IT FURTHER RESOLVED, that the above-listed House and Senate Employees shall serve at the request of, and under the supervision of, the Chief Clerk of the House, and the Secretary of the Senate, and that all of the listed employees, including the Chief Clerk of the House, and the Secretary of the Senate, shall be employed for not more than 200 man-days in the aggregate. The Secretary of the Senate shall assign work among the available Senate employees in the appropriate manner. The Chief Clerk of the House shall assign work among the available House employees in the appropriate manner. It is the duty of the Chief Clerk of the House and the Secretary of the Senate to coordinate the work assignments in both houses in such a manner that the total number of man-days do not exceed the man-days limits herein. The Secretary of the Senate and the Chief Clerk of the House shall minimize the days allocated to the extent consistent with the completion of legislative work; and

BE IT FURTHER RESOLVED, that the employees in the above named positions be paid their regular rates of pay as specified in House Concurrent Resolution No. 3014, and all of the above expenses are to be paid out of the appropriation to the Forty-sixth and Forty-seventh Legislative Assemblies and paid at the completion of said work providing that payment shall not be authorized for more than the 200 man-days in the aggregate.

#### MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1469

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4061

Senate Concurrent Resolution No. 4084

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1104

House Bill No. 1169

House Bill No. 1254

House Bill No. 1312  
House Bill No. 1352

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1076  
House Bill No. 1117  
House Bill No. 1268  
House Bill No. 1377  
House Bill No. 1380  
House Bill No. 1398  
House Bill No. 1450  
House Bill No. 1471

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1076

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act relating to insurance companies, providing for the reporting of product liability claims and other information to the commissioner of insurance, and providing for the confidentiality of the reported information.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITION.) In this Act, unless the context or subject matter otherwise requires, the term "product liability insurance" means both product liability and completed operations liability insurance and includes:

1. Any policy of insurance insuring only the insured's legal obligations arising from the product liability or completed operations exposure of the insured.
2. Any other policy of insurance in which the premium computation includes a premium charge for product liability or completed operations exposure of the insured.
3. Any other insurance policy which provides product liability or completed operations insurance.

SECTION 2. REPORTING OF PRODUCT LIABILITY INFORMATION.) Every insurance company providing product liability insurance or excess insurance above self-insurance to one or more manufacturers, sellers, or distributors in this state shall file with the commissioner of insurance, not later than the first day in April in each year, a report containing the following information for the one-year period ending December thirty-first of the previous year, except that information for the period preceding July 1, 1979, need not be reported.

1. The name of the insurance company.
2. The name of all other insurance companies associated with the company submitting the report.
3. The states in which the company has been admitted for product liability insurance.

4. The dollar amount collected in product liability earned premiums and the dollar amount of product liability incurred losses in this state and on a nationwide basis.
5. The amounts shown in answer to subsection 4 which include any other insurance delivered as part of a package which cannot be considered exclusively product liability insurance.
6. The total number of insureds, resident or located in North Dakota, for which the insurance company provided product liability insurance.
7. The total number of insureds, resident or located in North Dakota, whose product liability insurance coverage the insurance company canceled or refused to renew and the reasons therefor.
8. The percentage of product liability premiums that are incurred for the following:
  - a. Losses, including all loss adjustment expenses ratioed to premiums earned.
  - b. Commissions, ratioed to premiums written.
  - c. Taxes, ratioed to premiums written.
  - d. All other expenses, ratioed to premiums earned.
  - e. The total of all expenses included in subdivisions a through d, ratioed to premiums earned.
  - f. Profits and reserves, ratioed to premiums earned.
9. The basis upon which the company allocates premiums received and losses incurred from a multistate product liability risk, whether it be assigned to the risk's state or domicile, allocated to each state in which the risk has a physical plant, allocated to each state on the basis of sales in each state, or allocated on some other basis.

The report shall be in the format established by the commissioner of insurance and a copy of the insurance company's most recent annual report to shareholders or policyholders shall be submitted with the report. If any of the required data is estimated, that fact shall be clearly indicated.

SECTION 3. CONFIDENTIALITY.) The commissioner of insurance may make reports required by this Act available to the public, but any reports made available to the public must be made in a manner that will not reveal the names of any person, manufacturer or seller involved.

SECTION 4. LIMITATION OF LIABILITY.) There shall be no liability on the part of, and no cause of action of any nature shall arise against any insurer reporting hereunder or its agents or employees, or the commissioner of insurance or the commissioner's employees, for any action taken by them pursuant to this Act."

And renumber the lines, sections, and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1117

On page 2, line 21 of the engrossed bill, after the word "planning" insert the following: "but shall not exceed \$50,000 per biennium"

And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1268

On page 1, line 9 of the engrossed bill, following the word "contract" insert the following: ", and to amend and reenact section 26-38-24 of the North Dakota Century Code, relating to examinations of health maintenance organizations"

On page 3, after line 35 of the engrossed bill, insert the following:

"SECTION 3. AMENDMENT.) Section 26-38-24 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

26-38-24. EXAMINATIONS BY COMMISSIONER AND STATE DEPARTMENT OF HEALTH - EXPENSES AGAINST ORGANIZATION - EXAMINATION BY OTHER STATES.) The commissioner may make an examination of the affairs of any health maintenance organization ~~and providers with whom such organization has contracts, agreements, or other arrangements pursuant to its health care plan~~ as often as he deems it necessary for the protection of the interests of the people of this state but not less frequently than once every three years.

The state department of health may make an examination concerning the quality of health care services of any health maintenance organization ~~and providers with whom such organization has contracts, agreements, or other arrangements pursuant to its health care plan~~ as often as it deems it necessary for the protection of the interests of the people of this state but not less frequently than once every three years.

Every health maintenance organization and provider shall submit its books and records relating to the health care plan to such examinations and in every way facilitate them. For the purpose of examinations, the commissioner and the state department of health may administer oaths to, and examine the officers and agents of the health maintenance organization and the principals of such providers with whom such organization has contracts, agreements, or other arrangements pursuant to its health care plan, concerning their business. To the extent that such examinations may require the disclosure of personally identifying information relating to either financial transactions or medical information concerning a plan enrollee in the records of the health maintenance organization or the records of a provider with whom such organization has contracts, agreements, or other arrangements pursuant to its health care plan, such information is to be used for the sole purpose of assessing the quality of care provided and the degree of compliance with provisions of this chapter. Such information is to be held in confidence and shall not be disclosed except upon the express consent of the enrollee, or pursuant to a court order for the production of evidence or the discovery thereof, or in the event of a claim or litigation between the enrollee and the health maintenance organization wherein such information is pertinent.

The expenses of examinations under this section shall be assessed against the organization being examined and remitted to the commissioner or the state department of health for whom the examination is being conducted.

In lieu of such examination, the commissioner or the state department of health may accept the report of an examination made by the commissioner or the state department of health of another state or jurisdiction.

And renumber the lines, sections and pages accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1377

On page 1, line 13, delete the strike-through over the words "~~of-not-to-exceed~~"

On page 1, line 13, after the word "seven" insert the word "forty" and delete the strike-through over the word "mits"

And renumber the lines, pages and sections accordingly

## AMENDMENTS TO HOUSE BILL NO. 1380

On page 1, line 7, delete the words "all public or" and insert in lieu thereof the words "public notice must be given in advance of all meetings governed by section 44-04-19."

On page 1, delete lines 8 through 11

On page 1, line 12, delete the words "adequate, and timely public notice of their meetings."

On page 1, line 14, after the period insert the following: "However, the lack of an agenda in the notice, or a departure or an addition to the agenda at a meeting, shall not affect the validity of the meeting or the actions taken thereat."

On page 1, line 22, delete the words "full, adequate, and timely"

On page 2, insert the following new paragraphs beginning on line 17:

"The attorney general shall prepare general guidelines to assist public bodies in following the provisions of this Act.

Unless otherwise specified by law, resolution, or ordinance, or as decided by the public body, notices required by this Act do not have to be published. The provisions of Section 12.1-11-06 shall not apply to this Act."

And renumber the lines, sections and pages accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1398

On page 1, line 1, delete everything after the words "A BILL for an Act to" and delete the remainder of the bill and insert in lieu thereof the following: "provide for the licensing of electrologists and electronic hair removal technicians, relating to the definitions of terms relating to electrology, qualifications and examinations of electrologists and electronic hair removal technicians, and the special licensing of electrologists and electronic hair removal technicians by the state health council.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:



SECTION 1. DEFINITIONS.) In this chapter unless the context or subject matter otherwise requires:

1. "Electrolysis" means the removal of superfluous hair by use of the electric needle or electronic process;
2. "Electrologist" means a qualified and licensed person proficient in the removal of hair by means of the electric needle;
3. "Electronic hair removal technician" means a qualified and licensed person proficient in the removal of hair by means of an electronic process other than the electric needle;
4. "State health council" means the state health council as defined in chapter 23-01.

SECTION 2. DUTIES OF STATE HEALTH COUNCIL.) The state health council shall issue an electrologist's or electronic hair removal technician's license. The annual license shall be determined annually by the council but shall not exceed fifty dollars for new licenses and not exceed twenty-five dollars for relicensure.

SECTION 3. RULE MAKING AUTHORITY OF COUNCIL.) The state health council shall establish standards, rules and regulations which are found necessary for the maintenance of public health, including sanitation and disease control. The council shall have the following powers:

1. To establish minimum age levels;
2. To establish education and training levels for electrologists and electronic hair removal technicians;
3. To issue, deny, suspend, or revoke licenses;
4. To develop application and licensure forms;
5. To delegate the administration of the program to the state health officer, subject to such provisions as the council may make for appeal to it.

6. To promulgate such requirements as may be found necessary to carry out the intent of this act.

All electrologists and electronic hair removal technicians practicing in North Dakota prior to July 1, 1979, may, without examination, be issued a license by the council upon proof, satisfactory to the council, of having met the qualifications.

SECTION 4. PENALTY.) Any person who holds himself out as an electrologist or an electronic hair removal technician without having met the requirements and without an annual license or violates any of the provisions of this act or rules and regulations promulgated hereunder shall be guilty of an infraction."

And renumber the lines and pages accordingly

AMENDMENT TO HOUSE BILL NO. 1450

On page 1 of the engrossed bill, line 14, delete the words "other than a public restroom"

And renumber the lines and pages accordingly

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1471 AS AMENDED  
ON PAGES 1224 AND 1225 OF THE JOURNAL OF THE SENATE

Delete the amendments to House Bill No. 1471 as printed on pages 1224 and 1225 of the Senate Journal and further amend the bill as follows:

- On page 1, line 2, delete the word and numerals "chapter 16-17" and insert in lieu thereof the following words and numerals "sections 16-17-01, 16-17-02, 16-17-03, 16-17-04, 16-17-05, 16-17-05.1, 16-17-06, 16-17-07, 16-17-08, 16-17-09, 16-17-10, 16-17-10.1, 16-17-11, 16-17-12, 16-17-13, 16-17-14, 16-17-15, 16-17-16, 16-17-17, 16-17-18, 16-17-18.2, 16-17-19, and 16-17-20"
- On page 1, line 9, delete the words "Between April fifteenth and" and insert in lieu thereof the words "On or before", and delete the words "of every" and insert in lieu thereof the words "following the last preceding general election"
- On page 1, line 10, delete the words "odd-numbered year"
- On page 2, line 9, delete the word "and"
- On page 2, delete lines 10 and 11
- On page 2, line 12, delete the words "the precinct caucuses"
- On page 5, line 25, after the word "committee" insert the words "and that party's nominees for and members of the legislative assembly"
- On page 6, line 17, following the word "election" insert the following: "These officers, together with the national committeeman, national committeewoman, a representative of

state elected officials who are members of that party, the party's floor leaders in the house of representatives and senate and four district chairmen to be selected by the state committee, shall constitute the executive committee of the state committee"

On page 8, delete lines 1 through 18

On page 9, line 23, delete the word and numerals "Chapter 16-17" and insert in lieu thereof the following word and numerals "sections 16-17-01, 16-17-02, 16-17-03, 16-17-04, 16-17-05, 16-17-05.1, 16-17-06, 16-17-07, 16-17-08, 16-17-09, 16-17-10, 16-17-10.1, 16-17-11, 16-17-12, 16-17-13, 16-17-14, 16-17-15, 16-17-16, 16-17-17, 16-17-18, 16-17-18.2, 16-17-19, and 16-17-20"

On page 9, line 24, delete the word "is" and insert in lieu thereof the word "are"

And renumber the lines, sections, and pages accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1471

on page 1. line 2, delete the word and numerals "chapter 16-17" and insert in lieu thereof the following word and numerals "sections 16-17-01, 16-17-02, 16-17-03, 16-17-04, 16-17-05, 16-17-05.1, 16-17-06, 16-17-07, 16-17-08, 16-17-09, 16-17-10, 16-17-10.1, 16-17-11, 16-17-12, 16-17-13, 16-17-14, 16-17-15, 16-17-16, 16-17-17, 16-17-18, 16-17-18.2, 16-17-19, and 16-17-20

on page 1, line 9, delete the words "Between April fifteenth and" and in lieu thereof insert the words "On or before" and delete the words "of every" and insert in lieu thereof the words "following the last preceding general election"

on page 1, line 10, delete the words "odd-numbered year"

on page 2, line 9, delete the word "and"

on page 2, delete all of lines 10 and 11

on page 2, line 12, delete the words "the precinct caucuses"

on page 5, line 21, delete the word "and"

on page 5, line 22, following the word "committee" insert the words "and that party's nominees for and members of the legislative assembly"

on page 6, line 17, following the word "election." insert the following sentence: "These officers, together with the national committeeman, national committeewoman, a representative of state elected officials who are members of that party, the party's floor leaders in the House of Representatives and Senate and four district chairmen to be selected by the state committee, shall constitute the executive committee of the state committee."

on page 8, delete all of lines 1 through 18

on page 9, line 23, delete the word and numerals "Chapter 16-17" and insert in lieu thereof the following word and numerals "sections 16-17-01, 16-17-02, 16-17-03, 16-17-04, 16-17-05,

16-17-05.1, 16-17-06, 16-17-07, 16-17-08, 16-17-09, 16-17-10, 16-17-10.1, 16-17-11, 16-17-12, 16-17-13, 16-17-14, 16-17-15, 16-17-16, 16-17-17, 16-17-18, 16-17-18.2, 16-17-19, and 16-17-20

on page 9, line 24, delete the word "is" and insert in lieu thereof the word "are"

and renumber the lines, sections and pages accordingly

MOTIONS

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1388, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1400, which motion prevailed.

FIRST READING OF

SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4069.** — A concurrent resolution directing a legislative council study of the feasibility and benefits of revising chapter 32-09 of the North Dakota Century Code dealing with garnishment.

Which was read the first time and referred to the Committee on Judiciary.

SECOND READING OF HOUSE BILLS

**House Bill No. 1092.** — A Bill for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to exhibiting obscene motion pictures at outdoor theaters; to create and enact a new subsection to section 12.1-27.1-01 of the North Dakota Century Code, relating to definition of sexual excitement; and to amend and reenact section 12.1-27.1-02 of the North Dakota Century Code, relating to promoting obscenity to minors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 3; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES															
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE							
YEAS	N-V	NAYS		YEAS	N-V	NAYS		YEAS	N-V	NAYS					
●			BACKES	●			HERMAN	●			WATTSOON	●			UNHJEM
●			BENEDICT	●			HICKLE	●			WEERS	●			VANDER VORST
●			BERG	●			HOPFNER	●			MELBY	●			VIG
●			BERGE	●			HOLMANN	●			MERTENS	●			WAGNER
●			BERGER	●			HOVE	●			MEYER	●			WALO
●			BJORNSON	●			JACOBSEN R	●			MURPHY	●			WALSH
●			BLACK	●			JACOBSON I	●			MUSHK	●			WEBER
●			BOYUM	●			KELLY	●			NICHOLAS	●			WENTZ
●			BROKAW	●			KENNELLY	●			OLSON	●			WESSMAN
●			CHRISTENSEN	●			KERWITT	●			OPEDAHL	●			WINKJER
●			CONNY	●			KINGSBURY	●			PETTER				
●			CRABTREE	●			KLOUBEC	●			PETERSON	●			MR. SPEAKER
●			DICK	●			KNUDSON	●			POMEROY				
●			DIETZ	●			KOSKI	●			REED				
●			DOTZENROD	●			KRETSCHMAR	●			RETZER				
●			DUBORD	●			KUCHERA	●			RICHARD				
●			EAGLES	●			LANG	●			RICHIE				
●			ERICKSON	●			LANGLEY	●			RIEHL				
●			FLEMING	●			LARDY	●			RUED				
●			FREBORG	●			LARSON F # 24	●			SCHINDLER				
●			GACKLE	●			LARSON G # 29	●			SCOFIELD				
●			GER	●			LARSON H # 7	●			SOLBERG				
●			GORDER	●			LEE	●			STENEHJEM				
●			GUNDERSON	●			LEIBHAN	●			STRINDEN				
●			GUNSCH	●			LIPSIEA	●			SWONTEK				
●			HANSON	●			MAXNER	●			THOMPSON				
●			HAUGLAND	●			MARSDEN	●			THORSGARD				
●			HAUSAUER A # 49	●			MARTIN	●			TIMM				
●			HAUSAUER R # 25	●			MARTINSON	●			TINJUM				
●			HEDSTROM	●			MATHEWY	●			TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1200.** — A Bill for an Act to amend and reenact

sections 23-27-01; 23-27-02, 23-27-03, 23-27-04, and 23-27-05 of the North Dakota Century Code, relating to licensing of ambulance services.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 4; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON		● UNHJEM
● BENEDICT			● HICKLE			● MEERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOLMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY	●	● WALSH
● BLACK			● JACOBSON I			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON	●	● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROOD			● KRETSCHMAR			● RETZER	●	
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIED		
● FLEMING			● LARDY			● RUD		
● FLEWING								
● FREBORG	●		● LARSON F #24			● SCHINDLER		
● GACKLE	●		● LARSON G #29			● SCOFIELD		
● GERL	●		● LARSON H #7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN	●		● STRINDEN	●	
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIKNER			● THOMPSON		
● HAUGLAND			● MARDEN			● THORSGAR		
● HAUSAUER A #49			● MARTIN			● TIMM		
● HAUSAUER R #25			● MARTINSON			● TINJUM	●	
● HEDSTROM			● MATHEWY			● THETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1217.** — A Bill for an Act to amend and reenact section 54-44-11 of the 1977 Supplement to the North Dakota Century Code, relating to the purchasing department operating fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON		● UNHJEM
● BENEDICT			● HICKLE			● MEERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOLMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROOD			● KRETSCHMAR			● RETZER	●	
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIED		
● FLEMING			● LARDY			● RUD		
● FLEWING								
● FREBORG			● LARSON F #24			● SCHINDLER		
● GACKLE			● LARSON G #29			● SCOFIELD		
● GERL	●		● LARSON H #7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN	●		● STRINDEN	●	
● GUNSCH			● LIPSIEA			● SWONTEK		
● HANSON			● MAIKNER			● THOMPSON		
● HAUGLAND			● MARDEN			● THORSGAR		

● HAUSAUER A. #49	● MARTIN	● TIMM
● HAUSAUER R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1236.** — A Bill for an Act to amend and reenact section 43-34-02 and subsection 1 of section 43-34-03 of the North Dakota Century Code, relating to the composition of the state board of examiners for nursing home administrators, and to qualifications for licensure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTHEWSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUJANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSEN, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJEP		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROOD			● KRETSCHMAR			● RETZER	●				
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, #24			● SCHINDLER					
● GACKLE			● LARSON, #29			● SCOFIELD					
● GERL	●		● LARSON, #7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN	●				
● GUNSCH			● LIPSIEA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THOMPSON	●				
● HAUSAUER A. #49			● MARTIN			● TIMM					
● HAUSAUER R. #25			● MARTINSON			● TINJUM	●				
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1412.** — A Bill for an Act to amend and reenact section 27-07-40 of the North Dakota Century Code, relating to the fees for filing estate and guardianship petitions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 1; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTHEWSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUJANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSEN, I.			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJEP		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROOD			● KRETSCHMAR			● RETZER	●				
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					

● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBMAN	● STRINDEM
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1479.** — A Bill for an Act to create and enact section 61-16-34.1 of the North Dakota Century Code, relating to the terms and conditions for refunding special assessment warrants of water management districts.  
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOYE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLUOBEK			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEM					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1481.** — A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code, relating to the minimum specifications for reinsurance with the state fire and tornado fund.  
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOYE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		

● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTER	● MR SPEAKER
● CRABTREE	● KLOUBEC	● PETERSON	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEW	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNTSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSgard	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1500.** — A Bill for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to the disclosure of information by insurance companies to the state fire marshal.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEW		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD	●	
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTER	●				
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR SPEAKER		
● DICK	●		● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER	●				
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL	●		● LARSON H # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEW					
● GUNDERSON			● LEIBHAN	●		● STRINDEN	●				
● GUNTSCH	●		● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard	●				
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM	●				
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1585.** — A Bill for an Act to create and enact three new sections to chapter 14-09 of the North Dakota Century Code, relating to investigations to be conducted before awarding custody, and the test and factors to be used in making an award of custody; and to amend and reenact sections 14-05-22 and 14-09-07 of the North Dakota Century Code, relating to awards of custody issued in connection with a decree of divorce, and the right of a custodial parent to change the residence of the child.

Which has been read.





• BERGE	• HOUWMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON I	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RIED	
• FREBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A # 49	• MARTIN	• TIMM	
• HAUSAUER R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2150.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide an exemption for coal used for space heating purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 52; nays, 41; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•		•	•	HERMAN	•	•	MATTSON	•	•	UNHJEM	
•		•	•	HICKLE	•	•	MEIERS	•	•	VANDER VORST	
•		•	•	HOFFNER	•	•	MELBY	•	•	VIG	
•		•	•	HOUWMANN	•	•	MERTENS	•	•	WAGNER	
•		•	•	HOVE	•	•	MEYER	•	•	WALD	
•		•	•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	•
•		•	•	JACOBSON I	•	•	MUSHK	•	•	WEBER	•
•		•	•	KELLY	•	•	NICHOLAS	•	•	WENTZ	•
•		•	•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•
•		•	•	KERMOTT	•	•	OPEDAHL	•	•	WINKJER	•
•		•	•	KINGSBURY	•	•	PELTIER	•	•		
•		•	•	KLOUBEC	•	•	PETERSON	•	•	MR SPEAKER	•
•		•	•	KNUDSON	•	•	POMEROY	•	•		
•		•	•	KOSKI	•	•	REED	•	•		
•		•	•	KRETSCHMAR	•	•	RETZER	•	•		
•		•	•	KUCHERA	•	•	RICHARD	•	•		
•		•	•	LANG	•	•	RICHIE	•	•		
•		•	•	LANGLEY	•	•	RIEHL	•	•		
•		•	•	LARDY	•	•	RIED	•	•		
•		•	•	LARSON # 24	•	•	SCHINDLER	•	•		
•		•	•	LARSON G # 29	•	•	SCOFIELD	•	•		
•		•	•	LARSON H # 7	•	•	SOLBERG	•	•		
•		•	•	LEE	•	•	STENHJEM	•	•		
•		•	•	LEIBHAN	•	•	STRINDEN	•	•		
•		•	•	LIPSIA	•	•	SWONTEK	•	•		
•		•	•	MAIXNER	•	•	THOMPSON	•	•		
•		•	•	MARSDEN	•	•	THORSGARD	•	•		
•		•	•	MARTIN	•	•	TIMM	•	•		
•		•	•	MARTINSON	•	•	TINJUM	•	•		
•		•	•	MATHENY	•	•	TWETEN	•	•		

So the bill passed and the title was agreed to.

MOTIONS

Rep. Winkjer moved that the House reconsider its action whereby Senate Bill No. 2150 was passed, which motion prevailed.

Rep. Winkjer moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2150, which motion prevailed.

Rep. Winkjer moved that Senate Bill No. 2150 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Rep. Martinson moved that the House reconsider its action whereby House Bill No. 1217 was passed, which motion prevailed.

Rep. Martinson moved that the House reconsider its action whereby it concurred in the Senate amendments to House Bill No. 1217, which motion prevailed.

Rep. Martinson moved that the House not concur on Senate amendments to House Bill No. 1217, and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

Rep. Timm moved that the House reconsider the action whereby Senate Bill No. 2070 passed, which motion failed on a verification vote.

Rep. Nicholas moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2410, which motion prevailed.

Rep. Nicholas moved that Senate Bill No. 2410 be re-referred to the Committee on Agriculture, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2226.** — A Bill for an Act to repeal chapter 197 of the 1969 Session Laws of North Dakota relating to the adoption of the quarter system of institutions of higher education in the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 89; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES		•	HERMAN				•	UNHJEM		•	
BENEDICT		•	HICKLE				•	VANDER VORST		•	
BERG		•	HOFFNER				•	VIG		•	
BERGE		•	HOLMANN				•	WAGNER		•	
BERGER		•	HOVE				•	WALD	•		
BJORNSON		•	JACOBSEN #				•	WALSH		•	
BLACK		•	JACOBSON I				•	WEBER		•	
BOYUM		•	KELLY				•	WENTZ	•		
BROKAW		•	KENNELLY				•	WESSMAN		•	
CHRISTENSEN		•	KERMOTT				•	WINKER	•		
CONWAY		•	KINGSBURY				•				
CRABTREE		•	KLUDBEC				•	MR. SPEAKER		•	
DICK		•	KNUDSON				•				
DIETZ		•	KOSKI				•				
DOTZENROD		•	KRETSCHMAR				•				
DUBORD		•	KUCHERA				•				
EAGLES		•	LANG				•				
ERICKSON		•	LANGLEY				•				
FLEMING		•	LARDY				•				
FREBERG		•	LARSON # 24				•	SCHINDLER		•	
GACKLE		•	LARSON G # 26				•	SCOFIELD		•	
GERL	•		LARSON H # 7				•	SOLBERG		•	
GORDER		•	LEE				•	STENEHEW		•	
GUNDERSON		•	LEIGHAN				•	STRINDEN		•	
GUNSON		•	LOPES				•	SWONKEK		•	
HANSON		•	MAXNER				•	THOMPSON		•	
HAUGLAND		•	MARSDEN				•	THORSGARD		•	
HAUSAUER A # 48		•	MARTIN				•	TIMM		•	
HAUSAUER R # 25		•	MARTINSON				•	TINJUM		•	
HEDSTROM		•	MATHENY				•	TWETEN		•	

So the bill lost.

EXPLANATION OF VOTE

Rep. Dick: "Mr. Speaker:  
"I request that the record show that I intended to vote 'No' on Senate Bill No. 2226, and by mistake voted 'Yes'."

MOTION

Rep. Gackle moved that Senate Bill No. 2237 be laid over one legislative day, which motion prevailed.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH	●	
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL	●				
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL	●		● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN	●				
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2122.** — A Bill for an Act to amend and reenact section 40-21-09 of the North Dakota Century Code, relating to election districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH	●	
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA	●		● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL	●		● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN	●				
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2139.** — A Bill for an Act to amend and reenact section 15-47-37 of the North Dakota Century Code, relating to



• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2218.** — A Bill for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century Code, relating to the collection of fees for the issuance of permits or registration certificates for air contaminant sources by the state department of health; to amend and reenact section 23-25-04.1 of the North Dakota Century Code, relating to the issuance of permits or registration certificates for air contaminant sources.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 48; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSON		• UNKJEM
• BENEDICT		•	• HICKLE			• MEIERS		• VANDER VORST
• BERG		•	• HOFFNER			• MELBY		• VG
• BERGE		•	• HOUIMANN		•	• MERTENS		• WAGNER
• BERGER		•	• HOVE			• MEYER		• WALD
• BJORNSON		•	• JACOBSEN R			• MURPHY		• WALSH
• BLACK		•	• JACOBSON I			• MUSHIK		• WEBER
• BOYUM		•	• KELLY			• NICHOLAS		• WENTZ
• BROKAW		•	• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN		•	• KERWOTT			• OPEDAHL		• WINKLER
• CONWAY		•	• KINGSBURY			• PELTIER		• MR SPEAKER
• CRASTREE		•	• KLOUBEK			• PETERSON		
• DICK		•	• KNUDSON			• POMEROY		
• DIETZ		•	• KOSKI			• REED		
• DOTZENROD		•	• KRETSCHMAR			• RETZER		
• DUBORD		•	• KUCHERA			• RICHARD		
• EAGLES		•	• LANG			• RICHIE		
• ERICKSON		•	• LANGLEY			• RIEHL		
• FLEMING		•	• LARDY			• RUED		
• FREBORG		•	• LARSON F # 24			• SCHINDLER		
• GACKLE		•	• LARSON G # 29			• SCOFIELD		
• GERL		•	• LARSON H # 7			• SOLBERG		
• GORDER		•	• LEE			• STENHJEM		
• GUNDERSON		•	• LEIGH			• STRINDEN		
• GUNSCH		•	• LIPSIE			• SWIONTEK		
• HANSON		•	• MAIXNER			• THOMPSON		
• HAUGLAND		•	• MARSDEN			• THORSGARD		
• HAUSAUER A #49		•	• MARTIN			• TIMM		
• HAUSAUER R #25		•	• MARTINSON			• TINJUM		
• HEDSTROM		•	• MATHENY			• TWETEN		

So the bill lost.

Rep. Kretschmar moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2286.** — A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to the fees charged and collected by the sheriff on behalf of the county.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 3; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON		• UNKJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VG
• BERGE			• HOUIMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD

● BJORNSON	● JACOBSEN, R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOITT	● OPEDAHL	● WINKLER
● CONMY	● KINGSBURG	● PELTIER	● MR. SPEAKER
● CRABTREE	● KLOUBEC	● PETERSON	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F #24	● SCHINDLER	
● GACKLE	● LARSON, G #29	● SCOFIELD	
● GERL	● LARSON, H #7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A #49	● MARTIN	● TIMM	
● HAUSAUER, R #25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2300.** — A Bill for an Act to amend an reenact section 35-27-02 of the North Dakota Century Code, relating to the claiming of a mechanic's lien by a contractor who contracts with an agent of the owner of real estate.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 5; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WELBY			● VANDER VORST		
● BERG			● HOFFNER			● WERTENS		● VG	● WAGNER		
● BERGE			● HOLUMANN			● MEYER			● WALD		
● BERGER			● HOYE			● MURPHY			● WALSH		
● BJORNSON			● JACOBSEN, R			● MUSHIK			● WEBER		
● BLACK			● JACOBSON, I			● NICHOLAS			● WENTZ		
● BOYUM			● KELLY			● OLSON			● WESSMAN		
● BROKAW		●	● KENNELLY			● OPEDAHL			● WINKLER		
● CHRISTENSEN			● KERMOITT			● PELTIER			● MR. SPEAKER		
● CONMY			● KINGSBURG			● PETERSON					
● CRABTREE			● KLOUBEC			● POMEROY					
● DICK			● KNUDSON			● REED					
● DIETZ			● KOSKI			● RETZER					
● DOTZENROD			● KRETSCHMAR			● RICHARD					
● DUBORD			● KUCHERA			● RICHIE					
● EAGLES			● LANG			● RIEHL					
● ERICKSON			● LANGLEY			● RUED					
● FLEMING			● LARDY			● SCHINDLER		●			
● FREBORG			● LARSON, F #24			● SCOFIELD					
● GACKLE			● LARSON, G #29			● SOLBERG					
● GERL			● LARSON, H #7			● STENEHJEM					
● GORDER			● LEE			● STRINDEN					
● GUNDERSON			● LEIBHAN			● SWONTEK					
● GUNSCH			● LIPSIA		●	● THOMPSON					
● HANSON			● MAXNER			● THORSGARD					
● HAUGLAND			● MARSDEN			● TIMM					
● HAUSAUER, A #49			● MARTIN			● TINJUM					
● HAUSAUER, R #25			● MARTINSON			● TWETEN					
● HEDSTROM			● MATHENY								

So the bill passed and the title was agreed to.

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 2384.

LEO LEIDHOLM, Secretary

**MOTION**

Rep. Kretschmar moved that the House accede to the request of the Senate for the return of Senate Bill No. 2384, which motion prevailed.





• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEW
• GUNDERSON	• LEIBHAN	• STRINDEW
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAINNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSBARD
• HAUSAUER A # 45	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2344.** — A Bill for an Act to amend and reenact sections 50-24-33 and 50-24.1-07 of the North Dakota Century Code, relating to recovery from estates of recipients of assistance to the aged, blind, or disabled.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 20; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEW		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER		•	• MELBY			• VIG		
• BERGE		•	• HOUMANN			• MERTENS			• WAGNER		
• BERGER		•	• HOVE			• MEYER		•	• WALD		
• BJORNSON			• JACOBSEN R		•	• MURPHY		•	• WALSH		
• BLACK		•	• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM		•	• KELLY		•	• NICHOLAS			• WENTZ		•
• BROKAW		•	• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDEHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTER		•			
• CRABTREE			• KLOBUEC			• PETERSO			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY		•			
• DIETZ			• KOSKI		•	• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA		•	• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL		•			
• FLEMING			• LARDY		•	• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL		•	• LARSON H # 7			• SOLBERG					
• GORDER			• LEE		•	• STENEHJEW		•			
• GUNDERSON		•	• LEIBHAN		•	• STRINDEW					
• GUNSCHE			• LIPSIEA			• SWONTEK		•			
• HANSON			• MAINNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSBARD					
• HAUSAUER A # 45		•	• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2356.** — A Bill for an Act to create and enact a new section to chapter 43-13 of the North Dakota Century Code, relating to the certification of optometrists to use ocular diagnostic pharmaceutical agents; to amend and reenact subsection 1 of section 43-13-01 and subsection 4 of section 43-15-01 of the North Dakota Century Code, relating to definitions; and providing an expiration date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 10; absent and not voting, 5.







Rep. Herman  
Rep. Pomeroy.

MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 1092, 1200, 1236, 1412, 1479, 1481, 1500, 1585, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2340 which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2340 is:

35 Ayes

15 Nays

0 Absent, not voting.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1156
  - House Bill No. 1190
  - House Bill No. 1192
  - House Bill No. 1202
  - House Bill No. 1261
  - House Bill No. 1305
  - House Bill No. 1309
  - House Bill No. 1322
  - House Bill No. 1346
  - House Bill No. 1379
  - House Bill No. 1457
  - House Bill No. 1462
  - House Bill No. 1473
  - House Bill No. 1477
  - House Bill No. 1487
  - House Bill No. 1505
  - House Bill No. 1509
  - House Bill No. 1510
  - House Bill No. 1545
  - House Bill No. 1590
  - House Concurrent Resolution No. 3018
  - House Concurrent Resolution No. 3045
  - House Concurrent Resolution No. 3052.
- Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE

Mr. President: I have the honor to return Senate Bill No. 2384, which the Senate has requested.

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1156	H. B. No. 1509
H. B. No. 1190	H. B. No. 1510

JOURNAL OF THE HOUSE

H.B. NO. 1192	H.B. No. 1545
H.B. NO. 1202	H.B. No. 1590
H.B. NO. 1261	
H.B. NO. 1305	
H.B. NO. 1309	
H.B. NO. 1322	
H.B. NO. 1346	
H.B. NO. 1379	
H.B. NO. 1457	
H.B. NO. 1462	
H.B. NO. 1473	
H.B. NO. 1477	
H.B. NO. 1487	
H.B. NO. 1505	

..... were delivered to the } Governor } for his approval at the hour of  
~~Secretary of State~~  
 ..... 3:55 o'clock p.m., March 13, 1979

*Wage Stenejem*  
 Rep. Stenejem Chairman.  
 "BUY NORTH DAKOTA PRODUCTS"

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. NO. 3018
H.C.R. NO. 3045
H.C.R. NO. 3052

..... was delivered to the } ~~Secretary~~ } at the hour of  
 Secretary of State ~~for his approval~~  
 ..... 3:50 o'clock p.m., March 13, 1979

*Wage Stenejem*  
 Rep. Stenejem Chairman.  
 "BUY NORTH DAKOTA PRODUCTS"

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House stand adjourned until 1:00 p.m., Wednesday, March 14, 1979, which motion prevailed.

## REPORT OF STANDING COMMITTEE

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred House Concurrent Resolution

No. 3047, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

Rep. Martinson Chairman

House Concurrent Resolution No. 3047 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate

Bill No. 2036, has had the same under consideration and recommends, by a vote of

Ayes, 19; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

**And when so amended, recommends the same do pass.**

On page 2 of the engrossed bill, line 11, delete the numerals  
"1,385,791" and insert in lieu thereof the numerals "1,402,492"

On page 2 of the engrossed bill, line 17, delete the numerals  
"2,066,098" and insert in lieu thereof the numerals "2,082,799"

On page 2 of the engrossed bill, line 25, delete the numerals  
"359,904" and insert in lieu thereof the numerals "346,092"

On page 2 of the engrossed bill, line 32, delete the numerals  
"1,636,495" and insert in lieu thereof the numerals "1,622,683"

On page 2 of the engrossed bill, line 35, delete the numerals  
"279,984" and insert in lieu thereof the numerals "276,310"

On page 3 of the engrossed bill, line 1, delete the numerals  
"145,434" and insert in lieu thereof the numerals "149,108"

On page 3 of the engrossed bill, line 5, delete the numerals  
"4,754,232" and insert in lieu thereof the numerals "4,757,121"

On page 3 of the engrossed bill, line 6, delete the numerals  
"5,179,850" and insert in lieu thereof the numerals "5,182,739"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages of the State Seed Department by \$16,701 to provide for average annual salary increases of 6.5 percent and adequate fringe benefits including health insurance under the alternate plan.

Decrease salaries and wages of the State Wheat Commission by \$13,812. Sufficient funds remain for average annual salary increases of 6.5 percent and adequate fringe benefits including health insurance under the alternate plan.

Decrease salaries and wages of Predatory Animal Control by \$3,674. Sufficient funds remain for 6.5 percent annual salary increases. Fees and services is increased by \$3,674 for additional aircraft rental.



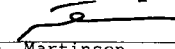
  
 Rep. James A. Peterson Chairman

Senate Bill No. 2036 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
 to whom was referred Senate

Bill No. 2048, has had the same under consideration and recommends, by a vote of  
 Ayes, 11; Nays, 0; Absent, 4, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

  
 Rep. Martinson Chairman

Senate Bill No. 2048 was placed on the 14th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
 to whom was referred Senate

Bill No. 2056, has had the same under consideration and recommends, by a vote of  
 Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.       do not pass.       be placed on calendar  
 without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 17, after the word "plan"  
 insert the following: "for implementation by July 1, 1980"

On page 2, line 7, after the period insert the following new sentence:  
 "Appeals may be made to the state board of public education."

On page 2, line 15, after the period insert the following new sentence.  
 "Representatives on the multidistrict board shall be appointed  
 by the school boards of the participating districts."

On page 3, line 30, after the word "fund" insert "and from state funds"

On page 4, line 6, after the word "miles" insert "(kilometers)"

On page 6, line 6, after the second comma insert the following words:  
 "the state industrial school"

On page 6, line 8, after the word "aid" insert "." and delete  
 the words "in conformance with federal and state laws"

On page 6, delete all of lines 9 through 13

On page 6, line 22, after the word "fund" insert "and state foundation  
 aid program"

On page 8, line 17, after the period insert the following new sentence:  
 "The district of residence shall be entitled to the per pupil  
 foundation payment."

On page 8, line 21, strike the words "If the attendance"

On page 8, strike all of lines 22 and 23

On page 8, line 24, strike the following: "on a monthly basis."

On page 9, line 13, after the period delete the strike throughs over



On page 2, line 12, delete the words "Haven state hospital shall provide either" and delete the word "or" and insert in lieu thereof "as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident shall, if it provides transportation, be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant."

On page 2, delete all of line 13

On page 2, line 14, delete the word "officials."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass., but be re-referred to the Committee on Appropriations.

Rep. Knudson *Rep. Knudson* Chairman  
 Senate Bill No. 2057 was placed on the 6th  
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2058, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2 of the engrossed bill, line 7, delete the words "not more than six round trips home per year at the"

On page 2, delete all of line 8

On page 2, line 9, delete the words "or reimbursement for mileage at the rate allowed"

On page 2, line 10, delete the words "for state officials" and insert in lieu thereof the following: "as provided by rules and regulations of the department of public instruction" and after the period insert the following: "The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident, shall if it provides transportation, be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant."

On page 2, line 33, delete the words "not more"

On page 2, delete all of line 34

On page 2, line 35, delete the words "The school shall provide either" and also delete "or reimbursement" and insert in lieu thereof the following: "as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other agencies and public school districts. The school district of which the applicant is a resident shall, if it provides transportation, be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant"

House Bill No. 1588

LEO LEIDHOLM, Secretary  
MESSAGES FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2364  
Senate Concurrent Resolution No. 4005  
Senate Concurrent Resolution No. 4006  
Senate Concurrent Resolution No. 4021  
Senate Concurrent Resolution No. 4033  
Senate Concurrent Resolution No. 4050  
Senate Concurrent Resolution No. 4056  
Senate Concurrent Resolution No. 4061  
Senate Concurrent Resolution No. 4062  
Senate Concurrent Resolution No. 4063  
Senate Concurrent Resolution No. 4078  
Senate Concurrent Resolution No. 4080

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 1065, but subsequently failed to pass House Bill No. 1065.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2252  
Senate Concurrent Resolution No. 4015  
Senate Concurrent Resolution No. 4029  
Senate Concurrent Resolution No. 4076

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL 2252

On page 2, line 3, delete the word "subsections" and insert in lieu thereof the following: "subsection 1 of section 15-59-01"

On page 2, line 4, delete the following: "1, 3 and 4 of section 15-29-08"

On page 2, line 7, delete the words "under twenty-one years of age"

On page 4, line 19, after the word "board" insert the words "within ten working days of receipt of the proper forms"

On page 7, line 3, after the word "To" insert the words "parents and"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION 4015

On page 1, line 1, delete the words "making application to" and insert in lieu thereof the word "requesting"

On page 1, line 2, delete the words "call a convention for the purpose of"

On page 1, line 3, delete the words and commas "considering,

- drafting, and proposing" and insert in lieu thereof the word "propose"
- On page 1, line 4, after the word "States" insert the words "for ratification by the states"
- On page 2, line 2, delete the words "makes application to" and insert in lieu thereof the word "requests"
- On page 2, line 3, delete the comma and words ", pursuant to Article V of the Constitution of the"
- On page 2, delete line 4
- On page 2, line 5, delete the words and commas "purpose of considering, drafting, and proposing" and insert in lieu thereof the words "to propose"
- On page 2, line 6, after the word "States" insert the words "for ratification by the states"
- On page 2, delete lines 12 through 19
- On page 2, line 21, after the word "the" insert the words "North Dakota Congressional Delegation, the"
- On page 2, line 23, delete the words "legislatures of" and insert in lieu thereof the words "President of the United States."
- On page 2, delete line 24
- And renumber the lines and pages accordingly
- HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION 4029
- On page 2, line 16 of the engrossed bill delete the word "is" and insert in lieu thereof the words "and the Secretary of Agriculture are"
- On page 2, line 22 before the second word "President" insert the word "the"
- On page 2, line 24 after the comma insert the following: "the Secretary of Agriculture, the"
- And renumber the lines and pages accordingly
- (amendments to Engrossed SCR 4076)
- On page 1, line 2 of the engrossed resolution, delete the words "the granting of custody and" and insert in lieu thereof the words "family law"
- On page 1, line 3 delete the words "visitation rights"
- On page 1, after line 8 insert the following:  
"WHEREAS, the traditional roles of men and women are modifying; and"
- On page 1, after line 11 insert the following:  
"WHEREAS, economics and employment are no longer necessarily sex orientated; and"
- On page 1, line 17 after the word "custody" insert the words "and the division of property"
- On page 1, line 21 after the word "custody" insert the words "and support"
- On page 2, line 5 delete the words "procedures involved in the" and insert in lieu thereof the words "statutes governing family law and other"
- On page 2, line 6 delete "awarding of custody and visitation rights and related"
- On page 2, line 8 delete the words "both the" and insert in lieu thereof the words "all parties"
- On page 2, line 9 delete the words "parents and children"
- And renumber the lines and pages accordingly

#### House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed House Bill No. 1409. ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1001, 1003, 1025, 1036, and subsequently passed the same, but refused to concur in the Senate amendment to House Bill No. 1199, House Concurrent Resolution No. 3071.


And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1199, House Concurrent Resolution No. 3071.

House Bill No. 1199:

Rep. G. Larson

Rep. Olson

Rep. Berger

  
Rep. James A. Peterson Chairman

Senate Bill No. 2305 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2357, has had the same under consideration and recommends, by a vote of Ayes, 9; Nays, 5; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 1, line 16 delete the word "having" and insert in lieu thereof the word "having"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

  
Rep. Erickson Chairman

Senate Bill No. 2357 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2391, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 1, line 2 of the engrossed bill delete the numeral "30" and insert in lieu thereof the numeral "39"

On page 1, line 4 delete the word "fourteen" and insert in lieu thereof the word "twelve"

On page 1, line 15 delete the word "fourteen" and insert in lieu thereof the word "twelve"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

  
Rep. Erickson Chairman

Senate Bill No. 2391 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2406, has had the same under consideration and recommends, by a vote of  
Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

 Chairman  
Rep. Erickson

Senate Bill No. 2406 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary  
to whom was referred Senate

Bill No. 2444, has had the same under consideration and recommends, by a vote of  
Ayes, 9; Nays, 4; Absent, 2, that the same

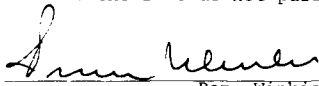
do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

- On page 1, line 2 of the engrossed bill after the word "constitutionality" insert the words "or propriety" and delete the word "Christmas"
- On page 1, line 3 delete the word "or" and after the word "songs" insert the words "or alleged obscene material"
- On page 1, line 7 delete the word "CHRISTMAS"
- On page 1, line 8 delete the word "OR" and after the word "SONGS" insert the words "OR ALLEGED OBSCENE MATERIAL"
- On page 1, line 10 delete the word "Christmas"
- On page 1, line 12 after the word "constitutionality" insert the words "or propriety"
- On page 1, line 13 delete the word "or" and after the word "songs" and before the period insert the words "or alleged obscenity"

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass

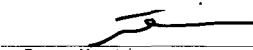
 Chairman  
Rep. Winkjer

Senate Bill No. 2444 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred Senate

Bill No. 2451, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

 Chairman  
Rep. Martinson

Senate Bill No. 2451 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government  
to whom was referred Senate

Bill No. 2460, has had the same under consideration and recommends, by a vote of  
Ayes, 12; Nays, 1; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1, line 1 of the reengrossed bill delete everything after the word "Act" and delete the remainder of the bill and insert in lieu thereof the following: "making an appropriation for defraying the expenses of the division of economic opportunity, the state planning division, the office of energy management, the special projects coordinator, and the natural resources council of the state of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated and from special funds derived from federal funds and/or other income, the sum of \$5,249,480 or so much thereof as may be necessary, to the office of economic opportunity of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 352,460
Fees and services	226,492
Data processing	2,500
Supplies and materials	27,500
Equipment	4,685
Grants, benefits and claims	<u>4,576,502</u>
Total all funds	5,190,139
Less estimated income	<u>5,115,480</u>
Total general fund appropriation	\$ 74,659

SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, the sum of \$2,145,936 or so much thereof as may be necessary, to the state planning division under the supervision of the director of accounts and purchases of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 360,093
Fees and services	339,089
Data processing	71,022
Supplies and materials	54,659
Equipment	2,778
Grants, benefits and claims	<u>1,257,670</u>
Total all funds	2,085,311
Less estimated income	<u>1,873,458</u>
Total general fund appropriation	\$ 211,853

SECTION 3. COMMUNITY DEVELOPMENT BLOCK GRANTS.) If federal funds are made available to the community development block grants programs, and if such federal funds do not require additional state matching funds, the state planning division is authorized to accept and expend such funds upon approval by the emergency commission during the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, the sum of \$12,750,542 or so much thereof as may be necessary, to the office of energy management





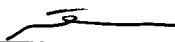
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4033, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4033 was placed on the 14th order of business on the calendar for the succeeding legislative day.

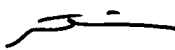
Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4051, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 4; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4051 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate Concurrent Resolution

No. 4052, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Knudson Chairman

Senate Concurrent Resolution No. 4052 was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4056, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Martinson Chairman

Senate Concurrent Resolution No. 4056 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4059, has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 0 ; Absent, 3 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

Rep. Martinson Chairman

Senate Concurrent Resolution No. 4059 was placed on the 10th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education

to whom was referred Senate Concurrent Resolution

No. 4060 , has had the same under consideration and recommends, by a vote of

Ayes, 16 ; Nays, 0 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar

Rep. Knudson Chairman

Senate Concurrent Resolution No. 4060 was placed on the 10th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4071 , has had the same under consideration and recommends, by a vote of

Ayes, 11 ; Nays, 0 ; Absent, 4 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

Rep. Martinson Chairman

Senate Concurrent Resolution No. 4071 was placed on the 10th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4074 , has had the same under consideration and recommends, by a vote of

Ayes, 10 ; Nays, 0 ; Absent, 5 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

Rep. Martinson Chairman

Senate Concurrent Resolution No. 4074 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate Concurrent Resolution

No. 4075, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the consent calendar

Rep. Knudson Chairman  
Rep. Knudson

Senate Concurrent Resolution No. 4075 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate Concurrent Resolution

No. 4076, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2 of the engrossed resolution, delete the words "the granting of custody and" and insert in lieu thereof the words "family law"

On page 1, line 3 delete the words "visitation rights"

On page 1, after line 8 insert the following:  
"WHEREAS, the traditional roles of men and women are modifying; and"

On page 1, after line 11 insert the following:  
"WHEREAS, economics and employment are no longer necessarily sex orientated; and"

On page 1, line 17 after the word "custody" insert the words "and the division of property"

On page 1, line 21 after the word "custody" insert the words "and support"

On page 2, line 5 delete the words "procedures involved in the" and insert in lieu thereof the words "statutes governing family law and other"

On page 2, line 6 delete "awarding of custody and visitation rights and related"

On page 2, line 8 delete the words "both the" and insert in lieu thereof the words "all parties"

On page 2, line 9 delete the words "parents and children"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Winkjer Chairman  
Rep. Winkjer

Senate Concurrent Resolution No. 4076 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 1:00 p.m., Wednesday, March 14, 1979.

ROY GILBREATH, Chief Clerk

FIFTIETH DAY

Bismarck, March 14, 1979

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

The prayer was offered by Rev. Ira E. Herzberg, Calvary United Methodist Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Dietz, Fleming, Gerl, Gorder, and Lee.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-ninth Day and finds the same to be correct.

[Signature of Rep. Swiontek]
Rep. Swiontek

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker: Your Procedural Committee on Delayed Bills

recommends that HCR 3091 be introduced.

[Signature of Rep. Earl Strinden]
Rep. Earl Strinden, Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1035
HB NO. 1037
HB NO. 1126
HB NO. 1250
HB NO. 1275

HB NO. 1374	HB NO. 1610
HB NO. 1446	HB NO. 1675
HB NO. 1458	HCR NO. 3013
HB NO. 1494	HCR NO. 3055
HB NO. 1529	HCR NO. 3064
HB NO. 1578	HCR NO. 3077
HB NO. 1582	

and find the same correctly } Enrolled

*Wayne Stenehjem* Chairman  
Rep. Stenehjem moved that the report be adopted, which

Representative Meyer motion prevailed, and the report was adopted.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1014 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

Mr. Speaker: The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1014 which has failed to pass the House of Representatives over the Governor's veto also a copy of the Governor's objections as well as the certificate of the presiding officers of the House of Representatives as to the final action of that body with reference to the passage of this bill,

was delivered to the Secretary of State at the hour of 11:01 o'clock A.M., March 14, 1979

Rep. Wayne K. Stenehjem Chairman, NORTH DAKOTA PRODUCTS

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Earl Rundle, and Rep. Rundle was thereupon introduced to the House.

State of North Dakota  
DEPARTMENT OF STATE  
Bismarck

Mr. Roy Gilbreath  
Chief Clerk  
N.D. House of Representatives  
Bismarck, N.D. 58505

Dear Mr. Gilbreath,  
Pursuant to Chapter 54-48, N.D.C.C., this is to inform you that Representative Wayne K. Stenehjem of the 42nd Legislative District has filed in this office a list of interim successor legislators to serve out his term in the event of an enemy attack which would cause a vacancy.

Enclosed you will find this list.  
This filing is in accordance with Section 54-48-06, N.D.C.C.

WEDNESDAY, MARCH 14, 1979

1667

Respectfully submitted,  
BEN MEIER  
Secretary of State

HOUSE CHAMBER  
Forty-sixth Legislative Assembly  
STATE OF NORTH DAKOTA  
Bismarck 58505  
March 13, 1979

Honorable Ben Meier  
Secretary of State  
State Capitol Building  
Bismarck, ND 58505

Dear Secretary of State Meier:

Pursuant to Chapter 54-48 of the North Dakota Century Code, and Section 75 of the Constitution of this State, I am forwarding herewith a list of the names of the emergency interim successors to the office of State Representative from the 42nd Legislative District which I have selected to serve out my term of office in the event of enemy attack.

Such emergency interim successors shall be eligible to exercise the powers and duties of my office in the order following:

1. Tammy Smith Stenehjem, 102 N. 21st St., Grand Forks, ND
2. Martin E. Stenehjem, 421 Ave. F. West, Bismarck, ND
3. Michael McCann, 515 Harvard, Grand Forks, ND
4. Judy Bratland, 205 State St., Grand Forks, ND
5. Mike Silvernagel, 2820 University Ave., Grand Forks, ND
6. Kent Anderson, 807 North 24th, Grand Forks, ND
7. Jana Grotte, 506 Princeton St., Grand Forks, ND

Sincerely,  
WAYNE STENEHJEM  
Representative

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 10, 1979, I signed the following House Bills:

- House Bill No. 1031
- House Bill No. 1034
- House Bill No. 1145
- House Bill No. 1219
- House Bill No. 1244
- House Bill No. 1258
- House Bill No. 1274
- House Bill No. 1381
- House Bill No. 1391
- House Bill No. 1407
- House Bill No. 1437
- House Bill No. 1468
- House Bill No. 1513
- House Bill No. 1548
- House Bill No. 1568
- House Bill No. 1577
- House Bill No. 1686.



On March 12, 1979, I signed House Bill 1415.

House Bill 1353 was forwarded without signature on March 12, 1979.

Sincerely yours,  
ARTHUR A. LINK  
Governor

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 12, 1979, I signed the following House Bills:

House Bill No. 1073  
House Bill No. 1524  
House Bill No. 1543  
House Bill No. 1596  
House Bill No. 1667

Sincerely yours,  
ARTHUR A. LINK  
Governor

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1604 would change the definition of "mineral developer" under the "Surface Owner Protection Act", (Chapter 38-18, N.D.C.C.) to mean a person who acquires or leases "at least fifty-one percent of the mineral rights...." The present law defines the term "mineral developer" as "the person who acquires the mineral rights or lease...."

The North Dakota Supreme Court has held that present law requires a person to own or lease one hundred percent of the mineral rights in order to fall within the definition of "mineral developer" under the Act. (North American Coal Corporation v. Huber, 268 N.W.-2d 593 (1978)).

The Legislature enacted the "Surface Owner Protection Act" in 1975 as the result of an interim study by the Legislative Council Committee on Resources Development before the Forty-fourth Legislative Assembly. The Executive Branch Advisory Committee Task Force on Coal Gasification participated in the study.

The stated purpose of the Act is to "provide the maximum amount of constitutionally permissible protection to surface owners from the undesirable effects of development, without their consent, of minerals underlying their surface." (Section 38-18-03, N.D.C.C.).

The major thrust of the Act is to require the mineral developer to obtain the consent of the surface owner before a mining permit may be issued by the Public Service Commission. However, the Act does provide a narrow exception to the consent requirement. Section 38-18-06(5), N.D.C.C. sets forth a procedure whereby the mineral developer who owns or has acquired leases to all of the mineral rights may bring an action in district court to determine adequate compensation for the surface owner. The

statute states that, upon making such a determination, the district court is required to issue an order authorizing the Public Service Commission to issue a surface mining permit. (Section 38-18-06(5), N.D.C.C.).

With this bill, the Legislature would give a coal company that does not own all of the mineral rights the status of a "mineral developer" and the right to take advantage of the section of the "Surface Owner Protection Act" designed as an exception for mineral developers who own or have acquired all of the minerals. This would allow a company that owns only fifty-one percent of the minerals to go to court to receive authorization for a mining permit, not only without the consent of the surface owner, but without the consent of the owner of forty-nine percent of the minerals.

I do not believe that North Dakota should give this power, which has been likened to the power of eminent domain, to the coal companies.

Therefore, I veto House Bill 1604.

Sincerely yours,  
ARTHUR A. LINK  
Governor

MOTION

Rep. Strinden moved that House Bill No. 1604 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that House Bill No. 1604 be laid over one legislative day, which motion prevailed.

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1491 amends sections 5-01-06 and 5-01-09 of the North Dakota Century Code.

Section 5-01-06, N.D.C.C., is sometimes referred to as the "Civil Damage Act" or the "Dram Shop Act." This statute reads as follows:

"5-01-06. Recovery of damages resulting from intoxication. — Every wife, child, parent, guardian, employer, or other person who shall be injured in person, property or means of support by any intoxicated person, or in consequence of intoxication, shall have a right of action against any person who shall have caused such intoxication by disposing, selling, bartering, or giving away alcoholic beverages contrary to statute for all damages sustained."

House Bill 1491 would limit civil liability under the Dram Shop Act to licensed or unlicensed sellers of alcoholic beverages. I believe this legislation to be harmful to the residents of North Dakota.

The proponents of this legislation argue that one should be able to serve intoxicants to guests in one's home without fear of being held civilly liable because of negligent acts committed by a guest who was served the intoxicants. I submit that the primary emphasis should be on the protection of totally innocent third parties who may be injured or killed because of the intoxication of the guest.

The amendment to section 5-01-09 consists of the word "obviously" before the words "intoxicated person" in that section. The effect of the amendment is to make it more difficult for a plaintiff to recover from a liquor dealer who has sold intoxicants to an individual who has, because of

that intoxication, either killed or injured someone. The North Dakota Supreme Court has, in various decisions, set forth what a plaintiff must prove in order to recover from a dispenser of alcoholic beverages. It is submitted that there should be no further roadblocks placed in the way of the legitimately injured plaintiff to recover from someone whose actions of selling or providing excessive alcoholic beverages to another person has caused the injury or death of the plaintiff.

For the above reasons, I veto House Bill 1491.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Strinden moved that House Bill No. 1491 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that House Bill No. 1491 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that the House request the return of House Bill No. 1642 from the Senate, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2450, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar  
without recommendation.
- be amended as follows:

On page 12, after line 6, of the engrossed bill insert the following new section:

"SECTION 16. APPROPRIATION.) There is hereby appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$15,000.00, or so much thereof as may be necessary, to the North Dakota racing commission for defraying the initial costs of administering this Act for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass. But be re-referred to the Committee on Appropriations.

Chairman  
Rep. Martinson

Senate      Bill No. 2450 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

#### MOTION

Rep. Strinden moved that the rules be suspended, and that the amendments to Senate Bill No. 2450 be placed on the 6th Order of Business for adoption as recommended by the Committee on State and Federal Government, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2450 as recommended by the Committee on State and Federal Government be adopted, which motion prevailed.

Senate Bill No. 2450 was re-referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

Senate Bill 2340 amends present statutes to move the date of primary elections from the first Tuesday in September to the second Tuesday in June of every general election year and provides for a presidential preference primary in presidential election years.

I consider this bill objectionable for the following reasons:

1) North Dakota's present delegate selection procedures at the precinct, district, and state levels have served the state well in terms of providing national delegations that are representative of their respective parties and a credit to the state. This has been done without the additional time and expense of a statewide presidential preference primary, the outcome of which is often determined by the volume of campaign funds a candidate is able to spend on mass media. North Dakota does not need a presidential preference primary in order to have a significant and responsible role in the nomination of national candidates.

2) Moving the primary date from September to June would extend the length of time in which candidates, parties, and the public would be involved in political campaigns. Present law provides adequate time for political parties and independent groups to present their positions on issues and their candidates for voter assessment and final casting of ballots.

3) Changing the primary date to June would significantly increase the cost of campaigns.

4) A September primary appears to be in better harmony with the rhythm of North Dakota's lifestyle. It comes at the end of the active planting and harvesting cycles which are so important to our economy. It comes at a time when our families are home from vacations and children are back in school.

5) A September primary is closer to the November general election and thus attracts more interest on the part of voters. A June primary seems far removed from the November general election five months later, in this day of instant communication and rapid travel.

For these reasons, I veto Senate Bill 2340.

Sincerely yours,  
ARTHUR A. LINK  
Governor

MOTIONS

Rep. Strinden moved that Senate Bill No. 2340 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2340 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that House Concurrent Resolution No. 3047 and Senate Concurrent Resolution No. 4051 be placed at the foot of the calendar for the 51st legislative day, which motion prevailed.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2019  
 Senate Bill No. 2024  
 Senate Bill No. 2070  
 Senate Bill No. 2086  
 Senate Bill No. 2092  
 Senate Bill No. 2110  
 Senate Bill No. 2160  
 Senate Bill No. 2214  
 Senate Bill No. 2219  
 Senate Bill No. 2229  
 Senate Bill No. 2235  
 Senate Bill No. 2245  
 Senate Bill No. 2246  
 Senate Bill No. 2267  
 Senate Bill No. 2272

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2372  
 Senate Bill No. 2424

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2064  
 Senate Bill No. 2096  
 Senate Bill No. 2273  
 Senate Bill No. 2449  
 Senate Concurrent Resolution No. 4016  
 Senate Concurrent Resolution No. 4034  
 Senate Concurrent Resolution No. 4045  
 Senate Concurrent Resolution No. 4053  
 Senate Concurrent Resolution No. 4055  
 Senate Concurrent Resolution No. 4067  
 Senate Concurrent Resolution No. 4079

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 1293.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill Nos. 1217, 1507.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bills Nos. 1217, 1507.

House Bill No. 1217:

Rep. Martinson  
 Rep. Herman  
 Rep. Pomeroy

House Bill No. 1507:

Rep. Lipsiea  
 Rep. Martin  
 Rep. Berg

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1035

House Bill No. 1037

House Bill No. 1126

House Bill No. 1250

House Bill No. 1275

House Bill No. 1374

House Bill No. 1446

House Bill No. 1458

House Bill No. 1494

House Bill No. 1529

House Bill No. 1578

House Bill No. 1582

House Bill No. 1610

House Bill No. 1675

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3055

House Concurrent Resolution No. 3064

House Concurrent Resolution No. 3077

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1035

House Bill No. 1037

House Bill No. 1126

House Bill No. 1250

House Bill No. 1275

House Bill No. 1374

House Bill No. 1446

House Bill No. 1458

House Bill No. 1494

House Bill No. 1529

House Bill No. 1578

House Bill No. 1582

House Bill No. 1610

House Bill No. 1675

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3055

House Concurrent Resolution No. 3064

House Concurrent Resolution No. 3077

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1230

House Bill No. 1593

House Bill No. 1598

House Bill No. 1616

House Bill No. 1650

House Bill No. 1652

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1063  
 House Bill No. 1239  
 House Bill No. 1430  
 House Bill No. 1502  
 House Bill No. 1564  
 House Bill No. 1576  
 House Bill No. 1617  
 House Bill No. 1620  
 House Bill No. 1648  
 House Concurrent Resolution No. 3020  
 House Concurrent Resolution No. 3023  
 House Concurrent Resolution No. 3031

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1461  
 House Bill No. 1489  
 House Bill No. 1506  
 House Bill No. 1519  
 House Bill No. 1566  
 House Bill No. 1637

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1461

- On page 1, line 3 of the engrossed bill, after the word "for" insert the word "electric"
- On page 1, line 9 of the engrossed bill, delete the word "a" at the end of the line and insert in lieu thereof the words "an electric"
- On page 1, line 13 of the engrossed bill, delete the word "forty"
- On page 1, line 15, delete the words "not less than" and insert in lieu thereof the words "equal to"
- On page 1, line 18 of the engrossed bill, delete everything after the "period"
- On page 1 of the engrossed bill, delete lines 19 through 22
- On page 2 of the engrossed bill, delete lines 1 through 4
- On page 2, line 5 of the engrossed bill, delete the word "balance" and the "period"
- And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1489

- On page 1, line 13 of the engrossed bill, delete the word and the comma ", ultra"
- On page 1 of the engrossed bill, delete line 14
- On page 1, line 19 of the engrossed bill, delete the initials "UHF"

On page 2, line 2 of the engrossed bill, delete the initials "UHF"  
 On page 2, line 11 of the engrossed bill, delete the initials "UHF"  
 And renumber the pages, lines and sections accordingly

## AMENDMENTS TO HOUSE BILL NO. 1506

On page 1, line 18, after the word "Dakota" insert the following:  
 "or to the North Dakota independent college fund"  
 And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1519

On page 1, line 12 of the engrossed bill, delete the strike-through  
 on the following: eight  
 On page 1, line 13 of the engrossed bill, delete the word "six"  
 And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1566

On page 1 of the reengrossed bill, line 21, following the word  
 "insurer" insert the following language: "or private  
 sources"  
 And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1637

On page 1 of the engrossed bill, line 19, delete the words "and  
 upon"  
 On page 1 of the engrossed bill, line 20, delete the words "the  
 payment of an additional premium", and after the word  
 "coverages" insert the words "for which an additional premium  
 may be charged"  
 On page 2 of the engrossed bill, line 31, delete the words "and upon  
 the payment"  
 On page 2 of the engrossed bill, line 32, delete the words "of an  
 additional premium", and after the word "coverages" insert  
 the words "for which an additional premium may be charged"

And renumber the lines and pages accordingly

## MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House respectfully requests the return of House Bill No. 1642.

ROY GILBREATH, Chief Clerk

## MOTIONS

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1076, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1117, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1268, which motion prevailed.

Rep. Knudson moved that the House do concur in the Senate amendments to House Bill No. 1377, which motion prevailed.



Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1380, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1398, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1450, which motion prevailed.

#### FIRST READING OF

#### HOUSE CONCURRENT RESOLUTIONS

Reps. Retzer and Strinden and Senator Nething introduced:

**House Concurrent Resolution No. 3091.** — A concurrent resolution setting forth legislative policy that the use of federal appropriations for purposes of fish and wildlife land acquisitions in connection with the Garrison Diversion Unit should be limited to purchases from only willing sellers, urging the Secretary of the Interior to establish a policy of crediting existing federal and state-owned land toward fish and wildlife mitigation and enhancement requirements, supporting the Governor's wetland policy, and urging development by the Fish and Wildlife Service of a plan for acquisition of Garrison wildlife areas for purposes of mitigation and enhancement consistent with the policies established by the statutory and contract agreements between the United States and the State of North Dakota.

Was read the first time and referred to the committee on Natural Resources.

#### FIRST READING OF

#### SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4061.** — A concurrent resolution to repeal section 39 of the Constitution of the State of North Dakota, relating to the appointment or election of members of the Legislative Assembly to other offices, the emoluments of which have been increased during those legislators' terms of office.

Which was read the first time and referred to the Joint Committee on Constitutional Revision.

#### FIRST READING OF

#### SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4084.** — A concurrent resolution congratulating Tony Huck of Valley City State College on winning the 1979 National Association of Intercollegiate Athletics national wrestling championship in the 190 pound division.

Was read the first time.

Rep. Strinden moved that the rules be suspended, that Senate Concurrent Resolution No. 4084 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF

#### SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4084.** — A concurrent resolution congratulating Tony Huck of Valley City State College on winning the 1979 National Association of Intercollegiate Athletics national wrestling championship in the 190 pound division.

Was read the second time.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

#### MOTIONS

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1566, which motion prevailed.

## SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2036 as recommended by the Committee on Appropriations as printed on page 1651 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2056 as recommended by the Committee on Education as printed on pages 1652 and 1653 of the House Journal be adopted, which motion prevailed.

Senate Bill No. 2056 was re-referred to the Committee on Appropriations.

Rep. Knudson moved that the amendments to Senate Bill No. 2057 as recommended by the Committee on Education as printed on pages 1653 and 1654 of the House Journal be adopted, which motion prevailed.

Senate Bill No. 2057 was re-referred to the Committee on Appropriations.

Rep. Knudson moved that the amendments to Senate Bill No. 2058 as recommended by the Committee on Education as printed on pages 1654 and 1655 of the House Journal be adopted, which motion prevailed.

Senate Bill No. 2058 was re-referred to the Committee on Appropriations.

Rep. Knudson moved that the amendments to Senate Bill No. 2131 as recommended by the Committee on Education as printed on page 1655 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2249 as recommended by the Committee on Transportation as printed on page 1656 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2357 as recommended by the Committee on Transportation as printed on page 1657 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2391 as recommended by the Committee on Transportation as printed on page 1657 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2444 as recommended by the Committee on Judiciary as printed on page 1658 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2460 as recommended by the Committee on State and Federal Government as printed on pages 1659 and 1660 of the House Journal be adopted, which motion prevailed.

Senate Bill No. 2460 was re-referred to the Committee on Appropriations.

Rep. Winkjer moved that the amendments to Senate Concurrent Resolution No. 4076 as recommended by the Committee on Judiciary as printed on page 1663 of the House Journal be adopted, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1388.** — A Bill for an Act to create and enact a new section to chapter 51-13 of the North Dakota Century Code, relating to applicability; and to amend and reenact section 51-13-03 of the North Dakota Century Code, relating to the credit service charge allowed on retail installment sales.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 7; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY	•		• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER		•	• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM		•	• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA	•		• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING	•		• LARDY			• RUED					
• FRIEBORG			• LARSON F #24			• SCHMIDLER					
• GACKLE			• LARSON GW #29			• SCOFFIELD					
• GERL	•		• LARSON H #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM		•			
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNSCH			• LIPSIEA			• SWONTEK	•				
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN	•		• THORSGARD	•				
• HAUSAUER A #49	•		• MARTIN			• TIMM					
• HAUSAUER R #25			• MARTINSON			• TNJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1400.** — A Bill for an Act to amend and reenact subsection 1 of section 51-18-01 of the North Dakota Century Code, relating to definitions, regulation of home solicitation sales; to amend and reenact section 51-18-02 of the North Dakota Century Code, relating to cancellation period, method of cancellation and intent, regulation of home solicitation sales; to amend and reenact section 51-18-03 of the North Dakota Century Code, relating to referral sales, rebate or discount violations, regulation of home solicitation sales; to amend and reenact section 51-18-04 of the North Dakota Century Code, relating to agreement requirement, regulation of home solicitation sales; to amend and reenact section 51-18-05 of the North Dakota Century Code, relating to evidence of indebtedness, regulation of home solicitation sales; to amend and reenact subsection 1 of section 51-18-06 of the North Dakota Century Code, relating to time limitation, regulation of home solicitation; to amend and reenact section 51-18-07 of the North Dakota Century Code, relating to buyer responsibility, services, regulation of home solicitation sales.

Which has been read.

Rep. Erickson moved that the House waive the reading of the title to House Bill No. 1400, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		•
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		

• DICK	• KNUDSON	• POWEROY
• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA ●	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING ●	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL ●	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE ●	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN ●
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN ●	• THORSGAARD ●
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

**Senate Concurrent Resolution No. 4059.** — A concurrent resolution directing the Legislative Council to study state employees retirement.

**Senate Concurrent Resolution No. 4060.** — A concurrent resolution directing a Legislative Council study of the community placement program at the Grafton State School.

**Senate Concurrent Resolution No. 4071.** — A concurrent resolution directing the Legislative Council to study legislative rules.

**Senate Concurrent Resolution No. 4074.** — A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees.

**Senate Concurrent Resolution No. 4075.** — A concurrent resolution directing the Legislative Council to study the organization and financing of special education.

Which had been read the second time.

ROLL CALL

The question being on the final passage of the resolutions, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES ●			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFER			• MELBY			• VIG		
• BERGE			• HOLMANN			• WERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON ●			• MR. SPEAKER		
• DICK			• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA ●			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING ●			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL ●			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE ●			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN ●					
• GUNSCHE			• LIPSIEA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN ●			• THORSGAARD ●					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the resolutions passed.



Senate Bill No. 2232  
 Senate Bill No. 2256  
 Senate Bill No. 2265  
 Senate Bill No. 2278  
 Senate Bill No. 2295  
 Senate Bill No. 2299  
 Senate Bill No. 2304  
 Senate Bill No. 2319  
 Senate Bill No. 2326  
 Senate Bill No. 2330  
 Senate Bill No. 2358  
 Senate Bill No. 2359  
 Senate Bill No. 2360  
 Senate Bill No. 2394  
 Senate Bill No. 2421  
 Senate Bill No. 2422  
 Senate Bill No. 2464  
 Senate Concurrent Resolution No. 4025  
 Senate Concurrent Resolution No. 4038  
 Senate Concurrent Resolution No. 4040  
 Senate Concurrent Resolution No. 4057

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
 Senate Bill No. 2384, properly engrossed.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1409:

Senator Farrington  
 Senator Reiten  
 Senator Shablow

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2109.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2109:

Senator Lodoen  
 Senator Mutch  
 Senator Orange

LEO LEIDHOLM, Secretary

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3090.** — A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

Was read the second time.

#### ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUJMAN ●			WERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			WEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					MR SPEAKER ●
CRABTREE ●			KLOUBEK ●			PETERSON ●					
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DuBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON, F # 24 ●			SCHINDLER ●					
GACKLE ●			LARSON, G # 29 ●			SCOFIELD ●					
GERL ●			LARSON, H # 7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHJEM ●					
GUNDERSON ●			LEIBMAN ●			STRINDEN ●					
GUNNSCH ●			LIPSIA ●			SWONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER, A # 49 ●			MARTIN ●			TIMM ●					
HAUSAUER, R # 25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the House Concurrent Resolution was declared adopted.

MOTION

Rep. Knudson moved that the House reconsider its action whereby it accepted the Committee Report on Senate Bill No. 2384, and that Senate Bill No. 2384 be re-referred to the Committee on Education, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2078.** — A Bill for an Act to amend and reenact section 54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 88; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUJMAN ●			WERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			WEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					MR SPEAKER ●
CRABTREE ●			KLOUBEK ●			PETERSON ●					
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DuBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON, F # 24 ●			SCHINDLER ●					
GACKLE ●			LARSON, G # 29 ●			SCOFIELD ●					
GERL ●			LARSON, H # 7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHJEM ●					
GUNDERSON ●			LEIBMAN ●			STRINDEN ●					
GUNNSCH ●			LIPSIA ●			SWONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER, A # 49 ●			MARTIN ●			TIMM ●					

HAUSAUER, R. #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill lost.

SECOND READING OF  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4052.** — A concurrent resolution directing a Legislative Council study of state aid to nonpublic schools.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 64; nays, 27; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		WATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE			MEIERS			VANDERVORST	•	
BERG	•		HOFFNER			MELBY		•	WIG	•	
BERGE	•		HOUWANN			MERTENS			WAGNER		
BERGER			HOVE	•		MEYER			WALD	•	
BJORNSON			JACOBSEN, R.			MURPHY			WALSH	•	
BLACK		•	JACOBSON, I.			MUSHIK			WEBER	•	
BOYUM			KELLY			NICHOLAS	•		WENTZ	•	
BROKAW			KENNELLY			OLSON		•	WESSMAN	•	
CHRISTENSEN		•	KERMOTT		•	OPEDAHL			WINKJER	•	
CONNY			KINGSBURY			PELTER		•			
CRABTREE			KLOUBEC			PETERSON	•		MR. SPEAKER		
DICK		•	KUNDSON		•	POMEROY					
DIETZ			KOSKI			REED		•			
DOTZENROD			KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD		•			
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY		•	RIEHL					
FLEMING	•		LARDY			RUED		•			
FREBORG		•	LARSON, F. #24			SCHINDLER					
GACKLE		•	LARSON, G. #29		•	SCOFIELD					
GERL			LARSON, H. #7		•	SOLBERG					
GORDER			LEE			STENEHEIM		•			
GUNDERSON		•	LEIBHAN			STRINDEN		•			
GUNSON		•	LPSIEA			SWONTEK					
HANSON		•	MAIXNER			THOMPSON		•			
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER, A. #49			MARTIN			TIMM					
HAUSAUER, R. #25			MARTINSON			TINJUM					
HEDSTROM			MATHENY			TWETEN		•			

So the Senate Concurrent Resolution was declared adopted.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2048.** — A Bill for an Act to authorize the department of accounts and purchases to make purchases for state agencies and institutions, to provide for the promulgation of purchasing rules and regulations by the department of accounts and purchases, to provide for competitive bidding procedures; to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the board of higher education; to amend and reenact sections 54-21-19 and 54-42-06 and subsection 21 of section 54-44-04 of the North Dakota Century Code, relating to the director of institutions furnishing supplies for the capitol, state offices, and the executive mansion; merit system coverage for purchasing division personnel; and the operation of a central purchasing service; and to repeal sections 25-01.1-23, 25-01.1-25, 25-01.1-27, 54-23-31, 54-23-34, 54-23-35, and 54-23-37 of the North Dakota Century Code, relating to purchases by the department of accounts and purchases for the state hospital and the institutions under the control of the director of institutions.

Which has been read.

Rep. Marsden moved that the House waive the reading of the title to Senate Bill No. 2048, which motion prevailed.



ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 3; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON		• UNHJEM
• BENEDICT			• HICKLE			• WEIERS		• VANDER VORST
• BERG			• HOFFNER			• WELBY		• VIG
• BERGE			• HOUWMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• WEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• WURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM	•		• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		• MR. SPEAKER
• CRABTREE			• KLOUBEC			• PETERSON		
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING	•		• LARDY			• RUED		
• FREBORG			• LARSON, F. # 24			• SCHINDLER		
• GACKLE			• LARSON, G. # 29			• SCOFIELD		
• GERL	•		• LARSON, H. # 7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGAARD		
• HAUSAUER, A. # 49			• MARTIN			• TIMM		
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN	•	

So the bill passed and the title was agreed to.

**Senate Bill No. 2054.** — A Bill for an Act to amend and reenact sections 12.1-16-01 and 12.1-32-01 of the North Dakota Century Code, relating to murder and the classification of criminal offenses, and making murder a class AA felony with a maximum penalty of life imprisonment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 13; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSON		• UNHJEM
• BENEDICT	•		• HICKLE			• WEIERS	•	• VANDER VORST
• BERG			• HOFFNER			• WELBY		• VIG
• BERGE			• HOUWMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• WEYER		• WALD
• BJORNSON			• JACOBSEN, R.			• WURPHY		• WALSH
• BLACK			• JACOBSON, I.			• MUSHIK		• WEBER
• BOYUM	•		• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		• MR. SPEAKER
• CRABTREE			• KLOUBEC			• PETERSON		
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING	•		• LARDY			• RUED		
• FREBORG			• LARSON, F. # 24			• SCHINDLER		
• GACKLE			• LARSON, G. # 29			• SCOFIELD		
• GERL	•		• LARSON, H. # 7			• SOLBERG		
• GORDER			• LEE	•		• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGAARD		
• HAUSAUER, A. # 49			• MARTIN			• TIMM		
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

Solo the bill passed and the title was agreed to.

Speaker Wagner announced the House would be at ease.

Speaker Wagner announced the House now would be reconvened for the Memorial Service.

Committee on Arrangements:

Rep. Lipsiea  
Rep. Hanson  
Rep. Houmann

#### HOUSE MEMORIAL SERVICE

Invocation: Rev. Win Stoerker, N.D. Conference of Churches.

Selection: Bismarck Century High Choir.

Solo: "His Eye Is On The Sparrow", Rep. Alice Olson, accompanied by Janice Gunderson.

#### FIRST READING OF HOUSE MEMORIAL RESOLUTION

Reps. Lipsiea, Hanson and Houmann introduced:

**House Memorial Resolution No. A.** — A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

Which was read the first time.

Rep. Lipsiea moved that the rules be suspended, that House Memorial Resolution No. A not be referred to committee, be read in its entirety, not printed as a bill but printed in the journal, and placed on second reading and final passage, which motion prevailed.

#### HOUSE MEMORIAL RESOLUTION No. A

Introduced by Committee on House Memorial Resolutions (At the request of Reps. Lipsiea, Hanson, Houmann).

A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

WHEREAS, God in His wisdom has seen fit to summon to eternal rest His servants and our former colleagues:

VERNON C. ANDERSON, who served in the Thirty-first through the Thirty-eighth Legislative Assemblies, from the twelfth district, died February 7, 1979.

EARL BASSINGTHWAITE, who served in the Forty-third Legislative Assembly, from the tenth district, died July 23, 1977.

JOSEPH D. BYRNE, who served in the Twenty-fifth and Twenty-sixth Legislative Assemblies, from the twenty-seventh district, died September 7, 1977.

C.D. DICKERSON, who served in the Twenty-first Legislative Assembly, from the forty-third district, died February 11, 1979.

HAAKON M. EKREN, who served in the Twenty-eighth through the Thirty-second Legislative Assemblies, from the twenty-third district, died June 21, 1977.

SIMEON GREINER, who served in the Twenty-ninth and Thirtieth Legislative Assemblies, from the nineteenth district, died August 4, 1978.

ORVILLE N. HAGEN, who served in the Thirty-seventh Legislative Assembly, from the third district, died May 18, 1977.

DON HALCROW, who served in the Thirty-fifth through the Thirty-eighth Legislative Assemblies, from the first district; and in the Fortieth through the Forty-second Legislative Assemblies, from the eleventh district, died December 7, 1977.

C.M. (Cordie) HELFERICH, who served in the Thirty-second Legislative Assembly, from the thirtieth district, died February 19, 1979.

KARL KLEPPE, who served in the Thirtieth through the Thirty-third Legislative Assemblies, from the twenty-sixth district, died February 12, 1977.

FRANK E. KLOSTER, who served in the Thirty-fourth Legislative Assembly, from the sixteenth district, died February 15, 1977.

HARVEY B. KNUDSON, who served in the Twenty-fifth Legislative Assembly, from the eighth district, died June 29, 1978.

CLIFFORD L. LINDBERG, who served in the Thirty-second through the Thirty-eighth Legislative Assemblies, from the twenty-third district, died January 30, 1979.

BYRON METCALF, who served in the Thirtieth Legislative Assembly, from the fifteenth district, died May 10, 1978.

JOSEPH N. MOLLET, who served in the Twenty-sixth through the Thirty-fourth Legislative Assemblies, from the forty-fourth district, died December 14, 1978.

KARSTEN (Kelly) O. NYGAARD, who served in the Thirty-seventh and Thirty-eighth Legislative Assemblies, from the thirteenth district, died January 10, 1979.

OSCAR OBERG, who served in the Seventeenth through the Twenty-first Legislative Assemblies, from the forty-sixth district, died March 8, 1979.

MATTHEW M. SCHMIDT, who served in the Twenty-ninth through the Thirty-sixth Legislative Assemblies, from the thirtieth district, died August 14, 1977.

IVER SOLBERG, who served in the Twenty-fifth and Twenty-sixth Legislative Assemblies, from the forty-fifth district; and the Fortieth and Forty-first Legislative Assemblies, from the second district, died December 30, 1978.

CARL G. TOLLEFSON, who served in the Thirty-fourth through the Thirty-sixth Legislative Assemblies, from the eighteenth district, died January 20, 1979.

HAROLD ZIEGLER, who served in the Thirty-fourth Legislative Assembly, from the forty-sixth district, died May 23, 1978.

WHEREAS, today, we, as members of the House of Representatives of the Forty-sixth Legislative Assembly of the State of North Dakota, pause to mourn the passing of our former colleagues, and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contribution to their fellowmen and their communities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE FORTY-SIXTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

That we express our keen sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of these, our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory, this token of respect and sympathy by their successors in trust be printed in the journal of the House of Representatives and that duly enrolled copies of this resolution be presented by the Secretary of State to the surviving families of these deceased representatives.

SECOND READING OF  
HOUSE MEMORIAL RESOLUTION

**House Memorial Resolution No. A.** — A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Memorial Resolution was declared adopted on a voice vote.

Introduction of Guests: Rep. Lipsiea.  
Solo: "The Lord's Prayer", Rep. Alice Olson.  
Selection: Bismarck Century High Choir.  
Benediction: Rev. Stoerker.

MOTION

Rep. Strinden moved that the House stand in recess for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

MESSAGE TO THE SENATE:

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1388, 1400, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2202  
Senate Bill No. 2204  
Senate Bill No. 2217  
Senate Bill No. 2232  
Senate Bill No. 2256  
Senate Bill No. 2265  
Senate Bill No. 2278  
Senate Bill No. 2295  
Senate Bill No. 2299  
Senate Bill No. 2304  
Senate Bill No. 2319  
Senate Bill No. 2326  
Senate Bill No. 2330  
Senate Bill No. 2358  
Senate Bill No. 2359  
Senate Bill No. 2360  
Senate Bill No. 2394  
Senate Bill No. 2421  
Senate Bill No. 2422  
Senate Bill No. 2464  
Senate Concurrent Resolution No. 4025  
Senate Concurrent Resolution No. 4038  
Senate Concurrent Resolution No. 4040  
Senate Concurrent Resolution No. 4057

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2202  
Senate Bill No. 2204  
Senate Bill No. 2217  
Senate Bill No. 2232  
Senate Bill No. 2256  
Senate Bill No. 2265  
Senate Bill No. 2278  
Senate Bill No. 2295  
Senate Bill No. 2299





● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOIT	● OPEDAHL	● WINKLER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWIONTEK	
● HANSON	● MAINER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2285.** — A Bill for an Act to amend and reenact section 15-39.1-09, section 15-39.1-10, and section 15-39.1-11 of the North Dakota Century Code, relating to assessments for teachers, age for eligibility for benefits, calculation of benefits, and to vested rights in retirement benefits in the teachers' fund for retirement.

Which has been read.

Rep. Hanson requested that he be excused from voting on Senate Bill No. 2285 because of a conflict of interest.

Rep. Backes moved that Rep. Hanson be allowed to vote on Senate Bill No. 2285, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 14; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES		●	● HERMAN			● WATTSOON			● UNHJEW		
● BENEDICT			● HICKLE		●	● WELBY			● VANDER VORST		
● BERG			● HOFFNER		●	● NELS		●	● VIG		
● BERGE			● HOUMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSON, R.		●	● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I.		●	● MUSHIK			● WEBER		
● BOYUM			● KELLY		●	● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY		●	● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT		●	● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY		●	● PETERSON		●	● MR. SPEAKER		
● CRABTREE			● KLOUBEC		●	● POMEROY					
● DICK			● KNUDSON		●	● REED					
● DIETZ			● KOSKI		●	● RETZER					
● DOTZENROD			● KRETSCHMAR		●	● RICHARD					
● DUBORD			● KUCHERA		●	● RICHIE					
● EAGLES			● LANG		●	● RIEHL					
● ERICKSON			● LANGLEY		●	● RUED					
● FLEMING			● LARDY		●	● SCHINDLER					
● FREBORG			● LARSON, F. # 24		●	● SCOFIELD					
● GACKLE			● LARSON, G. # 29		●	● SOLBERG					
● GERL			● LARSON, H. # 7		●	● STENEHJEM					
● GORDER			● LEE		●	● STRINDEN					
● GUNDERSON		●	● LEIBHAN		●	● SWIONTEK					
● GUNSCH		●	● LIPSIEA		●	● THOMPSON					
● HANSON			● MAINER		●	● THORSGARD					
● HAUGLAND			● MARSDEN		●	● TIMM					
● HAUSAUER, A. # 49			● MARTIN		●	● TINJUM					
● HAUSAUER, R. # 25			● MARTINSON		●	● TWETEN		●			
● HEDSTROM			● MATHENY		●						

So the bill passed and the title was agreed to.

**ANNOUNCEMENT**

Rep. Strinden requested that the record show that the Appropriations Committee has been excused to attend a Committee hearing.

**MOTIONS**

Rep. G. Larson moved that the House reconsider its action whereby





• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEH
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAR
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.  
**MESSAGE FROM THE SENATE**  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1035
  - House Bill No. 1037
  - House Bill No. 1126
  - House Bill No. 1250
  - House Bill No. 1275
  - House Bill No. 1374
  - House Bill No. 1446
  - House Bill No. 1458
  - House Bill No. 1494
  - House Bill No. 1529
  - House Bill No. 1578
  - House Bill No. 1582
  - House Bill No. 1610
  - House Bill No. 1675
  - House Concurrent Resolution No. 3013
  - House Concurrent Resolution No. 3055
  - House Concurrent Resolution No. 3064
  - House Concurrent Resolution No. 3077.
- Which the President has signed.

LEO LEIDHOLM, Secretary  
**MESSAGE TO THE SENATE**  
 House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2109:

- Rep. Lang
- Rep. Retzer
- Rep. Maixner.

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**


The committee on Enrollment and Engrossment respectfully reports that:

- ..... H. B. No. 1035 .....
- ..... H. B. No. 1037 .....
- ..... H. B. No. 1126 .....
- ..... H. B. No. 1250 .....

- H. B. No. 1275
- H. B. No. 1374
- H. B. No. 1446
- H. B. No. 1458
- H. B. No. 1494
- H. B. No. 1529
- H. B. No. 1578
- H. B. No. 1582
- H. B. No. 1610
- H. B. No. 1675

were delivered to the } Governor } for his approval at the hour of  
~~Secretary of State~~

3:50 o'clock p.m., March 14, 1979

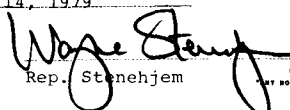
  
 Rep. Stenehjem Chairman  
"BEST NORTH DAKOTA PRODUCTS"

The committee on Enrollment and Engrossment respectfully reports that:

- H. C. R. No. 3013
- H. C. R. No. 3055
- H. C. R. No. 3064
- H. C. R. No. 3077

were delivered to the } ~~Governor~~ } ~~XXXXXXXXXXXX~~ at the hour of  
 Secretary of State

3:53 o'clock p.m., March 14, 1979

  
 Rep. Stenehjem Chairman  
"BEST NORTH DAKOTA PRODUCTS"

**MESSAGES FROM THE SENATE**  
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills No. 2321, 2338, but refused to concur in the House amendment to Senate Bill No. 2095 and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2095:

- Senator Jones
- Senator Cussons
- Senator Rait.

LEO LEIDHOLM, Secretary





**Senate Bill No. 2462.** — A Bill for an Act to create and enact a new section to chapter 57-15, relating to the authorization of a one-half mill levy by counties to establish and maintain youth programs.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 42; absent and not voting, 25.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●	●	HERMAN		●	MATTSON			UNHJEM	●	
		●		HICKLE	●	●	MEIERS			VANDER VORST	●	
		●	●	HOFFNER			MELBY	●		●	VIG	
		●	●	HOUJANN			MERTENS	●			WAGNER	
		●		HOVE	●		MEYER	●			WALD	
		●		JACOBSEN	MR		MURPHY			●	WALSH	
●				JACOBSON			MUSHK	●			WEBER	
		●	●	KELLY			NICHOLAS				WENTZ	
		●	●	KENNELLY			OLSON				WESSMAN	
				KERMOTT	●		OPEDAHL				●	WINKLER
●				KINGSBUR	●		PELTIER	●				
●				KLOUBEC	●		PETERSON	●			MR. SPEAKER	
●				KNUDSON	●		POMEROY					
		●	●	KOSKI			REED	●				
		●	●	KRETSCHMAR			RETZER	●				
		●		KUCHERA	●		RICHARD	●				
	●			LANG	●		RICHE	●				
		●		LANGLEY	●		RIEHL	●				
		●		LAROY	●		RUEB	●				
		●		LARSON F # 24			SCHINDLER	●				
		●	●	LARSON G # 20			SCOFIELD	●				
	●			LARSON H # 7			SOLBERG	●				
		●		LEE	●		STENEHJEM					
		●		LEIBMAN	●		STRINDEN					
		●	●	LIPSIEA			SWIONTEK	●				
●			●	MAIXNER			THOMPSON	●				
●			●	MARSDEN	●		THORSGAP	●				
●	HAUSAUER A # 49			MARTIN	●		TIMM					
●	HAUSAUER P # 25		●	MARTINSON			TINJUM	●				
		●		MATHENY	●		TWETEN	●				

So the bill lost.

**MOTIONS**

Rep. Boyum moved that the House reconsider its action whereby the House passed House Bill No. 1642, which motion prevailed.

Rep. Boyum moved that the House reconsider its action whereby it adopted the amendments to House Bill No. 1642, which motion prevailed.

Rep. Boyum moved that the House reconsider its action whereby it accepted the Committee Report on House Bill No. 1642, which motion prevailed.

Rep. Boyum requested permission to withdraw House Bill No. 1642. There being no objection, it was so ordered by the Speaker.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2465.** — A Bill for an Act to amend and reenact sections 15-18-03 and 15-18-04.2 of the North Dakota Century Code, relating to mill levies for junior colleges and off-campus educational centers.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 4; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	HERMAN		●	MATTSON			UNHJEM	●
●				HICKLE		●	MEIERS			●	VANDER VORST
●			●	HOFFNER			MELBY	●			VIG
●			●	HOUJANN			MERTENS	●			WAGNER
●			●	HOVE			MEYER	●			WALD
●				JACOBSEN	MR		MURPHY	●			WALSH

● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOITT	● OPEDAHL	● WINKJER
● CONNY	● KINGSBURG	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEW	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIEA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGAR	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2469.** — A Bill for an Act to create and enact subsection 6.1 to section 6-01-02 of the North Dakota Century Code, relating to definition of corporate central credit unions; to amend and reenact section 6-06-19 of the North Dakota Century Code, relating to exemption of North Dakota central credit union from borrowing limitations; to amend and reenact section 6-06-21 of the North Dakota Century Code, relating to reserving requirements of corporate central credit unions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 4; absent and not voting, 26.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE	●		● HOUMANN			● WERTENS	●		● WAGNER		
● BERGER			● HOVE			● WEYER			● WALD		
● BJORNSON			● JACOBSEN	●		● WURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK	●		● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURG	●		● PELTIER					
● CRABTREE			● KLOUBEC		●	● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED	●				
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES	●		● LANG	●		● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING	●		● LARDY			● RUED	●				
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL	●		● LARSON, H # 7			● SOLBERG	●				
● GORDER			● LEE			● STENEHJEW					
● GUNDERSON	●		● LEIBHAN			● STRINDEN	●				
● GUNSCH	●		● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN	●		● THORSGAR	●				
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**Senate Bill No. 2475.** — A Bill for an Act to create and enact section 63-01.1-10.1; to amend and reenact subsections 4 and 5 of section 63-01.1-02 and sections 63-01.1-03, 63-01.1-04, 63-01.1-05, 63-01.1-06, subsection 2 of section 63-01.1-12, section 63-01.1-13 and subsection 1 of section 63-01.1-15 of the North Dakota Century Code; and to repeal section 63-01.1-07 of



- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the words and semicolon "; and declaring an emergency"
- On page 1 of the engrossed bill, line 9, delete the numerals "3,503,844" and insert in lieu thereof the numerals "3,589,465"
- On page 1 of the engrossed bill, line 15, delete the numerals "2,429,877" and insert in lieu thereof the numerals "2,471,683"
- On page 1 of the engrossed bill, line 18, delete the numerals "201,991" and insert in lieu thereof the numerals "245,806"
- On page 1 of the engrossed bill, line 19, delete the numerals "3,503,844" and insert in lieu thereof the numerals "3,589,465"
- On page 1 of the engrossed bill, line 21, delete the numerals "2,759,456" and insert in lieu thereof the numerals "2,845,077"
- On page 2 of the engrossed bill, after line 7, insert the following section:

"SECTION 3. EMERGENCY.) The line item entitled "land, structures, and major improvements" in section 1 of this Act is hereby declared to be an emergency measure and shall be in effect from and after passage and approval."

And renumber the lines, sections, and pages accordingly

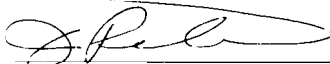
STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases Industrial School salaries and wages by \$41,806 for the following new positions for the second year of the 1979-81 biennium:

Building Supervisor	\$12,887
Building Supervisor	12,887
Building Supervisor	16,032
Total	<u>\$41,806</u>

The land, structures, and major improvements line item is increased by \$43,815 for sewer and water special assessments.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Bill No. 2007

Senate \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate \_\_\_\_\_

Bill No. 2031 \_\_\_\_\_, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 6, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

- On page 1 of the engrossed bill, line 8, delete the numerals "5,929,285" and insert in lieu thereof the numerals "6,153,234"
- On page 1 of the engrossed bill, line 13, delete the numerals "2,536,022" and insert in lieu thereof the numerals "2,662,293"
- On page 1 of the engrossed bill, line 14, delete the numerals "556,120" and insert in lieu thereof the numerals "602,330"
- On page 1 of the engrossed bill, line 17, delete the numerals "299,273" and insert in lieu thereof the numerals "323,891"



On page 1 of the engrossed bill, line 18, delete the numerals "112,995" and insert in lieu thereof the numerals "139,845"

On page 1 of the engrossed bill, line 21, delete the numerals "5,929,285" and insert in lieu thereof the numerals "6,153,234"

On page 2 of the engrossed bill, line 1, delete the numerals "4,729,285" and insert in lieu thereof the numerals "4,953,234"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages is increased by \$126,271 by adding \$4,003 to provide adequate funds for 6.5 percent annual salary increases and fringe benefits including family medical insurance; and by adding \$122,268 for three positions of a Hydrologist III, a Hydrologist II, and an Engineering Technician IV.

Fees and services is increased by \$46,210 by adding \$35,810 to provide adequate travel and other fees for the level of operations recommended in the executive budget; and by \$10,400 for the three additional positions.

Supplies and materials is increased by \$24,618 by adding \$14,618 to provide adequate printing, vehicle supplies, and pipe and drilling supplies for the level of operation recommended in the executive budget; and by adding \$10,000 for the three additional positions.

Equipment is increased by \$26,850 for the three additional positions.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Bill No. 2031

Senate \_\_\_\_\_ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate \_\_\_\_\_

Bill No. 2035, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 6, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 11, delete the numerals "70,000" and insert in lieu thereof the numerals "60,000"

On page 1, line 17, delete the numerals "44,770" and insert in lieu thereof the numerals "34,770"

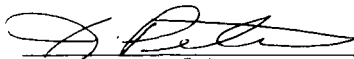
On page 1, line 21, delete the numerals "70,000" and insert in lieu thereof the numerals "60,000"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

Decrease fees and services of the Unsatisfied Judgment Fund by \$10,000. The remaining funds will allow for the continuation of services at the present level.



Rep. James A. Peterson

Chairman

Senate Bill No. 2035 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2047, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Rep. James A. Peterson

Chairman

Senate Bill No. 2047 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2084, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, of the engrossed bill after the second word "to" insert the words and numerals "chapter 15-65 of"

On page 1, line 3, after the word "appointments" insert the words "to the public broadcasting council"

On page 1, line 9, after the first period insert the following: "A new section to chapter 15-65 of the North Dakota Century Code is hereby created and enacted to read as follows:"

On page 1, line 10, delete the following: "any statutory board, council," and insert in lieu thereof "the public broadcasting council"

On page 1, delete all of line 11

On page 1, line 12, delete the following: "subject to sections 1 through 4 of the Act,"

On page 1, line 15, after the first period insert the following: "A new section to chapter 15-65 of the North Dakota Century Code is hereby created and enacted to read as follows:"

On page 1, line 18, delete the word "board" and insert in lieu thereof the words "public broadcasting council"

On page 2, line 1, delete the word "board" and insert in lieu thereof the word "council"

On page 2, line 11, after the first period insert the following: "A new section to chapter 15-65 of the North Dakota Century Code is hereby created and enacted to read as follows:"

On page 2, line 12, after the word "appointment" insert the words "to the council" and also on line 12, delete the following: "pursuant to sections 1 through"

On page 2, line 13, delete the following: "4 of this Act"

On page 2, line 20, after the first period insert the following: "A new section to chapter 15-65 of the North Dakota Century Code is hereby created and enacted to read as follows:"

On page 2, line 21, after the word "appointment" insert the words "to the public broadcasting council"

On page 3, line 22, delete the words "All appointments shall be subject to"

On page 3, delete all of line 23

On page 3, line 24, delete the following: "4 of this Act."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Senate Rep. Martinson Chairman  
Bill No. 2084 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education  
to whom was referred Senate

Bill No. 2130, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Senate Rep. Knudson Chairman  
Bill No. 2130 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2186, has had the same under consideration and recommends, by a vote of  
Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  
 be amended as follows:

On page 3 of the engrossed bill, line 20, delete the numerals "1980" and insert in lieu thereof the numerals "1981"

And when so amended, recommends the same do pass.

Senate Rep. James A. Peterson Chairman  
Bill No. 2186 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor  
to whom was referred Senate

Bill No. 2206, has had the same under consideration and recommends, by a vote of

Ayes, 16 ; Nays, 0 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, line 26 of the engrossed bill, after the word "All" insert the following: "licenses required herein shall expire on June thirtieth of each year and may be renewed. Renewals shall be effective the succeeding July first. Applications for renewal must be submitted on or before the preceding thirtieth of June and must be accompanied by the required annual fees. The form and content of renewal applications shall be determined by the department of banking and financial institutions, and a renewal application may be denied upon the same grounds as would justify denial of an initial application"

On page 2 of the engrossed bill, delete all of lines 27 and 28

On page 2, line 29 of the engrossed bill, delete the words "upon payment of required annual fees"

On page 3 of the engrossed bill, delete all of lines 7 and 8

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass

Chairman

Senate Bill No. 2206 Rep. Rued was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2269, has had the same under consideration and recommends, by a vote of

Ayes, 9 ; Nays, 7 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the word "Act" insert the following: "to create and enact a new section to chapter 15-21 of the North Dakota Century Code, relating to accreditation standards; and"

On page 1, line 2, delete the numerals "15-36-11,"

On page 1, after line 8, insert the following new section: "SECTION 1.) A new section to chapter 15-21 of the North Dakota Century Code is hereby created and enacted to read as follows:

SUPERINTENDENT MAY ADOPT ACCREDITATION STANDARDS - COMPLIANCE NOT MANDATORY.) The superintendent of public instruction shall have the authority to adopt standards for the accreditation of the public and private schools of the state. Any public or private school which complies with such standards shall be deemed to be an accredited school."

On page 1, line 18, strike the word "certified" and insert in lieu thereof the word "certificated"

On page 2, delete all of lines 1 through 16

JOURNAL OF THE HOUSE

On page 2, line 24, delete "geography" and insert in lieu thereof the word "geography" and then on line 24 strike the word "geography" and insert in lieu thereof the word "geography"

On page 3, line 27, after the first comma insert the following: "economics and the free enterprise system."

On page 4, line 13, delete the following: "in the case of private high"

On page 4, delete all of line 14

On page 4, line 15, delete the following: "case of public high schools"

On page 4, line 20, delete the following: "by the superintendent of publi

On page 4, delete all of line 21

On page 4, line 22, delete everything before the period

And renumber the lines, pages, and sections accordingly

And when so amended, recommends the same do pass.

Rep. Knudson Chairman  
Senate Rep. Knudson Bill No. 2269 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2284, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

On page 1, line 10, of the engrossed bill delete the amount "\$3,859.21" and insert in lieu thereof the amount "\$1,868.41"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Martinson Chairman  
Senate Bill No. 2284 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2306, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 4, that the same

- do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:

Rep. Peterson Chairman  
Senate Bill No. 2306 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2309, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to a credit for contributions to nonprofit private institutions of secondary and postsecondary education; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 57-38-01.7 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-01.7. INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS - LIMITATION.)

1. At the election of the taxpayer, there shall be allowed, subject to the applicable limitations provided herein, as a credit against the income tax imposed by this chapter for the taxable year, an amount equal to fifty percent of the aggregate amount of charitable contributions made by such taxpayer during such year to nonprofit private institutions of higher education located within the state of North Dakota or to the North Dakota independent college fund.
  - 1- a. In the case of a taxpayer other than a corporation, the amount allowable as a credit under this ~~section~~ subsection for any taxable year shall not exceed ~~twenty~~ forty percent of such taxpayer's total income tax under this chapter for such year, of ~~fifty one~~ one hundred dollars, whichever is less.
  - 2- b. In the case of a corporation, the amount allowable as a credit under this ~~section~~ subsection for any taxable year shall not exceed ten percent of such corporation's total income tax under this chapter for such year, or five hundred one thousand dollars, whichever is less.
2. At the election of the taxpayer, there shall be allowed, subject to the applicable limitations provided herein, as a credit against the income tax imposed by this chapter for the taxable year, an amount equal to fifty percent of the aggregate amount of charitable contributions made by such taxpayer during such year directly to nonprofit private institutions of secondary education, located within the state of North Dakota.
  - a. In the case of a taxpayer other than a corporation, the amount allowable as a credit under this subsection for any taxable year shall not exceed twenty percent of such taxpayer's total income tax under this chapter for such year, or fifty dollars, whichever is less.

b. In the case of a corporation, the amount allowable as a credit under this subsection for any taxable year shall not exceed ten percent of such corporation's total income tax under this chapter for such year, or five hundred dollars, whichever is less.

3. For the purpose of this section, the term "nonprofit private institution of higher education" shall mean only a nonprofit private educational institution located in the state of North Dakota which normally maintains a regular faculty and curriculum and which normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, and which regularly offers education at a level above the twelfth grade. ~~This section shall apply only with respect to taxable years beginning on or after January 1, 1975.~~ The term "nonprofit private institutions of secondary education" shall mean only a nonprofit private educational institution located in North Dakota which normally maintains a regular faculty and curriculum approved by the state department of public instruction and which normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, and which regularly offers education to students in the ninth through the twelfth grades.

SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective for taxable years beginning on or after January 1, 1979."

And renumber the lines and pages accordingly

And when so amended, recommends the same to pass.

 Chairman  
Rep. Gackle

Senate Bill No. 2309 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2311, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

 Chairman  
Rep. Gackle

Senate Bill No. 2311 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2313, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 16, of the engrossed bill delete the words "except during the time"

On page 1, delete all of the underlined language on lines 17 through 19

On page 2, line 11, delete the words "except during the time when an employee of a"

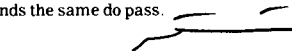
On page 2, delete all of line 12

On page 2, line 13, delete the words "probationary period of employment"

On page 2, delete all of the underlined language on lines 18 through 20

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Rep. Martinson Chairman

Senate Bill No. 2313 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2316, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

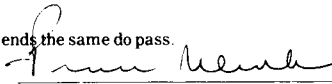
On page 1, line 1 delete the word "chapter" and insert in lieu thereof the following: "title 12.1"

On page 1, line 2 delete the numerals "19-03.1"

On page 1, line 8 delete "chapter 19-03.1" and insert in lieu thereof the following: "title 12.1"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

  
Rep. Winkjer Chairman

Senate Bill No. 2316 was placed on the 6th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2327, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 6, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

  
Rep. James A. Peterson Chairman

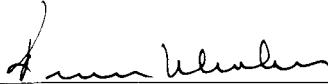


Senate Bill No. 2327 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary to whom was referred Senate

Bill No. 2355, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Senate Rep. Winkjer Bill No. 2355 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2367, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, of the engrossed bill delete the words "or trade one tract" and insert in lieu thereof the words "three tracts"

On page 1, line 8, delete the words "or trade"

On page 1, after line 19, insert the following subsections:

"2. That portion of the east half of section six, township one hundred thirty-nine north, range sixty-three west, which runs in a north-south direction lying east of the midland-contintental railroad right of way and subject to the conveyed acreage for both county and state highways. This tract comprises approximately thirty-four acres.

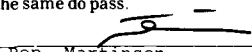
3. That portion of section five, township one hundred thirty-nine north, range sixty-three west, which runs in a northwest-southeast direction, being bound by that certain township road on the north and east and by the burlington northern railroad right of way on the west and south. This tract of land comprises approximately eighty-six acres."

On page 2, line 3, delete "Factors to be considered by"

On page 2, delete all of lines 4 through 10

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Rep. Martinson

Chairman

Senate Bill No. 2367 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2371, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 5; Absent, 3, that the same

[X] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[Handwritten signature]

Chairman

Senate Bill No. 2371 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2404, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

On page 14 of the engrossed bill, delete line 4 and insert in lieu thereof the words "eighteen percent simple interest per annum upon the unpaid balance of the contract."

On page 14 of the engrossed bill, delete lines 22 through 32

On page 15, line 6 of the engrossed bill, after the period insert the following: "This finance charge may be precomputed on the amount financed calculated on the assumption that all scheduled payments will be paid when due and the effect of prepayment is governed by the provisions on rebate upon prepayment."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

[Handwritten signature]

Chairman

Senate Bill No. 2404 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2415, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 1; Absent, 2, that the same

[ ] do pass. [ ] do not pass. [ ] be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof the following: "sections 7-02-04 and"

On page 1, line 2, after the word "installment" insert the words "savings and loan association and"

On page 1, after line 5, insert the following section:


"SECTION 1. AMENDMENT.) Section 7-02-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7-02-04. INTEREST, DUES, ASSESSMENTS LIMITED - USURY.) ~~interest~~ Except as provided by this section, ~~interest~~ collected by such associations ~~an-ne-event shall~~ may not exceed twelve percent per annum on the amount of the loan. An association may charge interest not to exceed one and one-fourth percent simple interest per month upon the unpaid balance of a loan not secured by real estate. Interest not exceeding one percent per month also may be charged on delinquent payments or installments from the time such delinquent payments or installments are due. No association shall charge or collect from any shareholder, member, or borrower any fines, premiums, or penalties of any kind whatsoever except as herein provided for delinquent payments or installments. Such dues, interest, or advancements collected from members or others, within the limits of this section, shall not be deemed usury although in excess of the legal rate of interest."

On page 1, line 6, delete the numeral "1" and insert in lieu thereof the numeral "2"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

Senate Bill No. 2415 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2418, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation. X be amended as follows:

On page 2, line 17 of the engrossed bill, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Senate Bill No. 2418 Rep. Rued was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2423, has had the same under consideration and recommends, by a vote of Ayes, 7; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 20, delete the words "the public utility may put the" and insert in lieu thereof the words "any electric, gas, or telephone public utility may put its"

On page 2, line 3, delete the words and comma ", including interest thereon at"

On page 2, line 4, delete the words and comma "the rate prescribed by the commission,"

On page 2, line 6, after the period insert the following: "Any refund shall include interest at the average prime interest rate during the period the rates subject to refund were in effect as determined and supplied to the commission by the bank of North Dakota."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Martinson Chairman  
Senate Bill No. 2423 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2428, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Winkjer Chairman  
Senate Bill No. 2428 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2446, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 3; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Rued Chairman  
Senate Bill No. 2446 was placed on the 14th order of business on the calendar for the succeeding legislative day.

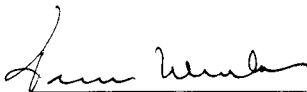
Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2454, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Winkjer

Senate

Bill No. 2454

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2473, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4, of the engrossed bill after the word "Code" insert a comma

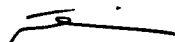
On page 4, delete the strike through over all the language on lines 14 through 19

On page 4, line 19, delete the word "To"

On page 4, delete all the underlined language on lines 20 through 22

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.



Chairman

Rep. Martinson

Senate

Bill No. 2473

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate Concurrent Resolution

No. 4010, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 6; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



Chairman

Rep. Rued

Senate Concurrent Resolution

No. 4010

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education

to whom was referred Senate Concurrent Resolution

No. 4064, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Rep. Knudson*

Chairman

Rep. Knudson  
Senate Concurrent Resolution No. 4064 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education  
to whom was referred Senate Concurrent Resolution

No. 4065, has had the same under consideration and recommends, by a vote of  
Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

And be placed on the consent calendar

*Rep. Knudson*

Chairman

Rep. Knudson  
Senate Concurrent Resolution No. 4065 was placed on the 10th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Education  
to whom was referred Senate Concurrent Resolution

No. 4068, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

And be placed on the consent calendar

*Rep. Knudson*

Chairman

Rep. Knudson  
Senate Concurrent Resolution No. 4068 was placed on the 10th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Judiciary  
to whom was referred Senate Concurrent Resolution

No. 4069, has had the same under consideration and recommends, by a vote of  
Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

And be placed on the Consent Calendar.

*Rep. Winkjer*

Chairman

Rep. Winkjer  
Senate Concurrent Resolution No. 4069 was placed on the 10th  
order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned un-  
til 1:00 p.m., Thursday, March 15, 1979.

ROY GILBREATH, Chief Clerk

FIFTY-FIRST DAY

Bismarck, March 15, 1979

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

The prayer was offered by Fr. Stanley Sticka, Corpus Christi Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Backes, Fleming, Gerl and Lee.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fiftieth Day

and recommends that the same be corrected as follows:

On page 1684, line 47, delete the numeral "12" and insert in lieu thereof "13" and delete the numeral "6" and insert in lieu thereof

"5"; line 68, change Rep. Langley's vote from "Not Voting" to "Yea"

On page 1695, line 3, delete "as amended"

On Page 1697, line 38, delete the numeral "24" and insert in lieu thereof "4" and delete the numeral "6" and insert in lieu thereof

"26"

And when so corrected recommends that the same be approved.

Signature of Steven J. Swiontek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker: Your Procedural Committee on Delayed Bills

recommends that HCR 3092 be introduced.

Signature of Earl Strinden, Chairman

Rep. Kretschmar moved that the report be adopted, which motion

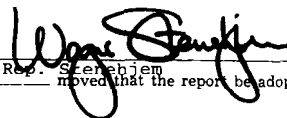
prevailed and the report was adopted.

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1092
- HB NO. 1104
- HB NO. 1169
- HB NO. 1200
- HB NO. 1236
- HB NO. 1254
- HB NO. 1312
- HB NO. 1352
- HB NO. 1412
- HB NO. 1479
- HB NO. 1481
- HB NO. 1500
- HB NO. 1585

and find the same correctly } Enrolled

Representative Lipsiea  Chairman  
 motion prevailed, and the report was adopted. Rep. Steinhilber moved that the report be adopted, which

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1042 has had the same under consideration and recommends:

- That the Senate recede from its amendments and that House Bill 1042 be amended as follows:
- On page 1, line 1, of the engrossed bill delete the word "a" and insert in lieu thereof the word "two" and delete the word "section" and insert in lieu thereof the word "sections"
  - On page 1, line 2, delete the second word "the"
  - On page 1, line 3, delete the words "timing of" and after the first word "the" insert the words "classification and"
  - On page 1, line 4, delete the words "providing for exceptions" and insert in lieu thereof the words "setting forth intent that employee complaints be resolved by basic agency grievance procedures and a statewide appeal mechanism"
  - On page 1, line 10, after the word "TO" insert the words "CLASSIFICATION AND" and after the word "to" insert the words "classification and"
  - On page 1, line 14, delete the words "Exceptions to the"
  - On page 1, delete lines 15 through 17 and insert in lieu thereof the following section:  
 "SECTION 2.) A new section to chapter 54-44.3 of the North Dakota Century Code is hereby created and enacted to read as follows:



EMPLOYEE COMPLAINTS - COOPERATION IN DEVELOPMENT AND IMPLEMENTATION OF BASIC AGENCY GRIEVANCE PROCEDURES AND A STATEWIDE APPEAL MECHANISM.) It is the intent of the state of North Dakota to assure fair and equitable treatment and promote harmony between and among all classified employees. To ensure this the state desires to resolve bona fide employee complaints as quickly as possible. The central personnel division shall cooperate with and assist the various departments, agencies, and institutions of the state in the development and implementation of basic agency grievance procedures and a statewide appeal mechanism."

And renumber the lines and pages accordingly

For the Senate	For the House
<u>Sen. Jones</u> <i>Karl Jones</i>	<u>Rep. Gunderson</u> <i>Olan Gunderson</i>
<u>Sen. Cussons</u> <i>James M. Cussons</i>	<u>Rep. Field</u> <i>Cliff Field</i>
<u>Sen. Rait</u> <i>Rait</i>	<u>Rep. Hanson</u> <i>Hanson</i>
<u>Rep. Gunderson</u>	

moved that the report be adopted, which motion

prevailed.

House Bill No. 1042 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred

House Bill No. 1278 has had the same under

consideration and recommends:

That the House accede to the Senate amendments.

For the Senate	For the House
<u>Sen. Jones</u> <i>Karl Jones</i>	<u>Rep. Gunderson</u> <i>Gunderson</i>
<u>Sen. Cussons</u> <i>James M. Cussons</i>	<u>Rep. Pomeroy</u> <i>James Pomeroy</i>
<u>Sen. Rait</u> <i>Rait</i>	<u>Rep. Pomeroy</u> <i>Pomeroy</i>
<u>Rep. Gunderson</u>	

moved that the report be adopted, which motion

prevailed.

House Bill No. 1278 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. LuGale Backlin, and Rep. Backlin was thereupon introduced to the House.

RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Charles Herman, and Rep. Herman was thereupon introduced to the House.

MOTIONS

Rep. Striden moved that that portion of House Rule No. 45 pertaining to the deadline by which all Senate Bills and Resolutions must be reported back to the House from committee be suspended, and that that date be extended from the 51st day, March 15, to the 53rd day, March 19, 1979, which motion prevailed.

Rep. Striden moved that the House request the return of Senate Bill No. 2023 from the Senate, which motion prevailed.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS

Arthur A. Link

Governor

The House of Representatives  
 46th Legislative Assembly  
 The Honorable Vernon Wagner, Speaker  
 House Chambers  
 Bismarck, North Dakota 58505

Dear Mr. Speaker and Members of the House:

As we near the end of this legislative session, I believe it is very important that we work closely together on behalf of all the people of North Dakota in seeing that legislation is processed promptly and efficiently. There are several pieces of major legislation still before both houses of the legislature and I know that you will be giving these measures careful consideration during the remaining days of this session.

Because of this, I am respectfully requesting that the legislature make an extra effort to act on those major pieces of legislation as soon as possible in order for me to have a reasonable opportunity to consider them before you adjourn.

Thank you for your cooperation.

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

State of North Dakota  
 EXECUTIVE OFFICE  
 BISMARCK

The Honorable Vernon Wagner  
 Speaker of the House  
 House Chambers  
 Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 13, 1979, I signed the following House Bills:

House Bill No. 1273  
 House Bill No. 1337  
 House Bill No. 1414  
 House Bill No. 1419  
 House Bill No. 1431  
 House Bill No. 1433  
 House Bill No. 1442  
 House Bill No. 1464  
 House Bill No. 1476  
 House Bill No. 1503  
 House Bill No. 1511  
 House Bill No. 1542  
 House Bill No. 1583  
 House Bill No. 1589  
 House Bill No. 1612  
 House Bill No. 1629  
 House Bill No. 1630

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

## MOTIONS

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1471, which motion prevailed.

## SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2007 as recommended by the Committee on Appropriations as printed on pages 1698 and 1699 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2031 as recommended by the Committee on Appropriations as printed on pages 1699 and 1700 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2035 as recommended by the Committee on Appropriations as printed on pages 1700 and 1701 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2084 as recommended by the Committee on State and Federal Government as printed on pages 1701 and 1702 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2186 as recommended by the Committee on Appropriations as printed on page 1702 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2206 as recommended by the Committee on Industry, Business and Labor as printed on pages 1702 and 1703 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2269 as recommended by the Committee on Education as printed on pages 1703 and 1704 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2284 as recommended by the Committee on State and Federal Government as printed on page 1704 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2309 as recommended by the Committee on Finance and Taxation as printed on pages 1705 and 1706 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2313 as recommended by the Committee on State and Federal Government as printed on pages 1706 and 1707 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to Senate Bill No. 2316 as recommended by the Committee on Judiciary as printed on page 1707 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2367 as recommended by the Committee on State and Federal Government as printed on page 1708 of the House Journal be adopted, which motion prevailed.

## MOTIONS

Rep. Rued moved that the House reconsider its action whereby it accepted the Committee Report on Senate Bill No. 2404, which motion prevailed.

Rep. Rued moved that Senate Bill No. 2404 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

## SIXTH ORDER OF BUSINESS

Rep. Rued moved that the amendments to Senate Bill No. 2415 as recommended by the Committee on Industry, Business and Labor as printed on pages 1709 and 1710 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2418 as

recommended by the Committee on Industry, Business and Labor as printed on page 1710 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2423 as recommended by the Committee on State and Federal Government as printed on pages 1710 and 1711 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2473 as recommended by the Committee on State and Federal Government as printed on page 1712 of the House Journal be adopted, which motion prevailed.

#### MOTIONS

Rep. Rued moved that the House do concur in the Senate amendments to House Bill 1461, which motion prevailed.

Rep. Lang moved that the House not concur on Senate amendments to House Bill No. 1489, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1489:

Rep. G. Larson

Rep. Wald

Rep. Riehl.

#### MOTIONS

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1506, which motion prevailed.

Rep. Rued moved that the House not concur on Senate amendments to House Bill No. 1519, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1519:

Rep. Kloubec

Rep. Peltier

Rep. Langley.

#### MOTIONS

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1637, which motion prevailed.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Kelly, Kretschmar, Conmy and Wentz introduced:

**House Concurrent Resolution No. 3092.** — A concurrent resolution directing an interim study by the Legislative Council of the implementation of laws requiring public buildings and facilities to be accessible and usable by the physically handicapped.

Was read the first time and referred to the committee on Political Subdivisions.

#### MESSAGE FROM THE SENATE Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2484.

LEO LEIDHOLM, Secretary



● BLACK	● JACOBSON, I.	● MUSHIK	● WEBER
● BOYLUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKLER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEW	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIE	● SWONTEK	
● HANSON	● MAINER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1268.** — A Bill for an Act relating to prohibited provisions in any individual or group accident and sickness insurance policies and nonprofit medical or hospital service contracts, and the responsibility of individual or group insurers and nonprofit medical or hospital service corporations to release information to the social service board of North Dakota pertaining to the coverage of an individual under an individual or group accident and sickness insurance policy or nonprofit medical or hospital service contract; and to amend and reenact section 26-38-24 of the North Dakota Century Code, relating to examinations of health maintenance organizations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEW		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIC		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSON, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYLUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEW					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIE			● SWONTEK					
● HANSON			● MAINER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49			● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1377.** — A Bill for an Act to amend and reenact section 15-39.1-28 of the North Dakota Century Code, relating to the mill levy for teachers' retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 31; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•		•	•	HERMAN	•	•	MATTSON	•	UNHJEM
•		•	•	HICKLE	•	•	MEIERS	•	VANDER VORST
•		•	•	HOFFNER	•	•	MELBY	•	VIG
•		•	•	HUOMANN	•	•	WERTENS	•	WAGNER
•		•	•	HOVE	•	•	WEYER	•	WALD
•		•	•	JACOBSEN, R	•	•	MURPHY	•	WALSH
•		•	•	JACOBSON I	•	•	MUSHIK	•	WEBER
•		•	•	KELLY	•	•	NICHOLAS	•	WENTZ
•		•	•	KENNELLY	•	•	OLSON	•	WESSMAN
•		•	•	KERMOTT	•	•	OPEDAHL	•	WINKJER
•		•	•	KINGSBURY	•	•	PELTIER	•	MR. SPEAKER
•		•	•	KLOUBEC	•	•	PETERSON	•	
•		•	•	KNUDSON	•	•	POMEROY	•	
•		•	•	KOSKI	•	•	REED	•	
•		•	•	KRETSCHMAR	•	•	REITZER	•	
•		•	•	KUCHERA	•	•	RICHARD	•	
•		•	•	LANG	•	•	RICHE	•	
•		•	•	LANGLEY	•	•	RIEH	•	
•		•	•	LARDY	•	•	RUED	•	
•		•	•	LARSON # 24	•	•	SCHINDLER	•	
•		•	•	LARSON # 29	•	•	SCOFIELD	•	
•		•	•	LARSON, H # 7	•	•	SOLBERG	•	
•		•	•	LEE	•	•	STENEHJEM	•	
•		•	•	LEIBHAN	•	•	STRINDEN	•	
•		•	•	LIPSIEA	•	•	SWONTEK	•	
•		•	•	MAIXNER	•	•	THOMPSON	•	
•		•	•	MARSDEN	•	•	THORSGARD	•	
•		•	•	MARTIN	•	•	TMM	•	
•		•	•	MARTINSON	•	•	TINJUM	•	
•		•	•	MATHEVY	•	•	TWETEN	•	

So the bill passed and the title was agreed to.

**House Bill No. 1380.** — A Bill for an Act requiring full, adequate, and timely notice of the meetings of all public bodies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 23; absent and not voting, 5.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•		•	•	HERMAN	•	•	MATTSON	•	UNHJEM
•		•	•	HICKLE	•	•	MEIERS	•	VANDER VORST
•		•	•	HOFFNER	•	•	MELBY	•	VIG
•		•	•	HUOMANN	•	•	WERTENS	•	WAGNER
•		•	•	HOVE	•	•	WEYER	•	WALD
•		•	•	JACOBSEN, R	•	•	MURPHY	•	WALSH
•		•	•	JACOBSON I	•	•	MUSHIK	•	WEBER
•		•	•	KELLY	•	•	NICHOLAS	•	WENTZ
•		•	•	KENNELLY	•	•	OLSON	•	WESSMAN
•		•	•	KERMOTT	•	•	OPEDAHL	•	WINKJER
•		•	•	KINGSBURY	•	•	PELTIER	•	MR. SPEAKER
•		•	•	KLOUBEC	•	•	PETERSON	•	
•		•	•	KNUDSON	•	•	POMEROY	•	
•		•	•	KOSKI	•	•	REED	•	
•		•	•	KRETSCHMAR	•	•	REITZER	•	
•		•	•	KUCHERA	•	•	RICHARD	•	
•		•	•	LANG	•	•	RICHE	•	
•		•	•	LANGLEY	•	•	RIEH	•	
•		•	•	LARDY	•	•	RUED	•	
•		•	•	LARSON # 24	•	•	SCHINDLER	•	
•		•	•	LARSON, G # 29	•	•	SCOFIELD	•	
•		•	•	LARSON, H # 7	•	•	SOLBERG	•	
•		•	•	LEE	•	•	STENEHJEM	•	
•		•	•	LEIBHAN	•	•	STRINDEN	•	
•		•	•	LIPSIEA	•	•	SWONTEK	•	
•		•	•	MAIXNER	•	•	THOMPSON	•	
•		•	•	MARSDEN	•	•	THORSGARD	•	
•		•	•	MARTIN	•	•	TMM	•	
•		•	•	MARTINSON	•	•	TINJUM	•	
•		•	•	MATHEVY	•	•	TWETEN	•	

So the bill passed and the title was agreed to.

**House Bill No. 1398.** — A Bill for an Act to provide for the licensing of electrologists and electronic hair removal technicians, relating to the definitions of terms relating to electrology, qualifications and examinations of electrologists and electronic hair removal technicians, and the special licensing of electrologists and electronic hair removal technicians by the state health council.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 23; absent and not voting, 4.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKES			● HERMAN			● MATTONSON			● UNHJEM					
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST					
● BERG			● HOFFNER		●	● MELBY		●	● VIG					
● BERGE		●	● HOUMANN		●	● WERTENS		●	● WAGNER					
● BERGER			● HOVE			● MEYER			● WALD					
● BJORNSON			● JACOBSEN, R.		●	● MURPHY		●	● WALSH					
● BLACK		●	● JACOBSON, I.			● MUSHIK			● WEBER					
● BOYUM			● KELLY			● NICHOLAS			● WENTZ					
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN					
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER					
● CONMY		●	● KINGSBURY			● PELTIER								
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER					
● DICK			● KNUDSON			● POMEROY								
● DIETZ			● KOSKI		●	● REED								
● DOTZENROD			● KRETSCHMAR			● RETZER								
● DUBORD			● KUCHERA			● RICHARD								
● EAGLES			● LANG			● RICHE								
● ERICKSON			● LANGLEY			● RIEHL								
● FLEWING			● LARDY			● RUED								
● FREBORG		●	● LARSON, F. # 24			● SCHINDLER		●						
● GACKLE		●	● LARSON, G. # 25			● SCOFIELD								
● GERL			● LARSON, H. # 7			● SOLBERG		●						
● GORDER			● LEE		●	● STENEHJEM								
● GUNDERSON			● LEIBHAN		●	● STRINDEN								
● GUNSON		●	● LIPSIEA		●	● SWONTEK								
● HANSON			● MARNER		●	● THOMPSON								
● HAUGLAND			● MARSDEN		●	● THORSGARD								
● HAUSAUER, A. # 6			● MARTIN			● TIMM								
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM								
● HEDSTROM		●	● MATHENY			● TWETEN								

So the bill passed and the title was agreed to.

**House Bill No. 1450.** — A Bill for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to indecent exposure; and to amend and reenact section 12.1-20-05 of the North Dakota Century Code, relating to the corruption or solicitation of minors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 5.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKES			● HERMAN			● MATTONSON			● UNHJEM					
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST					
● BERG			● HOFFNER			● MELBY			● VIG					
● BERGE			● HOUMANN			● WERTENS			● WAGNER					
● BERGER			● HOVE			● MEYER			● WALD					
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH					
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER					
● BOYUM			● KELLY			● NICHOLAS			● WENTZ					
● BROKAW			● KENNELLY			● OLSON			● WESSMAN					
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER					
● CONMY			● KINGSBURY			● PELTIER								
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER					
● DICK			● KNUDSON			● POMEROY								
● DIETZ			● KOSKI			● REED								
● DOTZENROD			● KRETSCHMAR			● RETZER								
● DUBORD			● KUCHERA			● RICHARD								
● EAGLES			● LANG			● RICHE								



● ERICKSON	● LANGLEY	● RIEHL
● FLEMING ●	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL ●	● LARSON, H # 7	● SOLBERG
● GORDER ●	● LEE ●	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1566.** — A Bill for an Act to establish a program of financial assistance for victims of hemophilia and other similar blood disorders, granting rulemaking authority.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO		● UNKJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDERVORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERGE			● HOLMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BUDNISON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING ●			● LARDY			● RUED		
● FREBORG			● LARSON, F # 24			● SCHINDLER		
● GACKLE			● LARSON, G # 29			● SCOFIELD		
● GERL ●			● LARSON, H # 7			● SOLBERG		
● GORDER ●			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A # 49			● MARTIN			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1491 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that House Bill No. 1604 be moved to the head of the calendar, which motion prevailed.

Rep. Strinden requested a Call of the House, which request was granted.

Rep. Strinden moved that the House dispense with the Call of the House which motion prevailed.

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1096
- House Bill No. 1262
- House Bill No. 1335

House Bill No. 1368  
 House Bill No. 1378  
 House Bill No. 1485  
 House Bill No. 1544  
 House Bill No. 1571  
 House Bill No. 1681  
 House Concurrent Resolution No. 3027  
 House Concurrent Resolution No. 3038  
 House Concurrent Resolution No. 3044  
 House Concurrent Resolution No. 3051  
 House Concurrent Resolution No. 3054  
 House Concurrent Resolution No. 3058  
 House Concurrent Resolution No. 3060  
 House Concurrent Resolution No. 3078  
 House Concurrent Resolution No. 3082.

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1316  
 House Bill No. 1603  
 House Bill No. 1608  
 House Bill No. 1661.

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Concurrent Resolution No. 3074, but subsequently FAILED TO PASS.

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1209  
 House Bill No. 1483  
 House Bill No. 1634  
 House Bill No. 1636  
 House Bill No. 1671  
 House Concurrent Resolution No. 3021  
 House Concurrent Resolution No. 3048.

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1209

On page 1 of the engrossed bill, line 19, after the word "use" insert the following: ", but does not include any oil, gas, coal, or other minerals underlying the land, any interest in minerals, separate from the surface, whether acquired by lease or otherwise, or any easements or tracts of land acquired in connection with the extraction, refining, processing, or transportation of minerals"

On page 2 of the engrossed bill, line 2, after the word "States" insert the words "or a citizen of Canada"

On page 2 of the engrossed bill, line 4, delete the comma

On page 2 of the engrossed bill, delete line 5

THURSDAY, MARCH 15, 1979

1727

On page 2 of the engrossed bill, line 6, delete the word "acres"

On page 2 of the engrossed bill, line 23, after the word "treaty" insert the words "or to common carriers by railroad subject to the jurisdiction of the interstate commerce commission"

And renumber the the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1483

On page 2, delete lines 8 through 13

And renumber the pages, lines and sections accordingly

AMENDMENTS TO HOUSE BILL NO. 1634

On page 2 of the engrossed bill, line 18, delete the word "eighty-two" and insert in lieu thereof the word "eighty"

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1636

On page 1 of the engrossed bill, line 17, delete the word "in" and insert in lieu thereof the words "by January of"

And renumber the lines accordingly

AMENDMENTS TO HOUSE BILL NO. 1671

On page 1, delete lines 10 through 22, and insert in lieu thereof the following: "EFFECT OF FAILURE TO REPORT - EXCEPTIONS TO REPORTING REQUIREMENTS.) Each insurance company issuing fire insurance policies covering property in this state shall annually report information setting forth the amount of earned premiums in this state for policies covering insured property located in this state and the amount of claims incurred. This information shall be reported on a form prescribed by the commissioner of insurance. The insurance company shall file the form with the commissioner or shall certify to the commissioner that the information has been reported directly to a rating organization that predicates the majority of the fire insurance rates for North Dakota. The form or certification shall accompany the annual statement required under section 26-07-05. The commissioner shall forward information filed under this section to the rating organization that predicates a majority of the fire insurance rates for North Dakota. The commissioner shall revoke the certificate of authority of an insurance company failing to file the information required by this section. The information required to be reported by this section does not include personal lines or farm property insurance."

On page 2, delete lines 1 through 12

On page 2, line 13, delete the numeral 4.

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3021

On page 1, after line 22, insert the following:

"BE IT FURTHER RESOLVED, that the study shall include consideration of the following:

1. The development of incentives for the medical care industry which will allow it flexibility in continuing to deliver quality medical care while at the same time effectively addressing issues of total cost containment;
2. Maximization of local control within health care facilities, giving hospital and long-term care administrators and medical staffs the broadest possible scope of action within a framework that makes them conscious of cost;
3. Continuation and expansion of capital expenditure and service controls under the state certificate of need law;
4. Continuation and possible expansion of medical care facilities costs and quality assurance reviews;
5. "Medicare" and "medicaid" reimbursement mechanisms as they relate to hospitals and long-term care facilities;
6. Uniform accounting and reporting principles;
7. Prospective budget and rate review; and
8. Collection of appropriate utilization statistics."

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3048

On page 2, line 7, after the word "social" insert the word "service"

And renumber the lines and pages accordingly

MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2095:

Rep. Conmy  
Rep. Stenehjem  
Rep. Meiers.  
Senate Bill No. 2297:  
Rep. Wessman  
Rep. Gorder  
Rep. Hanson.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2226  
Senate Bill No. 2395.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2059  
Senate Bill No. 2122  
Senate Bill No. 2139  
Senate Bill No. 2300

Senate Bill No. 2344  
Senate Bill No. 2386  
Senate Bill No. 2398.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2142  
Senate Bill No. 2286  
Senate Bill No. 2339  
Senate Bill No. 2356  
Senate Bill No. 2380.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1092  
House Bill No. 1104  
House Bill No. 1169  
House Bill No. 1200  
House Bill No. 1236  
House Bill No. 1254  
House Bill No. 1312  
House Bill No. 1352  
House Bill No. 1412  
House Bill No. 1479  
House Bill No. 1481  
House Bill No. 1500  
House Bill No. 1585.

The Speaker signed the same in the presence of the House of Representatives.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1092  
House Bill No. 1104  
House Bill No. 1169  
House Bill No. 1200  
House Bill No. 1236  
House Bill No. 1254  
House Bill No. 1312  
House Bill No. 1352  
House Bill No. 1412  
House Bill No. 1479  
House Bill No. 1481  
House Bill No. 1500  
House Bill No. 1585.

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House respectfully requests the return of Senate Bill No. 2023.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 1076, 1117, 1268, 1377, 1380, 1398, 1450, 1566, and subsequently passed the same but refused to

concur in the Senate amendment to House Bill No. 1489, 1519, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1489, 1519.

House Bill No. 1489:

Rep. G. Larson

Rep. Wald

Rep. Riehl

House Bill No. 1519:

Rep. Kloubec

Rep. Peltier

Rep. Langley

ROY GILBREATH, Chief Clerk

### RECONSIDERATION OF A VETOED MEASURE

#### SECOND READING OF A HOUSE BILL

**House Bill No. 1604.** — A Bill for an Act to amend and reenact subsection 4 of section 38-18-05 of the North Dakota Century Code, relating to the definition of mineral developer.

Which has been read.

Rep. Conny requested that he be excused from voting on House Bill No. 1604 because of a conflict of interest.

Rep. Kretschmar moved that Rep. Conny be allowed to vote on House Bill No. 1604, which motion prevailed.

Rep. Strinden requested a call of the House, which request was granted.

Rep. Strinden moved that the House dispense with the call of the House, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 64; nays, 33; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●			●			●		
BACKES		●	HERFMAN			MATTSON			UNHJEM		
BENEDICT		●	HICKLE			MEIERS		●	VANDER VORST		
● BERG			HOFFNER		●	WELBY		●	VG		
● BERGE			HOUMANN		●	WERTENS		●	WAGNER		
BERGER		●	HOVE			MEYER		●	WALD		
● BJORNSON			JACOBSEN, R			MURPHY			WALSH		●
● BLACK			JACOBSON, I		●	MUSHK		●	WEBER		●
● BOYUM			KELLY		●	NICHOLAS			WENTZ		●
● BROKAW		●	KENNELLY			OLSON			WESSMAN		●
● CHRISTENSEN			KERMOTT			OPEDALH		●	WINKLER		
● CONNY			KINGSBURY			PELTIER					
● CRABTREE			KLOUBEC			PETERSON			MR. SPEAKER		
● DICK			KNUDSON		●	POMEROY		●			
● DIETZ			KOSKI			REED					
● DOTZENROD		●	KRETSCHMAR			RETZER					
DuBORD		●	KUCHERA			RICHARD		●			
● EAGLES			LANG			RIEHL		●			
● ERICKSON			LANGLEY		●	RUED		●			
● FLEWING			LARDY			SCHINDLER		●			
● FREBORG			LARSON, F # 24			SCOFIELD		●			
● GACKLE			LARSON, G # 29			SOLBERG		●			
● GERL		●	LARSON, H # 7			STENEHJEM		●			
● GORDER			LEE			STRINDEN		●			
● GLUNDERSON			LEIBHAN		●	SWONTEK		●			
● GUNTSCH			LIPSIEA			THOMPSON		●			
● HANSON		●	MAIXNER		●	THORSKARD		●			
● HAUGLAND		●	MARSDEN		●	TIMM		●			
● HAUSAUER, A # 49			MARTIN		●	TINJUM		●			
● HAUSAUER, R # 25			MARTINSON		●	TWETEN		●			
● HEDSTROM			MATHENY		●						

So the bill failed to pass over the Governor's veto.

#### SECOND READING OF SENATE

#### CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

**Senate Concurrent Resolution No. 4065.** — A concurrent resolution



BJORNSON	•	JACOBSEN R	•	MURPHY	•	WALSH	•
BLACK	•	JACOBSON I	•	MUSHK	•	WEBER	•
BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAHL	•	WINKJER	•
CONMY	•	KINGSBURY	•	PELTIER	•		
CRABTREE	•	KLOUBEK	•	PETERSON	•	MR. SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	KOSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHIE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON F # 24	•	SCHINDLER	•		
GACKLE	•	LARSON G # 29	•	SCOFIELD	•		
GERL	•	LARSON H # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBMAN	•	STRINDEK	•		
GUNSCH	•	LIPSIEA	•	SWONTEK	•		
HANSON	•	MAIXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER A # 49	•	MARTIN	•	TMM	•		
HAUSAUER R # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill lost.

**Senate Bill No. 2355.** — A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to prohibiting labor organizations from using funds generated by dues in political campaigns; and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 73; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•	•	HERMAN	•	•	MATTSON	•	•	UNHJEM	•	•
BENEDICT	•	•	HICKLE	•	•	MEIERS	•	•	VANDER VORST	•	•
BERG	•	•	HOFFNER	•	•	MELBY	•	•	VIG	•	•
BERGE	•	•	HOLMANN	•	•	MERTENS	•	•	WAGNER	•	•
BERGER	•	•	HOVE	•	•	METER	•	•	WALD	•	•
BJORNSON	•	•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	•	•
BLACK	•	•	JACOBSON I	•	•	MUSHK	•	•	WEBER	•	•
BOYUM	•	•	KELLY	•	•	NICHOLAS	•	•	WENTZ	•	•
BROKAW	•	•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•	•
CHRISTENSEN	•	•	KERMOTT	•	•	OPEDAHL	•	•	WINKJER	•	•
CONMY	•	•	KINGSBURY	•	•	PELTIER	•	•			
CRABTREE	•	•	KLOUBEK	•	•	PETERSON	•	•	MR. SPEAKER	•	•
DICK	•	•	KNUDSON	•	•	POMEROY	•	•			
DIETZ	•	•	KOSKI	•	•	REED	•	•			
DOTZENROD	•	•	KRETSCHMAR	•	•	RETZER	•	•			
DUBORD	•	•	KUCHERA	•	•	RICHARD	•	•			
EAGLES	•	•	LANG	•	•	RICHIE	•	•			
ERICKSON	•	•	LANGLEY	•	•	RIEHL	•	•			
FLEMING	•	•	LARDY	•	•	RUED	•	•			
FREBORG	•	•	LARSON F # 24	•	•	SCHINDLER	•	•			
GACKLE	•	•	LARSON G # 29	•	•	SCOFIELD	•	•			
GERL	•	•	LARSON H # 7	•	•	SOLBERG	•	•			
GORDER	•	•	LEE	•	•	STENEHJEM	•	•			
GUNDERSON	•	•	LEIBMAN	•	•	STRINDEK	•	•			
GUNSCH	•	•	LIPSIEA	•	•	SWONTEK	•	•			
HANSON	•	•	MAIXNER	•	•	THOMPSON	•	•			
HAUGLAND	•	•	MARSDEN	•	•	THORSGARD	•	•			
HAUSAUER A # 49	•	•	MARTIN	•	•	TMM	•	•			
HAUSAUER R # 25	•	•	MARTINSON	•	•	TINJUM	•	•			
HEDSTROM	•	•	MATHENY	•	•	TWETEN	•	•			

So the bill lost.

**Senate Bill No. 2428.** — A Bill for an Act to amend and reenact section 16-11-06 of the North Dakota Century Code, relating to the arrangement of names on ballots; or, in the alternative, to amend and reenact section 16.1-06-07 of the North Dakota Century Code as created by section 4 of House Bill No. 1138 as approved by the forty-sixth legislative assembly, relating to the arrangement of names on ballots; and providing an effective date.

Which has been read.



ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 71; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE		•	HOUWANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON		•	JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHIK	•		WEBER	•	
BOYUM		•	KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN		•	KERMOTT	•		OPEDAHL	•		WINKER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE		•	KLOUBEC	•		PETERSON	•		MR. SPEAKER		
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ		•	KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD		•	KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON		•	LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG		•	LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
GERL	•		LARSON, H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON		•	LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWONTEK	•				
HANSON		•	MAXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A # 49	•		MARTIN	•		TMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				

So the bill lost.

**Senate Bill No. 2444.** — A Bill for an Act to require a final court decision if the constitutionality or propriety of a proposed public school program containing a religious theme, content, songs or alleged obscene material is challenged in court, and providing a declaration of legislative intent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 70; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•		MELBY	•		VIG	•	
BERGE		•	HOUWANN	•		MERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		MEYER	•		WALD	•	
BJORNSON		•	JACOBSEN, R	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I	•		MUSHIK	•		WEBER	•	
BOYUM		•	KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN		•	KERMOTT	•		OPEDAHL	•		WINKER	•	
CONMY	•		KINGSBURY	•		PELTIER	•				
CRABTREE		•	KLOUBEC	•		PETERSON	•		MR. SPEAKER		
DICK	•		KNUDSON	•		POMERROY	•				
DIETZ		•	KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DUBORD		•	KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON		•	LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREBORG		•	LARSON, F # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, G # 29	•		SCOFIELD	•				
GERL	•		LARSON, H # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON		•	LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIA	•		SWONTEK	•				
HANSON		•	MAXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A # 49	•		MARTIN	•		TMM	•				
HAUSAUER, R # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHENY	•		TWETEN	•				



• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHWINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A. # 49	• MARTIN	• TIMM
• HAUSAUER R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2047.** — A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to due dates of payments for the personal property tax replacement.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROOKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOY			• OPEDAHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON F # 24			• SCHWINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A. # 49			• MARTIN			• TIMM					
• HAUSAUER R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2130.** — A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to starting age for kindergarten pupils.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 8; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		

• BLACK	• JACOBSON, J.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAHL	• WINKLER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POWEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 26	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIHAN	• STRINDEN	
• GUNSCHE	• LIPSEA	• SWONKER	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

#### MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

#### MESSAGES FROM THE SENATE

##### Senate Chamber

Mr. Speaker: I have the honor to return Senate Bill No. 2023, which the House has requested.

LEO LEIDHOLM, Secretary

##### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2225

Senate Bill No. 2302

Senate Bill No. 2349

Senate Bill No. 2363

Senate Concurrent Resolution No. 4018

Senate Concurrent Resolution No. 4049

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

##### Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1092

House Bill No. 1104

House Bill No. 1169

House Bill No. 1200

House Bill No. 1236

House Bill No. 1254

House Bill No. 1312

House Bill No. 1352

House Bill No. 1412

House Bill No. 1479

House Bill No. 1481

House Bill No. 1500

House Bill No. 1585

Which the President has signed.

LEO LEIDHOLM, Secretary



● BERGE	● HOU Mann	● MERTENS	● WAGNER
● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN, R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOIT	● OPEDAHL	● WINKJER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 25	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A # 48	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2306.** — A Bill for an Act to provide for the inspection and grading of agricultural commodities by the North Dakota seed commission; to repeal section 4-25-05 of the North Dakota Century Code, relating to seed sales regulation by the North Dakota seed commission; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 3; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTISON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● YIG		
● BERGE			● HOU Mann			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOIT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE		●	● KLOUBEC			● PETERSON		●	● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED		●			
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 25			● SCOFIELD					
● GERL			● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A # 48			● MARTIN			● TIMM		●			
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2327.** — A Bill for an Act to require the state board of higher education to purchase a working ranch unit for the Dickinson experiment station; to create a committee to select the working ranch unit; to authorize the state board of higher education to sell certain land presently used by the Dickinson experiment station; to authorize the board of university and school lands to invest permanent funds of

the common schools in the working ranch unit; to provide an appropriation; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 73; nays, 20; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNKJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHER		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. # 28		•	SCOFIELD		•			
GERL		•	LARSON, H. # 7		•	SOLBERG		•			
GORDER		•	LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN		•	STRINDEN		•			
GUNSCH		•	LIPSIA		•	SWONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER, A. # 48		•	MARTIN		•	TMM		•			
HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM		•			
HEDSTROM		•	MATHENY		•	TWETEN		•			

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2357.** — A Bill for an Act to create and enact a new subsection to section 39-01-01 and a new section to chapter 39-10.1 of the North Dakota Century Code, relating to a definition of "motorized bicycle" and required age for operation of a motorized bicycle; and to amend and reenact subsections 2 and 32 of section 39-01-01 of the North Dakota Century Code, relating to the definition of "bicycle" and "motor vehicle".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 37; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	MATTSON		•	UNKJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER		•
CONMY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHER		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			





• BERG	•	• HOFFNER	•	• MELBY	•	• VIG
• BERGE	•	• HOUWMANN	•	• MERTENS	•	• WAGNER
• BERGER	•	• HOVE	•	• MEYER	•	• WALD
• BJORNSON	•	• JACOBSEN, R	•	• MURPHY	•	• WALSH
• BLACK	•	• JACOBSON, I	•	• MUSHK	•	• WEBER
• BOYUM	•	• KELLY	•	• NICHOLAS	•	• WENTZ
• BROKAW	•	• KENNELLY	•	• OLSON	•	• WESSMAN
• CHRISTENSEN	•	• KERWOTT	•	• OPEDAHL	•	• WINKLER
• CONNY	•	• KINGSBURY	•	• PELTIER	•	
• CRABTREE	•	• KLOUBEC	•	• PETERSON	•	• MR. SPEAKER
• DICK	•	• KNUDSON	•	• POMEROY	•	
• DIETZ	•	• KOSKI	•	• REED	•	
• DOTZENROD	•	• KRETSCHMAR	•	• RETZER	•	
• DUBORD	•	• KUCHERA	•	• RICHARD	•	
• EAGLES	•	• LANG	•	• RICHIE	•	
• ERICKSON	•	• LANGLEY	•	• RIEHL	•	
• FLEMING	•	• LARDY	•	• RUED	•	
• FREBORG	•	• LARSON, F # 24	•	• SCHINDLER	•	
• GACKLE	•	• LARSON, G # 29	•	• SCOFFIELD	•	
• GERL	•	• LARSON, H # 7	•	• SOLBERG	•	
• GORDER	•	• LEE	•	• STENEHJEM	•	
• GUNDERSON	•	• LEIBHAN	•	• STRNDEEN	•	
• GUNSCH	•	• LIPSIEA	•	• SWONTEK	•	
• HANSON	•	• MAIXNER	•	• THOMPSON	•	
• HAUGLAND	•	• MARSDEN	•	• THORSGARD	•	
• HAUSAUER, A # 49	•	• MARTIN	•	• TIMM	•	
• HAUSAUER, R # 25	•	• MARTINSON	•	• TINJUM	•	
• HEDSTROM	•	• MATHENY	•	• TWETEN	•	

So the bill lost.

**Senate Bill No. 2446.** — A Bill for an Act to create and enact a new section to chapter 26-01 of the North Dakota Century Code, relating to the regulation of the solicitation of life insurance contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 54; nays, 35; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•	•	• MATTSON	•	•	• UNHJEM		
• BENEDICT		•	• HICKLE	•	•	• MEIERS	•	•	• VANDER VORST		
• BERG		•	• HOFFNER	•	•	• MELBY	•	•	• VIG		
• BERGE		•	• HOUWMANN	•	•	• MERTENS	•	•	• WAGNER		
• BERGER		•	• HOVE	•	•	• MEYER	•	•	• WALD	•	
• BJORNSON		•	• JACOBSEN, R	•	•	• MURPHY	•	•	• WALSH	•	
• BLACK		•	• JACOBSON, I	•	•	• MUSHK	•	•	• WEBER	•	
• BOYUM		•	• KELLY	•	•	• NICHOLAS	•	•	• WENTZ	•	
• BROKAW		•	• KENNELLY	•	•	• OLSON	•	•	• WESSMAN	•	
• CHRISTENSEN		•	• KERWOTT	•	•	• OPEDAHL	•	•	• WINKLER	•	
• CONNY		•	• KINGSBURY	•	•	• PELTIER	•	•			
• CRABTREE		•	• KLOUBEC	•	•	• PETERSON	•	•	• MR. SPEAKER		
• DICK		•	• KNUDSON	•	•	• POMEROY	•	•			
• DIETZ		•	• KOSKI	•	•	• REED	•	•			
• DOTZENROD		•	• KRETSCHMAR	•	•	• RETZER	•	•			
• DUBORD		•	• KUCHERA	•	•	• RICHARD	•	•			
• EAGLES		•	• LANG	•	•	• RICHIE	•	•			
• ERICKSON		•	• LANGLEY	•	•	• RIEHL	•	•			
• FLEMING		•	• LARDY	•	•	• RUED	•	•			
• FREBORG		•	• LARSON, F # 24	•	•	• SCHINDLER	•	•			
• GACKLE		•	• LARSON, G # 29	•	•	• SCOFFIELD	•	•			
• GERL		•	• LARSON, H # 7	•	•	• SOLBERG	•	•			
• GORDER		•	• LEE	•	•	• STENEHJEM	•	•			
• GUNDERSON		•	• LEIBHAN	•	•	• STRNDEEN	•	•			
• GUNSCH		•	• LIPSIEA	•	•	• SWONTEK	•	•			
• HANSON		•	• MAIXNER	•	•	• THOMPSON	•	•			
• HAUGLAND		•	• MARSDEN	•	•	• THORSGARD	•	•			
• HAUSAUER, A # 49		•	• MARTIN	•	•	• TIMM	•	•			
• HAUSAUER, R # 25		•	• MARTINSON	•	•	• TINJUM	•	•			
• HEDSTROM		•	• MATHENY	•	•	• TWETEN	•	•			

So the bill passed and the title was agreed to.

**Senate Bill No. 2454.** — A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to the printing fees for legal publications.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 67; nays, 25; absent and not voting, 8.



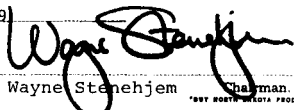
So the bill passed and the title was agreed to.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- H.B. 1092 .....
- H.B. 1104 .....
- H.B. 1169 .....
- H.B. 1200 .....
- H.B. 1236 .....
- H.B. 1254 .....
- H.B. 1312 .....
- H.B. 1352 .....
- H.B. 1412 .....
- H.B. 1479 .....
- H.B. 1481 .....
- H.B. 1500 .....
- H.B. 1585 .....

..... were delivered to the { Governor for his approval at the hour of  
~~XXXXXXXXXXXX~~  
 3:50 o'clock p.m., March 15, 1979

  
 Rep. Wayne Stenehjem Chairman.  
"BEST NORTH MEDIA PRODUCTS"

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

- Senate Bill No. 2225
- Senate Bill No. 2302
- Senate Bill No. 2349
- Senate Bill No. 2363
- Senate Concurrent Resolution No. 4018
- Senate Concurrent Resolution No. 4049

And the Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE  
House Chamber**

Mr. President: I have the honor to return herewith the following:  
 Senate Bill No. 2225  
 Senate Bill No. 2302  
 Senate Bill No. 2349  
 Senate Bill No. 2363  
 Senate Concurrent Resolution No. 4018

Senate Concurrent Resolution No. 4049  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2052, which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2052 is ayes, 48; nays, 0, absent and not voting, 2.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills No. 2019, 2024, 2086, 2135, 2214, 2235, 2245, 2246, 2272, but refused to concur in the House amendment to Senate Bills Nos. 2044, 2159, 2263, 2354, 2383.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2044:

Senator Melland

Senator Strinden

Senator Tallackson

Senate Bill No. 2159:

Senator Christensen

Senator Sorum

Senator Lashkowitz

Senate Bill No. 2263:

Senator Christensen

Senator Sandness

Senator Miller

Senate Bill No. 2354:

Senator Iszler

Senator Holmberg

Senator Schirado

Senate Bill No. 2383:

Senator Peterson

Senator Cussons

Senator Orange

LEO LEIDHOLM, Secretary

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House stand adjourned until 12:30 p.m., Friday, March 16, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Joint Constitutional Revision  
to whom was referred House Concurrent Resolution

No. 3088, has had the same under consideration and recommends, by a vote of  
Ayes, 8; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

On page 1, after line 14 insert the following: "Not less than fifteen per cent of the tax imposed for severing coal shall be placed into a permanent trust fund in the state treasury to be held in trust and administered by the board of university and school lands, which shall have full authority to invest said trust funds as provided by law, and may loan moneys from the fund to political subdivisions as provided by law. The interest earned on the moneys in said trust fund shall be used first to replace uncollectable loans made from the fund, and the balance shall be credited to the general fund of the state."

On page 1, delete lines 15 through 22

On page 2, delete lines 1 through 5

And renumber the lines and pages accordingly

And your committee recommends the same do pass.



Co-Chairman

Rep. Conmy

Senator Wenstrom

House Concurrent Resolution No. 3088 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions to whom was referred House

Bill No. 1694, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, delete the word "new"

On page 1, line 12, delete the word "new"

On page 1, line 16, delete the strike-through over the following: "~~by July 1,~~" and after the numerals "1979" insert the following: "1981, with the following exceptions:

1. Institutions under the supervision and control of the board of higher education, provided, however, that at least two institutions of higher education shall be so constructed or remodeled so as to make all programs offered therein accessible as required in this section.
2. Areas, offices, or levels of public buildings not used for activities open to members of the general public" and also delete the words "This section shall"

On page 1, delete line 17

On page 1, line 18, delete the following: "construction contracts are let after July 1, 1979."

On page 2, line 10, after the period insert the following: "The state construction superintendent shall by July 1, 1980 prepare a statement showing:

1. A listing and description of the regular uses of each public building operated by counties, cities and agencies of the state of North Dakota.
2. A description of the degree of compliance of each listed public building with the accessibility standards promulgated under this section.

3. A description of the action planned to bring public buildings into accessibility compliance, with an estimate of the costs projected for the planned action, and an estimate of the cost of bringing the public building into full compliance.

In preparing such statement, the superintendent shall seek cooperation from the state agencies, the political subdivisions, and from any organizations and groups working to enhance the interests of the handicapped.

On page 2, line 12, delete the word "new"

On page 3, line 5, delete the strike-through over the words and commas "~~7- or 7-in-the-case~~"

On page 3, line 6, delete all the strike-through

On page 3, line 7, delete the strike-through over the words "~~only one floor~~" and after the period insert the following: "The state construction superintendent shall notify each state agency, county and city, if the proposed actions constitute a reasonable effort toward compliance. The notice of reasonable compliance shall be an exception granted from full compliance required under this Act. The exception shall be valid for a period of two years from the date of issuance."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

House Rep. Lang Chairman  
Bill No. 1694 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs  
to whom was referred House

Bill No. 1695, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

House Rep. Haugland Chairman  
Bill No. 1695 was placed on the 11th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate  
Bill No. 2006, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 3; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 19, delete the numerals

"891,181" and insert in lieu thereof the numerals "907,381"

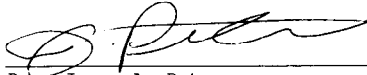
On page 2 of the engrossed bill, line 1, delete the numerals

"1,500,000" and insert in lieu thereof the numerals "1,800,000"  
 On page 2 of the engrossed bill, line 2, delete the numerals  
 "4,793,567" and insert in lieu thereof the numerals "5,109,767"  
 On page 2 of the engrossed bill, line 13, delete the numerals  
 "7,529,883" and insert in lieu thereof the numerals "7,846,083"  
 On page 2 of the engrossed bill, line 15, delete the numerals  
 "8,944,367" and insert in lieu thereof the numerals "9,260,567"

And renumber the lines accordingly  
 And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

The Director of Institutions' fees and services is increased \$16,200 for rent for necessary office space for additional positions in the Geological Survey. The land, structures, and major improvements line item is increased \$300,000 to restore a portion of the \$337,985 deleted by the Senate.



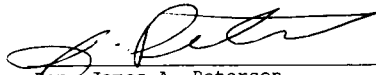
Rep. James A. Peterson Chairman

Senate Bill No. 2006 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2010, has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, 3; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:



Rep. James A. Peterson Chairman

Senate Bill No. 2010 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2011, has had the same under consideration and recommends, by a vote of  
 Ayes, 14; Nays, 4; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1 of the engrossed bill, line 19, delete the numerals  
 "3,916,012" and insert in lieu thereof the numerals  
 "3,885,326"  
 On page 2 of the engrossed bill, line 2, delete the numerals  
 "6,226,656" and insert in lieu thereof the numerals  
 "6,195,970"  
 On page 2 of the engrossed bill, line 4, delete the numerals  
 "5,736,436" and insert in lieu thereof the numerals "5,705,750"

On page 2 of the engrossed bill, line 7, delete the numerals "441,490" and insert in lieu thereof the numerals "435,154"

On page 2 of the engrossed bill, line 11, delete the numerals "3,641,188" and insert in lieu thereof the numerals "3,634,852"

On page 2 of the engrossed bill, line 12, delete the numerals "5,736,436" and insert in lieu thereof the numerals "5,705,750"

On page 2 of the engrossed bill, line 13, delete the numerals "4,131,408" and insert in lieu thereof the numerals "4,125,072"

On page 2 of the engrossed bill, line 14, delete the numerals "9,867,844" and insert in lieu thereof the numerals "9,830,822"

On page 2 of the engrossed bill, after line 35, insert the following section:

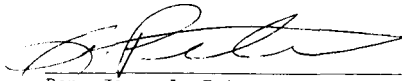
"SECTION 5. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the roughrider industries employ a salesperson to promote and sell roughrider industry products and services. It is the intent of the legislative assembly that remuneration of the salesperson be based on a commission of the products and services sold by such person and that remuneration be paid from the operating expense line item in subdivision 2 of section 1 of this Act."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Penitentiary salaries and wages are reduced by \$30,686 and the Roughrider Industry salaries and wages are reduced by \$6,336 for a final adjustment related to the amounts necessary for 6.5 percent annual salary increases and adequate fringe benefits including the alternate family medical insurance plan.

And when so amended, recommends the same do pass.



Rep. James A. Peterson

Chairman

Senate Bill No. 2011 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2033, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 1; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 9, delete the numerals "12,657,338" and insert in lieu thereof the numerals "12,759,952"

On page 1 of the engrossed bill, line 15, delete the numerals "1,870,268" and insert in lieu thereof the numerals "1,897,882"

On page 1 of the engrossed bill, line 19, delete the numerals "300,000" and insert in lieu thereof the numerals "375,000"

On page 2 of the engrossed bill, line 2, delete the numerals "12,657,338" and insert in lieu thereof the numerals "12,759,952"



House Concurrent Resolution No. 3090 was declared adopted.

Senator Nething moved that the vote by which House Concurrent Resolution No. 3090 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed. MOTION

Senator Fritzell moved that House Concurrent Resolution No. 3091 be laid over one legislative day, which motion prevailed.

**House Concurrent Resolution No. 3092.** — A concurrent resolution directing an interim study by the Legislative Council of the implementation of laws requiring public buildings and facilities to be accessible and usable by the physically handicapped.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3092 was adopted.

Senator Nething moved that the vote by which House Concurrent Resolution No. 3092 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed. MOTION

Senator Nething moved that the Education Committee be excused to attend conference committees, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Solberg moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4029, as printed on page 1656 of the Senate Journal, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Concurrent Resolution No. 4029 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4029.** — A concurrent resolution urging the Congress of the United States and the trustee in bankruptcy of the Milwaukee Road railroad to maintain Lines West as a viable and operating railroad line.

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4029 was declared adopted.

Senator Sandness moved that the Senate do not concur in the House amendments to Senate Bill No. 2056 as printed on pages 1694, 1695 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2056:

Senator Sandness            Senator Nelson            Senator Berube

Senator Sandness moved that the Senate do not concur in the House amendments to Senate Bill No. 2057 as printed on page 1695 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2057:

Senator Sands moved that the rules be suspended, that Senate Concurrent Resolution No. 4076 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Concurrent Resolution No. 4076 and subsequently passed the same. LEO LEIDHOLM, Secretary

do pass.

do not pass.

be placed on calendar without recommendation.

 Chairman  
Rep. ERICKSON

Senate Bill No. 2121 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate

Bill No. 2125, has had the same under consideration and recommends, by a vote of Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1 of the engrossed bill after the word "to" insert the following: "create and enact a new subsection to section 39-16-01 of the North Dakota Century Code, relating to the definition of consumer reporting agency; and to" and also on line 1 delete the word "section" and insert in lieu thereof the word "sections" and also on line 1 after the numerals "39-16-03" insert the word and numerals "and 39-16-03.1"

On page 1, delete line 4

On page 1, line 5 delete the words and comma "Code, relating to" and insert in lieu thereof the words "and the"

On page 1, after line 8 insert the following section:  
"SECTION 1.) A new subsection to section 39-16-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

"Consumer reporting agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of commerce for the purpose of preparing or furnishing consumer reports."

On page 1, line 9 delete the numeral "1" and insert in lieu thereof the numeral "2" and after the period insert the word and period "AMENDMENT."

On page 2, line 13 after the period insert the following: "For the purposes of administration, if the commissioner receives a request from a consumer reporting agency, or an insurance company, it shall be presumed that the requirements of this section have been met. Requests from individuals shall be accompanied by a signed request before the commissioner could release the record."

On page 2, delete lines 32 and 33 and insert in lieu thereof the following section:  
"SECTION 3. AMENDMENT.) Section 39-16-03.1 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-16-03.1. ENTRIES ON DRIVER RECORD ABSTRACTS MORE THAN THREE YEARS OLD CONFIDENTIAL.) Notwithstanding any other provisions of this chapter Except when used for statistical purposes, no entry more than three years old on a driver record or abstract shall be available to the public, except for statistical purposes reported by any consumer reporting agency, or used by any

insurance company as information in connection with the underwriting of insurance or in determining insurance coverage, other than by order of a court of competent jurisdiction."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same ~~do pass.~~

Rep. Erickson Chairman  
Rep. Erickson

Senate Bill No. 2125 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2150, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 4, delete the words "space heating purposes" and insert in lieu thereof the words "heating certain properties or for processing sugar beets"

On page 1, line 10, delete the word "SPACE"

On page 1, line 11, delete the word "PURPOSES" and insert in lieu thereof the words "CERTAIN PROPERTIES OR FOR PROCESSING SUGAR BEETS"

On page 1, line 12, delete the words "heating buildings in this state" and insert in lieu thereof the following: "either of the following purposes:

1. The heating of any property which entitles the owner to the homestead credit pursuant to subsection 1 of section 57-02-08.1.
2. The processing of sugar beets"

On page 1, delete line 14 and insert in lieu thereof the words "any purpose for which an exemption is provided pursuant to this Act"

On page 1, line 15, delete the word "buildings"

On page 1, line 16, delete the word "heating" and insert in lieu thereof the words "either of such"

On page 1, line 17, delete the words "heating a building" and insert in lieu thereof the words "one of the purposes for which an exemption is provided pursuant to this Act"

And renumber the lines and pages accordingly

And when so amended, recommends the same be placed on the calendar without recommendation.

Rep. Gackle Chairman  
Rep. Gackle

Senate Bill No. 2150 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2197, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 4; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words "A BILL for an Act" and delete the remainder of the bill and insert in lieu thereof the following:

"to create and enact a new section to chapter 6-03 of the North Dakota Century Code relating to the definition of making loans; to amend and reenact sections 6-03-13.1, 6-03-17 and 6-03-69 of the North Dakota Century Code, relating to bank separate facilities, paying and receiving stations and report of examining committee.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 6-03 is hereby created and enacted to read as follows:

MAKING LOANS-DEFINITION.) For the purposes of sections 6-03-13.1 and 6-03-17, the term 'making loans' shall include:

1. Distributing or receiving loan applications.
2. Obtaining signatures on notes, security documents or other documentation normally utilized in the granting of a loan.
3. Disbursing loan proceeds.
4. Having original, or copies of original, loan and support documents, including loan ledgers, on file.

SECTION 2. AMENDMENT.) Section 6-03-13.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-03-13.1. SEPARATE DRIVE-IN FACILITY AUTHORIZED.) Every bank organized under chapter 6-02, and under the supervision of the state banking board, and any national bank doing business in this state, may, upon compliance with sections 6-03-13.1 through 6-03-13.4, maintain and operate separate and apart from its banking house one facility for drive-in and walk-up service, in addition to such service at its main banking house, and its paying and receiving stations, if any. Such facility shall be within the corporate city limits of the main banking house or within three miles of such city but shall not be within the corporate limits of another city. The services rendered at the separate facility shall be limited to receiving deposits of every kind and nature, cashing checks or orders to pay, issuing exchange, and receiving payments payable at the bank. The making of loans at a separate facility is prohibited.

SECTION 3. AMENDMENT.) Section 6-03-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-03-17. TRANSACTION OF BUSINESS AT AND REGULATION OF STATION.) No banking business shall be transacted in any such station other than receiving and paying out deposits, issuing drafts, travelers' checks, and similar instruments, handling and making collections, and cashing checks and drafts. The state banking board may prescribe rules and regulations for the operation of each station. The making of loans at a station is prohibited.

SECTION 4. AMENDMENT.) Section 6-03-69 of the North Dakota Century Code is hereby amended and reenacted to read as follows:  
6-03-69. DIRECTORS-MAKE-SEMIANNUAL-EXAMINATION REPORT OF

EXAMINING COMMITTEE.) The board of directors in January and July of each year shall make a careful and thorough examination of the assets of the bank, examine loans and discounts of every nature with the securities and collaterals belonging thereto, compare the aggregate with the records, and make a complete report of such examination in such form as may be designated by the state banking board, with suggestions and criticisms, if in its judgment such are necessary. Such report shall be spread on the records of the bank the same as the minutes of a regular meeting of the board of directors, and a duplicate thereof transmitted to the state banking board. The board of directors shall be responsible for submitting to the state banking board a report of examining committee on forms provided by the commissioner. The report shall reflect the results of a careful and thorough examination of the assets of the bank including loans and discounts of every nature and the securities and collaterals belonging thereto. The valuation of the assets of the bank shall be compared with the records of the bank. The report shall be made a part of the minutes of a regular meeting of the board of directors. The commissioner may refuse to accept such report if found to be not in accordance with acceptable accounting principles.

Any of the following methods may be used to conduct the examination required by this section.

1. Examination by the board of directors or its examining committee. When this method is employed, the examination shall be conducted and the report submitted in January and July of each year.
2. Examination on an annual basis by an independent certified public accountant, licensed public accountant or firms composed of such accountants, or auditors of the bank's holding company, if any.
3. Examination by an autonomous internal audit control system. The individual directing the internal audit control system shall submit to the board of directors each quarter an interim report as to the degree of compliance with the internal audit control system and shall express an opinion as to the adequacy of the internal controls. A complete report shall be submitted annually to the board of directors.

When either method (2) or (3) above is employed, the report shall be submitted in January of each year."

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.



Chairman

Senate

Bill No. 2197

Rep. Rued

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2227, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.
- be amended as follows:

On page 1 of the engrossed bill, line 16, delete the word "southeast" and insert in lieu thereof the word "northeast" and also on line 16 delete the following: "block eight, Andrus" and" and insert in lieu thereof the following: "the south one half (½) of northeast quarter (¼) of section 28-140-53"

On page 1, line 17, delete the following: "Sifton's Addition"

On page 2, after line 14 insert the following language: "In negotiating the sale of this land, the board shall advertise for bids and shall designate a time and place for the opening of such bids. At that time the board shall allow the top five bidders to orally raise their bids."

On page 2, line 17, delete the word "Set" and insert in lieu thereof the word "The"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Knudson* Chairman

Senate \_\_\_\_\_ Rep. Knudson \_\_\_\_\_ Bill No. 2227 \_\_\_\_\_ was placed on the 6th \_\_\_\_\_ order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2233, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 3, line 8 of the engrossed bill before the semi-colon insert ", regardless of the end use of the gas"

On page 3, delete lines 13 and 14

On page 3, line 29 delete "well to"

On page 3, delete line 30

On page 3, line 31 delete "by the industrial commission of North Dakota" and insert in lieu thereof "lease site to the first pipeline storage site where pressure is increased for further transport"

On page 6, line 6 after "or" insert ", after hearing and"

On page 9, line 1 delete "A new section to chapter 49-22" and insert in lieu thereof "Section 49-22-08.1"

On page 9, line 26 delete the second "the" and insert in lieu thereof ": (1) The"

On page 9, line 28 delete the comma and insert in lieu thereof "and" and also after "necessary" insert "easement"

On page 9, line 29 delete "land use" and after "restrictions" delete ", and the compensation to be" and insert in lieu thereof ". (2) The utility will compensate landowners for easements, without reference to the actual consideration to be paid."

On page 9, delete line 30

On page 13, line 26 delete "resident"

On page 13, line 27 after "landowners" insert "in such county"

On page 15, line 20 strike "county or city" and insert "local"

On page 15, line 26 strike "county or city" and insert "local"

On page 15, line 32 strike "whether located in or out of"

On page 15, line 33 strike "the county or city" and insert "regardless of their location"

And renumber the paragraphs, lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Kloubec

Bill No. 2233

was placed on the 6th

Senate

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2241, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 3; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

Chairman

Rep. James A. Peterson

Bill No. 2241

was placed on the 14th

Senate

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2250, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 5, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

Chairman

Rep. Erickson

Senate Bill No. 2250

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2253, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

Chairman

Rep. Haugland

Senate

Bill No. 2253

was placed on the 14th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Natural Resources

to whom was referred Senate

Bill No. 2254, has had the same under consideration and recommends, by a vote of

Ayes, 16 ; Nays, 0 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, of the engrossed bill delete lines 8 through 21

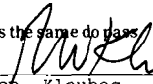
On page 2, delete lines 1 and 2

On page 2, line 3 delete "61-02.1-02" and insert in lieu thereof "61-02.1-01"

On page 2, line 10 delete "61-02.1-03" and insert in lieu thereof "61-02.1-02"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

  
Rep. Kloubec Chairman

Senate Bill No. 2254 was placed on the 6th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2280 , has had the same under consideration and recommends, by a vote of

Ayes, 10 ; Nays, 5 ; Absent, 0 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Nicholas Chairman

Senate Bill No. 2280 was placed on the 14th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2332 , has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 0 ; Absent, 2 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Erickson Chairman

Senate Bill No. 2332 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2350 , has had the same under consideration and recommends, by a vote of

Ayes, 13 ; Nays, 1 ; Absent, 2 , that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



On page 1, line 1 after the word "to" insert the following: "create and enact a new subsection to section 39-06.1-06 and a new section to chapter 39-09 of the North Dakota Century Code, relating to fines assessed for violation of speed limits, and limitations on the reduction of speed zone speed limits; and to"

On page 1, after line 6 insert the following sections: "SECTION 1.) A new subsection to section 39-06.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

For a violation of section 39-09-02, or an equivalent ordinance, which violation involves speed limits less than fifty-five miles per hour, the penalty shall be a fee as follows:

- a. From zero to five miles per hour in excess of the lawful limit, a fee in the amount of five dollars.
b. From five to ten miles per hour in excess of the lawful speed limit, a fee in the amount of ten dollars.
c. From eleven to twenty-five miles per hour in excess of the lawful speed limit, a fee in the amount of ten dollars, plus an additional fee in the amount of one dollar for each mile per hour above ten miles per hour in excess of the lawful speed limit.
d. Twenty-six or more miles per hour in excess of the lawful speed limit, a fee in the amount of thirty dollars, plus an additional fee in the amount of two dollars for each mile per hour above twenty-five miles per hour in excess of the lawful speed limit.

SECTION 2.) A new section to chapter 39-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

SPEED ZONES - REDUCTION LIMITATION.) No street, road, or highway in the state highway system or any other township, county, or state road or highway shall be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles per hour between any two signs so posted in a speed zone."

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.

Signature of Rep. Erickson, Chairman. Senate Bill No. 2350 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2364, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

Signature of Rep. Erickson, Chairman. Senate Bill No. 2364 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2382, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar  
without recommendation.

be amended as follows:

- On page 1, line 1 of the engrossed bill, delete the words "to create and enact a new section to chapter" and insert in lieu thereof the words "providing for"
- On page 1, delete line 2
- On page 1, line 3 delete the following: "Century Code, relating to"
- On page 1, line 4 delete the comma and also on line 4 delete the word "to" and insert in lieu thereof the words "providing for"
- On page 1, line 6 delete the word "and" and also on line 6 after the word "date" and before the period insert a semicolon and the words "; and providing an expiration date"
- On page 1, line 9 after the period delete the remainder of the line
- On page 1 delete lines 10 and 11
- On page 2, line 13 after the period delete the remainder of the line
- On page 2 delete lines 14 and 15
- On page 2, line 21 delete the words "distributed in the same manner as the thirty-seven" and insert in lieu thereof the following: "allocated to the counties of this state in proportion to the number of motor vehicle registrations credited to each county. Each county shall be credited with the certificates of title of all motor vehicles registered by residents of the county. The state treasurer shall compute and distribute the counties' share quarterly after deducting the incorporated cities' share. All the moneys received by the counties shall be set aside in a separate fund called the special state road aid fund. The state treasurer shall compute and distribute quarterly twenty-seven percent of the sums allocated to each county to the incorporated cities within the county on the basis of the per capita population of all of the incorporated cities situated within the county as determined by the last official regular or special federal census or the census taken in accordance with the provisions of chapter 40-02 in case of a city incorporated subsequent to the census. The moneys sent to the incorporated cities by the state treasurer shall be deposited by the cities in a separate fund."
- On page 2, delete lines 22 through 26
- On page 3, line 2 after the numerals and comma "1980," insert the following: "and shall expire December 31, 1981,"
- On page 3, line 3 after the word "trailers" insert a comma and also on line 3 after the second word "and" insert the words "shall become effective" and also on line 3 after the numerals and comma "1980," insert the following: "and shall expire March 31, 1982,"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Rep. Erickson Chairman

Senate Bill No. 2382 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture  
to whom was referred Senate

Bill No. 2405, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4 delete the word "and" and also on line 4 after the word "sheep" insert the following: ", and horses"

On page 2, line 15 delete the word "and"

On page 2, line 16 after the word "sheep" insert the following: ", and horses"

On page 2, line 17 delete the word "and" also on line 17 after the word "sheep" insert the following: ", and horses" also on line 17 after the word "from" insert the words "sickness or" and after the word "disease" insert the following: "at the time the sale is consummated, conditioned upon reasonable showing by the seller that all state and federal regulations pertaining to animal health were complied with"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

  
Rep. Nicholas Chairman

Senate Bill No. 2405 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2410, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 3, after the last comma insert the numerals and comma "4-30-36,"

On page 1 of the engrossed bill, line 4, after the second comma insert the numerals and comma "4-30-55,"

On page 12 of the engrossed bill, after line 2, insert the following section:

"SECTION 12. AMENDMENT.) Section 4-30-36 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-30-36. STANDARDS FOR GRADE A MILK AND MILK PRODUCTS - ADOPTION OF AMENDMENTS.) Only grade A milk may be sold as fluid beverage for human consumption. The minimum standards for milk and milk products designated as grade A shall be the same as the minimum requirements of the "Grade A Pasteurized Milk Ordinance, 1965 Recommendations of the United States Public Health Service" and all supplements added thereto. The dairy commissioner may adopt as dairy department regulations any amendments, supplements to, or new editions of said milk ordinance which are in the interest of public safety, wholesomeness of product, consumer interest, sanitation, good supply, salability and promotion of grade "A" milk and milk products."

On page 13 of the engrossed bill, after line 14, insert the following section:

"SECTION 16. AMENDMENT.) Section 4-30-55 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-30-55. SALE OF RAW MILK OR-RAW-MILK-PRODUCTS RESTRICTED.)--After-the-effective-date-of-this-chapter, no-person-may-begin-selling-or-offering-for-sale-at wholesale-any-milk-or-milk-products-which-are-not-pasteurized-unless-specific-approval-is-granted-by-the-dairy-commissioner-or-the-local-health-officer. FOR DIRECT CONSUMER CONSUMPTION.) Milk sold in the raw or unpasteurized condition is restricted to direct sales between the producer and consumer, and the sales are restricted to the premises where produced. Only dairy farms approved by the dairy department may retail raw milk. The dairy department shall regulate the conditions pertaining to the production and retail sale of raw milk. This section shall not apply to the sale of raw milk for processing."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Nicholas*  
Rep. Nicholas

Chairman

Senate Bill No. 2410 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate

Bill No. 2411, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 2 of the reengrossed bill, delete "and subsection 14 of section 25-03.1-40"
- On page 1, line 10 delete "subsection 13 of section 25-03.1-40,"
- On page 3, line 6 after the period insert the words and period "The warden may appoint an evaluation committee whenever the warden has reason to believe a person confined in the penitentiary requires treatment beyond what is available at the penitentiary."
- On page 6, line 10 after the period insert the words and period "Only the county justice courts wherein a licensed attorney presides may exercise jurisdiction under this chapter."
- On page 13, after line 29 insert the words and period "For the limited purpose of proceedings under this chapter the supreme court shall designate the county justice courts as courts of record."
- On page 20, line 3 after the word "respondent" insert the words "or unless extended by the magistrate for good cause shown"
- On page 20, line 15 strike the words "twenty-four" and insert in lieu thereof the words "seventy-two"
- On page 29, line 1 delete the word "or"
- On page 29, line 2 after the word "continuance" insert the following: ", or unless extended by the magistrate for good cause shown"

On page 34, delete lines 7 through 20

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*[Signature]*

Chairman

Rep. Winkjer

Senate Bill No. 2411 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2430, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 1, of the engrossed bill delete everything after the words "A BILL" and the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subsection to section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city; to provide an expiration date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new subsection to section 40-02-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

3. Notwithstanding subsections 1 and 2 of this section, if such territory shall be within eight miles of an incorporated city exceeding ten thousand in population, it shall not become incorporated as a city unless it has residing therein at least one hundred or more electors. The form of government adopted shall be in accordance with subsections 1 and 2 of this section. The provisions of this subsection 3 shall expire on June 30, 1981.

SECTION 2. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*[Signature]*

Chairman

Rep. Lang

Senate Bill No. 2430 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2443, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

**XX** be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act relating to the recordation of mineral interests, escheat of nonrecorded mineral interests, and the sale and redemption of such interests; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE FINDINGS.) The legislative assembly finds that it is necessary to exercise the police power of this state in order to protect the economic well-being of its citizens by requiring the recordation of mineral interests, whether freehold or leasehold. The legislative assembly further finds that recording mineral interests will aid in the taxation of such interests and in the development and transfer of mineral interests and of the surface estates overlying such interests.

SECTION 2. MINERAL INTEREST - RECORDATION - ESCHEAT - SALE.) Any interest in minerals in place, whether freehold or leasehold, not owned by a governmental entity, shall escheat to the county in which the minerals are located unless the interest was recorded after June 30, 1952, in the manner provided by section 3. The interest, if recorded after June 30, 1952, shall escheat to the county in which the minerals are located only if a period of thirty years passes during which the interest is not recorded. Any mineral interest which escheats to a county as provided by this section, shall be sold by that county for an amount not to exceed a pro rata share of the administrative costs incurred by that county in complying with the provisions of this Act from the time of the last such sale. The owner of the surface estate overlying the minerals shall have the first option to purchase the mineral interest.

SECTION 3. RECORDED NOTICE - CONTENTS.) The recordation required by this Act shall be made with the registrar of deeds of the county in which the minerals are located. The recorded notice shall be notarized and shall contain the name and address of the person claiming a mineral interest, the nature of the interest, and the location of the minerals in which an interest is claimed.

SECTION 4. REDEMPTION.) Any persons claiming an interest in minerals which has escheated under the provisions of this Act may, within one year after the date of escheat, bring an action in a court of proper jurisdiction to seek redemption of the interest. To obtain redemption, the person must prove ownership of the interest prior to the date of escheat and tender payment to the person who purchased the interest from the county in the amount of the purchase price plus interest at a rate currently being offered by the Bank of North Dakota on passbook savings accounts. Any persons redeeming a mineral interest under this section shall have the benefit of any contract concerning the mineral interest into which the purchaser may have entered.

SECTION 5. NOTICE OF REQUIREMENTS OF ACT.) Notice of the provisions of sections 1 through 4 of this Act shall be published quarterly until July 1, 1982, and annually thereafter in the official newspaper of each county in the state.

SECTION 6. EFFECTIVE DATE.) Sections 1 through 4 of this Act shall be effective on and after July 1, 1982."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Rp. Nicholas*  
Rep. Nicholas

Chairman

Senate Bill No. 2443 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2455, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 17 of the engrossed bill, delete the words "issued under chapter"

On page 1, line 18, delete the numerals "40-57", delete the word "defined" and insert in lieu thereof the words "provided for", delete the following: "section 40-57-02 that is" and insert in lieu thereof the following: "subsection 4 of section 40-57-03"

On page 1, line 19, delete the words "leased to a nonprofit corporation"

On page 2, line 23, delete the words "issued under"

On page 2, line 24, delete the following: "chapter 40-57", delete the word "defined" and insert in lieu thereof the words "provided for", delete the word "section" and insert in lieu thereof the following: "subsection 4 of section 40-57-03."

On page 2, delete lines 25 and 26

On page 3, line 4, delete the words "issued under"

On page 3, line 5, delete the following: "chapter 40-57", delete the word "defined" and insert in lieu thereof the words "provided for", delete the following: "section 40-57-02 that" and insert in lieu thereof the following: "subsection 4 of section 40-57-03"

On page 3, line 6, delete the words "is leased to a nonprofit corporation"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

*Rp. Gackle*  
Rep. Gackle

Chairman

Senate Bill No. 2455 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2463, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Haugland* Chairman  
Rep. Haugland

Senate Bill No. 2463 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision to whom was referred Senate Concurrent Resolution

No. 4006, has had the same under consideration and recommends, by a vote of Ayes, 5; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Roblow*

Rep. Conmy

*Wenstrom*

Senator Wenstrom

Co-Chairman

Senate Concurrent Resolution No. 4006 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Transportation to whom was referred Senate Concurrent Resolution

No. 4058, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar.

*Rep Erickson* Chairman  
Rep. Erickson

Senate Concurrent Resolution No. 4058 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Joint Constitutional Revision to whom was referred Senate Concurrent Resolution

No. 4061, has had the same under consideration and recommends, by a vote of Ayes, 7; Nays, 0; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

*Roblow*

Rep. Conmy

*Wenstrom*

Co-Chairman

Senator Wenstrom

Senate Concurrent Resolution No. 4061 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution

No. 4063, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 3, that the same



THURSDAY, MARCH 15, 1979

1765

do pass.       do not pass.       be placed on calendar  
without recommendation.



Rep. Nicholas

Chairman

Senate Concurrent Resolution No. 4063 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Agriculture  
to whom was referred Senate Concurrent Resolution

No. 4080, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

do pass.       do not pass.       be placed on calendar  
without recommendation.



Rep. Nicholas

Chairman

Senate Concurrent Resolution No. 4080 was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned un-  
til 12:30 p.m., Friday, March 16, 1979.

ROY GILBREATH, Chief Clerk

FIFTY-SECOND DAY

Bismarck, March 16, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. James Stenslie, Lutheran Church of Stanley, North Dakota.

The roll was called, and all members were present except Reps. DuBord, I. Jacobson, Lee, Leibhan, Mattson, Retzer and Richie.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the

Journal has carefully examined the Journal of the Fifty-first

day and recommends that the same be corrected as follows:

On page 1719, line 3, delete "2207" and insert in lieu thereof "2007"

And when so corrected recommends that the same be approved.

*Steven J. Swartz* Chairman  
Rep. Swartz

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

MOTION

Rep. Timm moved that the House reconsider its action whereby Senate Bill No. 2391 failed to pass, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2391.** — A Bill for an Act to create and enact a new section to chapter 39-24 of the North Dakota Century Code, relating to a snowmobile safety course for operators of snowmobiles between the ages of twelve and sixteen; to amend and reenact subsection 6 of section 39-24-09 of the North Dakota Century Code, relating to the possession of a valid driver's license or permit by operators of snowmobiles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 18; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
BENEDICT			HERMAN			MATTSON			UNHEM		
			HICKLE			MEIERS			VANDER VORST		

● BERG	● HOFFNER	● MELBY	● VIG
● BERGE	● HOUWMANN	● MERTENS	● WAGNER
● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN, R.	● MURPHY	● WALSH
● BLACK	● JACOBSON, I.	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOY	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	● MR. SPEAKER
● CRABTREE	● KLOUBEC	● PETERSON	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 74	● SCHINDLER	
● GACKLE	● LARSON, G. # 27	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bill No. 2340 be placed at the head of the calendar, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE

SECOND READING OF A SENATE BILL

**Senate Bill No. 2340.** — A Bill for an Act to provide for presidential preference primary elections in presidential election years; and to amend and reenact sections 16-04-01, 16-04-11, and 16-04-20, relating to the primary election date, notice to county auditors of the offices to be filled at the primary, and filing petitions to obtain a separate column on the primary election ballot; or, in the alternative, to create and enact sections 16.1-11-01, 16.1-11-02, and 16.1-11-25 of the North Dakota Century Code, relating to the primary election date, notifying the county auditors of the offices to be filled at the primary, and filing petitions to obtain a separate column on the primary ballot; and to repeal sections 16-04-01, 16-04-11, and 16-04-20 of the North Dakota Century Code, as described above, if House Bill No. 1138 is approved by the forty-sixth legislative assembly.

Which has been read.

Rep. Strinden requested a call of the house, which request was granted.

Rep. Strinden moved that the House dispense with the call of the House, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 72; nays, 27; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BAGES		●	● HERMAN		●	● MATTSOON		●	● INHJEM		
● BENEDICT		●	● HECKLE		●	● MEIERS		●	● VANDER VORST		
● BERG		●	● HOFFNER		●	● MELBY		●	● VIG		
● BERGE		●	● HOUWMANN		●	● MERTENS		●	● WAGNER		
● BERGER		●	● HOVE		●	● MEYER		●	● WALD		
● BJORNSON		●	● JACOBSEN, R.		●	● MURPHY		●	● WALSH		
● BLACK		●	● JACOBSON, I.		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY		●	● NICHOLAS		●	● WENTZ		
● BROKAW		●	● KENNELLY		●	● OLSON		●	● WESSMAN		
● CHRISTENSEN		●	● KERMOY		●	● OPEDAHL		●	● WINKJER		
● CONMY		●	● KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON		●	● MR. SPEAKER		
● DICK		●	● KNUDSON		●	● POMEROY		●			

● DIETZ	KOSKI	● REED
● DOTZENROD	● KRETSCHMAR	● RETZER
DuBORD ●	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 29	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. # 49	● MARTIN	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed over the Governor's veto.

EXPLANATION OF VOTE

Rep. Meiers: "Mr. Speaker:

"I would like to explain my vote. I intended to vote 'No' and by mistake voted 'Yes.' "

MOTION

Rep. Strinden moved that House Bill No. 1491 be placed at the head of the calendar, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE

SECOND READING OF A HOUSE BILL

**House Bill No. 1491.** — A Bill for an Act to amend and reenact sections 5-01-06 and 5-01-09 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication and the unlawful delivery of alcoholic beverages to certain persons; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 50; nays, 48; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		●
● BENEDICT	●		● HICKLE			● MEIERS		●	● VANDER VORST		●
● BERG			● HOFFNER	●		● MELBY		●	● VIG		
● BERGE	●		● HOUWMANN			● MERTENS			● WAGNER		
● BERGER	●		● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		●
● BROKAW	●		● KENNELLY			● OLSON		●	● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL		●	● WINKJER		●
● CONWAY			● KINGSBURY			● FELTER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK	●		● KNUDSON			● POMEROY		●			
● DIETZ			KOSKI			● REED		●			
● DOTZENROD			● KRETSCHMAR			● RETZER		●			
● DuBORD			● KUCHERA			● RICHARD		●			
● EAGLES	●		● LANG			● RICHIE		●			
● ERICKSON			● LANGLEY			● RIEHL		●			
● FLEMING	●		● LARDY			● RUED		●			
● FREBORG			● LARSON, F. # 24			● SCHINDLER		●			
● GACKLE			● LARSON, G. # 29			● SCOFIELD		●			
● GERL	●		● LARSON, H. # 7			● SOLBERG		●			
● GORDER			● LEE			● STENEHJEM		●			
● GUNDERSON	●		● LEIBHAN			● STRINDEN		●			
● GUNSCH			● LIPSIEA			● SWONTEK		●			
● HANSON	●		● MAIXNER			● THOMPSON		●			
● HAUGLAND			● MARSDEN			● THORSGARD		●			
● HAUSAUER, A. # 49	●		● MARTIN			● TIMM		●			
● HAUSAUER, R. # 25	●		● MARTINSON			● TINJUM		●			
● HEDSTROM	●		● MATHENY			● TWETEN		●			

So the bill failed to pass over the Governor's veto.

PRESENTATION OF PETITIONS AND COMMUNICATIONS  
State of North Dakota

## EXECUTIVE OFFICE

BISMARCK

**The Honorable Vernon Wagner**

Speaker of the House

House Chambers

Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1075, the "North Dakota Products Liability Act", was presented to the Forty-Sixth Legislative Assembly as part of the nationwide effort to limit products liability actions and recoveries. The bill regulates products liability actions by establishing a statute of limitations, granting some defenses to manufacturers and retailers, and establishing certain rebuttable presumptions of freedom from defects.

The proponents of the bill and a majority of the members of the interim committee which studied the bill believed that the measures contained in this bill would help reduce future premium increases. They hope that the bill will help solve the problems of availability and affordability of products liability insurance.

I am not unmindful that products liability insurance costs have been a major problem for some businesses. Sharply rising insurance premiums have driven up the price of high-risk products such as farm machinery, machine tools, automobile parts, and sporting goods. I am not unsympathetic with North Dakota manufacturers who claim that spiraling insurance costs have forced them to go without products liability insurance coverage.

However, this bill would unreasonably curtail the rights of North Dakota product users without providing North Dakota manufacturers hope-for relief.

A summary of the bill, with my objections, follows:

The first two sections of the bill state the name of the Act and set forth the legislative intent and purpose. The legislative findings are that the number of lawsuits and the amount of judgments have substantially increased in recent years and that these increases have raised the cost of products liability insurance, which has, in turn, resulted in higher costs being passed on to consumers.

Section 3, the most highly publicized section of the bill, provided for a new statute of limitations in products liability cases. Current law in North Dakota provides that most product liability and other tort actions must be commenced within six years after the cause of action accrues. In a products liability case, the cause of action usually accrues when the injury occurs, so that an action must be brought within six years after the date of injury. The purpose of statutes of limitations is not to protect defendants but instead to deter plaintiffs from "sleeping on their rights" and waiting so long to bring suit that the defendants would be at a disadvantage in litigating stale claims.

The unconventional statute of limitations in House Bill 1075 prohibits actions brought more than ten years from the date of the initial purchase or eleven years from the date of the manufacture of the product. This is so even though many machines are designed to last much longer than ten years and injuries will continue to occur more than eleven years after the manufacture of the product. I seriously question a ten year statute of limitations that could run out before the injury occurs.

Perhaps the greatest evil in the bill is embodied in subsection 2 of section 3. It states that even children and incompetents are barred by the ten or eleven year statute of limitations. This is unconscionable. The provi-

sion is directly contrary to present law, which provides that young people may sue up to and briefly after reaching the age of majority.

Section 4 of the bill puts a limitation on the Ad Damnum Clause and, as such, is a legislative attempt to regulate matters of civil procedure. This attempt is probably unconstitutional. According to Article IV of the North Dakota Constitution, procedural matters are solely within the jurisdiction of the Supreme Court.

Section 5 insulates a manufacture or seller from liability for a defective product or for "failure to warn" or "instruct in the use" of the product if a "substantial contributing cause" of the injury was the alternation or modification of the product by the user. Thus, even a modification which the manufacturer should have expected to be made will free the manufacturer from any liability. This total defense will apply even though the modification is not the principal cause of the injury, but only a substantial contributing cause.

I believe that the present law of comparative negligence should not be tampered with. Section 5 would change the law for this one type of case and go back in time to the doctrine of strict contributory negligence. North Dakota's tort law in this area has evolved through volumes of case law. Now with "one stroke" of the pen, the Legislature would take away rights from seriously injured citizens and at the same time enact legislation that will take many Supreme Court cases to determine what is meant by "a substantial contributing cause." Under our present law of comparative negligence, a judge or jury can make an award proportionate to the contribution of the manufacturer and the person making the alteration in cases where both the original product and the alteration contribute to the injury.

The three subsections of section 6 of the Act alter the law and not for the better. Subsection 1 states that, in order to be "defective", a product must have a defective condition at the time of sale. In other words a shoddy product which was not defective at the time of sale, but becomes defective shortly thereafter because of poor workmanship, would not be subject to suit because the defect developed after the sale.

Subsection 2 of section 6 would be impossible to apply. It changes the definition of "unreasonably dangerous", so that the test is not whether the product was in fact dangerous, a fact which a manufacturer ought to be able to ascertain, but instead the test becomes whether the "ordinary and prudent buyer, consumer, or user" contemplates the product to be dangerous. Thus the test is transferred from what the manufacturer should have known to what the ordinarily uninformed, untrained, and in-expert buyer thinks is dangerous. This is something that is simply unheard of in tort law.

Subsection 3 of section 6 provides a rebuttable presumption that a product is free from defect if the product is in conformity with "government" standards at the time it was made. Government standards are often minimum standards, usually not even designed to cover questions of safety. They should not be determinative of rights of injured people.

In addition to the harmful sections of the bill itself, as I outlined above, I also strenuously object to the philosophy of this legislation. I do not understand why our Legislature shows more concern for out-of-state manufacturers than for injured North Dakota citizens. North Dakota imports more than 95% of the finished products sold here. Our North Dakota resident who becomes crippled by a product made in an industrial state will be limited only to what is allowed in the bill. That is unfair.

I have recently signed into law House Bill 1589, a piece of legislation

which, unlike House Bill 1075, will affirmatively address one of the problems that the proponents of this bill hoped to solve. House Bill 1589 requires the manufacturer not only to indemnify the North Dakota retailer, but also come to his defense and provide the cost of defense for suits arising out of allegations of defective manufacture, design, or lack of warning by the manufacturer. This legislation will provide protection to retailers and will make available to those retailers the basis upon which liability premiums can be reduced or maintained at the present level.

House Bill 1075 is particularly untimely at this time in light of communication I have received from the United States Department of Commerce. According to Victor E. Schwartz, the chairman of the Task Force on Product Liability and Accident Compensation in the Department of Commerce, the Commerce Department's strong recommendation is that state legislatures not strike out with independent legislative proposals at a time when this matter is being carefully reviewed nationally, and a model uniform products liability bill is being proposed for adoption. That model bill differs considerably from House Bill 1075. In fact it does attempt to balance the interests of product users, sellers, and insurers. Public comment on that bill should be completed by June, 1979.

I submit that the problem of rising products liability insurance rates is a national problem and should be addressed at the national level. In that regard, the Commerce Department Task Force and subsequent state studies have found that product liability rates are formed on a country-wide basis. Stability in rates can only be achieved if the major aspects of product liability law are uniform throughout the states.

In conclusion, I respectfully pose a question to the Forty-Sixth Legislative Assembly. Do we as North Dakotans really want to cut off our citizens' rights to recover if they are maimed or killed by a machine, and at the same time leave our manufacturers exposed to pay for people hurt in other states for the occasional faulty product that may be shipped to them from our state?

In the interest of human life and in the name of the health and safety of the citizens of this state, I hereby set my hand to veto House Bill 1075.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that House Bill No. 1075 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1075 be laid over one legislative day, which motion prevailed.

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505  
Dear Mr. Speaker:

House Bill 1291, as passed by the Forty-Sixth Legislative Assembly, would exempt coal conversion facilities from property tax while they are under construction. Under present law, these plants are taxable during the construction phase. Once a coal conversion facility comes into pro-

duction, present law imposes a conversion privilege tax upon the plant based upon production in lieu of property taxes.

My objection to the exemption of power plants from property tax during construction is based on simple fairness.

A house in the city that is under construction on the assessment date is subject to assessment and taxation according to its value in its uncompleted state.

A commercial building under construction on the assessment date is subject to property tax.

Industrial buildings under construction on the assessment date are subject to assessment and taxation even if the plant will receive a new industry property tax exemption, upon completion of construction, pursuant to chapter 40-57.1, N.D.C.C.

It is unfair to exempt a large coal conversion facility from taxes during the time it is under construction when other property in the state is subject to assessment and taxation while under construction.

As an example of the effect the passage of House Bill 1291 could have on a county in terms of lost revenue, I would cite the property taxes levied on Coal Creek Station while under construction. McLean County levied a total of \$600,672.58 in taxes on the Coal Creek Station buildings and power plant in 1976 and 1977 while the plant was under construction. This tax is a legitimate source of revenue to a county experiencing the impact of the construction of a large coal conversion facility.

For these reasons, I veto House Bill 1291.

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

**MOTIONS**

Rep. Kretschmar moved that House Bill No. 1291 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1291 be laid over one legislative day, which motion prevailed.

**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1063 \_\_\_\_\_
- HB NO. 1239 \_\_\_\_\_
- HB NO. 1388 \_\_\_\_\_
- HB NO. 1430 \_\_\_\_\_
- HB NO. 1485 \_\_\_\_\_
- HB NO. 1502 \_\_\_\_\_
- HB NO. 1564 \_\_\_\_\_
- HB NO. 1576 \_\_\_\_\_
- HB NO. 1617 \_\_\_\_\_
- HB NO. 1620 \_\_\_\_\_
- HB NO. 1648 \_\_\_\_\_
- HCR NO. 3020 \_\_\_\_\_
- HCR NO. 3023 \_\_\_\_\_



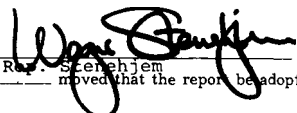
HCR NO. 3031

HMR NO. A

and find the same correctly

} Enrolled

Representative Lipsiea  
 motion prevailed, and the report was adopted.

 Chairman  
 Rep. Stenehjerm moved that the report be adopted, which

#### APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2159:

Rep. Conmy  
 Rep. Thompson  
 Rep. Lardy.

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2263:

Rep. Stenehjerm  
 Rep. Hedstrom  
 Rep. Hoffner.

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2354:

Rep. Boyum  
 Rep. Thompson  
 Rep. Dotzenrod

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2383:

Rep. Stenehjerm  
 Rep. Haugland  
 Rep. Meiers.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

State of North Dakota  
 EXECUTIVE OFFICE  
 BISMARCK

The Honorable Wayne G. Sanstead  
 President of the Senate  
 Senate Chambers  
 Bismarck, North Dakota 58505  
 Dear Mr. President:

Senate Bill 2052 provides that possession of any amount of hashish is a Class C felony. The bill also provides for a graduated penalty system for marijuana possession offenses as follows:

- 1) under one-half ounce, Class B misdemeanor;
- 2) one-half ounce to one ounce, Class A misdemeanor;
- 3) more than one ounce, Class C felony.

The bill also states that a person who pleads guilty or is found guilty of a first offense of possessing one ounce or less of marijuana may, after two years, petition a court to have his or her record expunged, if the person has not been subsequently convicted of any criminal offense.

By decreasing the penalty for possession of one-half ounce or less of marijuana, the Legislature may be encouraging wider experimentation and use of this drug.

More and more evidence is becoming available of the harmful effects of the use of marijuana.

For this reason, I veto Senate Bill 2052.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that Senate Bill No. 2052 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that Senate Bill No. 2052 be laid over one legislative day, which motion prevailed.

Rep. Nicholas moved that the House not concur on Senate amendments to House Bill No. 1209, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1209:

Rep. Nicholas

Rep. Lipsiea

Rep. Meyer.

#### MOTIONS

Rep. Haugland moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3048, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1301, which motion prevailed.

Rep. Winkjer moved that the House not concur on Senate amendments to House Bill No. 1483, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1483:

Rep. Stenehjerm

Rep. Boyum

Rep. Meiers.

#### MOTIONS

Rep. Erickson moved that the House do concur in the Senate amendments to House Bill No. 1634, which motion prevailed.

Rep. Erickson moved that the House do concur in the Senate amendments to House Bill No. 1636, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1671, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3021, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Gunderson moved that the amendments to House Bill No. 1042 as recommended by the Conference Committee as printed on pages 1716 and 1717 of the House Journal be adopted, which motion prevailed.

Rep. Gunderson moved that the amendments to House Bill No. 1278 as recommended by the Conference Committee as printed on page 886 of the Senate Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1694 as recommended by the Committee on Political Subdivisions as printed on pages 1745 and 1746 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Concurrent Resolution No. 3088 as recommended by the Joint Committee on Constitutional

Revision as printed on pages 1744 and 1745 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2006 as recommended by the Committee on Appropriations as printed on pages 1746 and 1747 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2011 as recommended by the Committee on Appropriations as printed on pages 1747 and 1748 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2033 as recommended by the Committee on Appropriations as printed on pages 1748 and 1749 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2125 as recommended by the Committee on Transportation as printed on pages 1750 and 1751 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2150 as recommended by the Committee on Finance and Taxation as printed on page 1751 of the House Journal be adopted, which motion failed.

Rep. Rued moved that the amendments to Senate Bill No. 2197 as recommended by the Committee on Industry, Business and Labor as printed on pages 1752 and 1753 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2227 as recommended by the Committee on Education as printed on pages 1753 and 1754 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2233 as recommended by the Committee on Natural Resources as printed on pages 1754 and 1755 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2254 as recommended by the Committee on Natural Resources as printed on pages 1755 and 1756 of the House Journal be adopted, which motion prevailed.

#### MOTION

Rep. Strinden moved that Senate Bill No. 2350 be moved to the foot of the Sixth Order on the calendar, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Erickson moved that the amendments to Senate Bill No. 2382 as recommended by the Committee on Transportation as printed on pages 1757 and 1758 of the House Journal be adopted.

Rep. Gackle requested the question of the adoption of the amendments to Senate Bill No. 2382 be divided as follows:

**Division A:** That portion of the amendments which states

as follows:

On page 3, line 2 after the numerals and comma "1980," insert the following: "and shall expire December 31, 1981,"

On page 3, line 3 after the word "trailers" insert a comma and also on line 3 after the second word "and" insert the words "shall become effective" and also on line 3 after the numerals and comma "1980," insert the following: "and shall expire March 31, 1982,"

**Division B:** That portion of the amendments which states

as follows;





SIXTH ORDER OF BUSINESS

Rep. Gackle moved that the amendments to Senate Bill No. 2455 as recommended by the Committee on Finance and Taxation as printed on page 1763 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that Senate Bill No. 2350 be laid over one legislative day, which motion prevailed.

RECOGNITION

The Acting Speaker announced that Miss North Dakota was in the Chamber. She is Miss Sheila Lindeman, daughter of Mr. and Mrs. Harry Lindeman, Linton, North Dakota. Speaker Wagner appointed Reps. VanderVorst and Kretschmar to escort Miss North Dakota to the rostrum for the purpose of being recognized by the House of Representatives.

Miss Lindeman presented a vocal solo.

SECOND READING OF HOUSE BILLS

**House Bill No. 1461.** — A Bill for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to payment terms of easements for electric transmission facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 6; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			●			●					●
BACKES ●			●	HERMAN		●	MATTSON				UNHEM ●
●	BENEDICT		●	HICKLE		●	MEIERS	●			VANDER VORST
●	BERG		●	HOFFNER		●	MELBY		●		VIG
●	BERGE ●		●	HOUWMANN		●	MERTENS				WAGNER
●	BERGER		●	HOVE		●	Meyer		●		WALD
●	BJORNSON		●	JACOBSEN, R.		●	MURPHY		●		WALSH
●	BLACK		●	JACOBSON, I.		●	MUSHK		●		WEBER
●	BOYUM				●		NICHOLAS		●		WENTZ
●	BROKAW		●	KENNELLY			OLSON ●		●		WESSMAN
●	CHRISTENSEN			KERMOTT		●	OPEDAH		●		WINKJER
●	CONMY			KINGSBURY	●		PELTIER	●			
●	CRABTREE		●	KLOUBEC			PETERSON				MR. SPEAKER
●	DICK		●	KNUDSON		●	POMEROY				
●	DIETZ		●	KOSKI		●	REED				
●	DOTZENROD		●	KRETSCHMAR		●	RETZER				
●	DuBORD		●	KUCHER ●			RICHARD ●				
●	EAGLES		●	LANG		●	RICHIE				
●	ERICKSON		●	LANGLEY		●	RICHL				
●	FLEWING		●	LARBY		●	RUED				
●	FREBORG		●	LARSON, F. # 24		●	SCHINDLER				
●	GACKLE	●	●	LARSON, G. # 29		●	SCOFIELD				
●	GERL		●	LARSON, H. # 7		●	SOLBERG				
●	GORDER		●	LEE ●		●	STENEHEM				
●	GUNDERSON		●	LEIBMAN		●	STRINGEM				
●	GUNSCH		●	LIPSIEA		●	SWONTEK				
●	HANSON		●	MAIKNER		●	THOMPSON				
●	HAUGLAND		●	MARSDEN		●	THORSGARD				
●	HAUSAUER, A. # 69		●	MARTIN		●	TIMM				
●	HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM				
●	HEDSTROM		●	MATHENY		●	TWETEN		●		

So the bill passed and the title was agreed to.

**House Bill No. 1471.** — A Bill for an Act to provide for political party organization; and to repeal sections 16-17-01, 16-17-02, 16-17-03, 16-17-04, 16-17-05, 16-17-05.1, 16-17-06, 16-17-07, 16-17-08, 16-17-09, 16-17-10, 16-17-10.1, 16-17-11, 16-17-12, 16-17-13, 16-17-14, 16-17-15, 16-17-16, 16-17-17, 16-17-18, 16-17-18.2, 16-17-19, and 16-17-20 of the North Dakota Century Code, relating to party committee organization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 28; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN			MATTSON			UNHJEM		
BENEDICT		●	HICKLE			MEIERS		●	VANDER VOHBT		
BERG		●	HOFFNER		●	MELBY		●	WIG		
● BERGE			HOUWMANN			MERTENS		●	WAGNER		
● BERGER			HOVE			MEYER		●	WALD		●
● BJORNSON			JACOBSEN R			MURPHY		●	WALSH		
● BLACK			JACOBSON I			MUSHIK		●	WEBER		
● BOYUM			KELLY			NICHOLAS		●	WENTZ		
● BROKAW		●	KENNELLY			OLSON		●	WESSMAN		
● CHRISTENSEN			KERMOTT		●	OPEDAHL			WINKJER		
● CONMY			KINGSBURY			PELTIER					
● CRABTREE			KLOUBEC			PETERSON		●	MR SPEAKER		
● DICK			KNUDSON			POMEROY		●			
● DIETZ			KOSKI		●	REED					
● DOTZENROD			KRETSCHMAR			RETZER					
DuBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG			RICHE					
● ERICKSON			LANGLEY		●	RUEB		●			
FLEMING		●	LARDY			SCHINDLER		●			
● FREBORG			LARSON F # 24			SCOFIELD					
GACKLE		●	LARSON G # 29			SOLBERG		●			
GERL		●	LARSON H # 7			STENEHJEM					
● GORDER			LEE		●	STRINDEN					
GUNDERSON		●	LEIBHAN		●	THOMPSON					
● GUNSCH			LIPSIA			THORSGAR		●			
HANSON		●	MAIXNER		●	TIMM					
● HAUGLAND			MARSDEN			TINJUM					
● HAUSAUER A # 49		●	MARTIN		●	TWETEN		●			
● HAUSAUER R # 25			MARTINSON								
● HEDSTROM			MATHENY								

So the bill passed and the title was agreed to.

**House Bill No. 1506.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to the amount taxpayers may credit against the income tax for contributions to private colleges in the state; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 10; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			HERMAN			MATTSON			UNHJEM		
BENEDICT		●	HICKLE			MEIERS		●	VANDER VOHBT		
● BERG			HOFFNER			MELBY		●	WIG		
● BERGE			HOUWMANN			MERTENS		●	WAGNER		
● BERGER			HOVE			MEYER		●	WALD		
● BJORNSON			JACOBSEN R			MURPHY		●	WALSH		
● BLACK		●	JACOBSON I			MUSHIK		●	WEBER		
● BOYUM			KELLY			NICHOLAS		●	WENTZ		●
● BROKAW		●	KENNELLY			OLSON		●	WESSMAN		
● CHRISTENSEN			KERMOTT		●	OPEDAHL			WINKJER		
● CONMY			KINGSBURY			PELTIER					
● CRABTREE			KLOUBEC			PETERSON		●	MR SPEAKER		
● DICK			KNUDSON		●	POMEROY		●			
● DIETZ			KOSKI			REED					
● DOTZENROD			KRETSCHMAR			RETZER					
DuBORD			KUCHERA		●	RICHARD		●			
EAGLES		●	LANG			RICHE					
● ERICKSON			LANGLEY		●	RUEB		●			
FLEMING		●	LARDY		●	SCHINDLER		●			
● FREBORG			LARSON F # 24			SCOFIELD					
GACKLE		●	LARSON G # 29			SOLBERG		●			
GERL		●	LARSON H # 7			STENEHJEM					
● GORDER			LEE		●	STRINDEN					
GUNDERSON		●	LEIBHAN		●	THOMPSON					
● GUNSCH			LIPSIA			THORSGAR		●			
HANSON		●	MAIXNER		●	TIMM					
● HAUGLAND			MARSDEN			TINJUM					
● HAUSAUER A # 49		●	MARTIN		●	TWETEN		●			
● HAUSAUER R # 25			MARTINSON								
● HEDSTROM			MATHENY								

So the bill passed and the title was agreed to.

**House Bill No. 1637.** — A Bill for an Act to create and enact a new section to chapter 26-03.1 and chapter 26-27 of the North Dakota

Century Code, relating to options required to be offered to persons who are insured for medical care coverage by insurance companies and nonprofit medical service corporations; and to amend and reenact section 26-03.1-08 of the North Dakota Century Code, relating to the applicability of the provisions of chapter 26-03 to blanket and group insurance policies.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 1; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
●		●	●	HERMAN		●	MATTSON		●	UNHJEM	
●	BENEDICT		●	HICKLE		●	MEIERS		●	VANDERVOORT	
●	BERG		●	HOFFNER		●	MELBY		●	WIG	
●	BERGE		●	HOUHANN		●	MERTENS ●		●	WAGNER	
●	BERGER		●	HOVE ●		●	MEYER		●	WALD	
●	BJORNSON		●	JACOBSEN, P.		●	MURPHY		●	WALSH	
●	BLACK		●	JACOBSON, J.		●	MUSHIK		●	WEBER	
●	BOYUM		●	KELLY		●	NICHOLAS ●		●	WENTZ	
●	BROKAW		●	KERNELLY		●	OLSON ●		●	WESSMAN	
●	CHRISTENSEN		●	KERMOT ●		●	OPEDAHL		●	WINKLER	
●	CONNY		●	KINGSBURY		●	PELTER				
●	CRABTREE		●	KLOUREC		●	PETERSON ●			MR. SPEAKER	
●	DICK		●	KNUDSON		●	POMEROY				
●	DIETZ		●	KOSKI		●	REED				
●	DOTZENROD		●	KRETSCHMAR		●	RETZER				
●	DuBORD		●	KUCHERA		●	RICHARD				
●	EAGLES ●		●	LANG		●	RICHIE				
●	ERICKSON		●	LANGLEY		●	RIEHL				
●	FLEMING		●	LARDY		●	RUED				
●	FREBORG		●	LARSON, F. # 24		●	SCHINDLER				
●	GACKLE		●	LARSON, G. # 29		●	SCOPELDO				
●	GERL		●	LARSON, H. # 7		●	SOLBERG				
●	GORDER		●	LEE ●		●	STENGHEIM				
●	GUNDERSON		●	LEIBMAN ●		●	STRINDEN				
●	GUNSCH		●	LIPSIEA		●	SWONTEK				
●	HANSON		●	MAIXNER		●	THOMPSON				
●	HAUGLAND		●	MARSDEN		●	THORSgard				
●	HAUSAUER, A. # 49		●	MARTIN ●		●	TIMM				
●	HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM				
●	HEDSTROM		●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to.

**SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR**

**Senate Concurrent Resolution No. 4058.** — A concurrent resolution urging Congress to take appropriate steps to ensure continued AMTRAK service and to provide for a review of AMTRAK service schedules to make the schedules more compatible with the needs of a majority of passengers.

Which had been read the second time.

The question being on the final passage of the resolution.

The resolution was declared adopted on a voice vote.

**MOTION**

Rep. Kretschmar moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Acting Speaker Conny presiding.

**MESSAGE TO THE SENATE  
House Chamber**

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:



House Concurrent Resolution No. 3090

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2048  
Senate Bill No. 2240  
Senate Bill No. 2305  
Senate Bill No. 2406  
Senate Bill No. 2433  
Senate Bill No. 2451  
Senate Bill No. 2469  
Senate Bill No. 2475  
Senate Concurrent Resolution No. 4052  
Senate Concurrent Resolution No. 4059  
Senate Concurrent Resolution No. 4060  
Senate Concurrent Resolution No. 4071  
Senate Concurrent Resolution No. 4074  
Senate Concurrent Resolution No. 4075  
Senate Concurrent Resolution No. 4084

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2078  
Senate Bill No. 2289  
Senate Bill No. 2462

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2054  
Senate Bill No. 2196  
Senate Bill No. 2218  
Senate Bill No. 2285  
Senate Bill No. 2465

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the senate, on:

Senate Bill No. 2159:  
Rep. Conmy  
Rep. Thompson  
Rep. Lardy  
Senate Bill No. 2263:  
Rep. Stenehjem  
Rep. Hedstrom  
Rep. Hoffner  
Senate Bill No. 2354:  
Rep. Boyum  
Rep. Thompson  
Rep. Dotzenrod  
Senate Bill No. 2383:  
Rep. Stenehjem  
Rep. Haugland

Rep. Meiers

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to return Senate Bill No. 2340, which the House has passed over the Governor's veto.

The vote on Senate Bill No. 2340 is; ayes, 72; nays, 27; absent and not voting, 1.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on:

House Bill No. 1217:

Senator Roen  
Senator Albers  
Senator Rait

House Bill No. 1507:

Senator Lee  
Senator Wright  
Senator Barth

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 1293.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2480

Senate Concurrent Resolution No. 4066

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Concurrent Resolution No. 3028

House Concurrent Resolution No. 3068

House Concurrent Resolution No. 3089

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2064

Senate Bill No. 2096

Senate Bill No. 2273

Senate Bill No. 2300

Senate Bill No. 2321

Senate Bill No. 2338

Senate Bill No. 2386

Senate Bill No. 2449

Senate Concurrent Resolution No. 4016

Senate Concurrent Resolution No. 4034

Senate Concurrent Resolution No. 4045

Senate Concurrent Resolution No. 4053

Senate Concurrent Resolution No. 4055

Senate Concurrent Resolution No. 4067

Senate Concurrent Resolution No. 4079



the North Dakota Century Code, relating to the definition of "penitentiary employee", and assessments, contributions, length of service, and normal retirement age for penitentiary employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 80; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	WATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK	•		JACOBSON, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTI		•	OPDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES	•		LANG		•	RICHE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. # 29		•	SCOFIELD		•			
GERL		•	LARSON, H. # 7		•	SOLBERG		•			
GORDER	•		LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBMAN		•	STRINDE		•			
GUNSCH		•	LIPSIEA		•	SWONTEK		•			
HANSON		•	MAIXNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSgard		•			
HAUSAUER, R. # 49		•	MARTIN		•	TIMM		•			
HAUSAUER, R. # 25		•	MARTINSON		•	TINJUM		•			
HEOSTROM		•	MATHENY		•	TWETEN		•			

So the bill lost.

**Senate Bill No. 2250.** — A Bill for an Act to create and enact a new section to chapter 49-19 of the North Dakota Century Code, relating to common carrier pipelines and the necessity to secure a certificate of public convenience and necessity from the public service commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 80; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN		•	WATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOLMANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH		•
BLACK	•		JACOBSON, I.		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTI		•	OPDAHL		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES	•		LANG		•	RICHE		•			
ERICKSON		•	LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON, F. # 24		•	SCHINDLER		•			
GACKLE		•	LARSON, G. # 29		•	SCOFIELD		•			
GERL		•	LARSON, H. # 7		•	SOLBERG		•			
GORDER	•		LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBMAN		•	STRINDE		•			

GUNSCH ●	LIPSIEA ●	SWIONTEK ●
HANSON ●	MAIXNER ●	THOMPSON ●
HAUGLAND ●	MARSDEN ●	THORSGARD ●
HAUSAUER A #49 ●	MARTIN ●	TIMM ●
HAUSAUER R #25 ●	MARTINSON ●	TINJUM ●
HEDSTROM ●	MATHENY ●	TWETEN ●

So the bill lost.

**Senate Bill No. 2332.** — A Bill for an Act to amend and reenact sections 39-06-45, 39-06.1-05, subsection 1 of section 39-06.1-08, and subdivisions a and b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to penalties for permitting unauthorized persons to drive, offenses excepted from noncriminal disposition, definition of nonmoving violation, and points assigned for noncriminal disposition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 78; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOLMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MURPHY ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MUSHIK ●			WALSH ●		
BLACK ●			JACOBSON, I ●			NICHOLAS ●			WEBER ●		
BOYUM ●			KELLY ●			OLSON ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OPEDAHL ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			PELTIER ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PETERSON ●			MR. SPEAKER ●		
CRABTREE ●			KLOUBEC ●			POMEROY ●					
DICK ●			KNUDSON ●			REED ●					
DIETZ ●			KOSKI ●			RETZER ●					
DOTZENROD ●			KRETSCHMAR ●			RICHARD ●					
DUBORD ●			KUCHERA ●			RIEHL ●					
EAGLES ●			LANG ●			RUED ●					
ERICKSON ●			LANGLEY ●			SCHINDLER ●					
FLEMING ●			LAROY ●			SCOFIELD ●					
FREBORG ●			LARSON, F #24 ●			SOLBERG ●					
GACKLE ●			LARSON, G #26 ●			STENHJEM ●					
GERL ●			LARSON, H #7 ●			STRINDEN ●					
GORBER ●			LEE ●			THOMPSON ●					
GUNDERSON ●			LEIBHAN ●			THORSGARD ●					
GUNSCH ●			LIPSIEA ●			TIMM ●					
HANSON ●			MAIXNER ●			TINJUM ●					
HAUGLAND ●			MARSDEN ●			TWETEN ●					
HAUSAUER A #49 ●			MARTIN ●								
HAUSAUER R #25 ●			MARTINSON ●								
HEDSTROM ●			MATHENY ●								

So the bill lost.

**Senate Bill No. 2463.** — A Bill for an Act to create and enact a new subsection to section 43-32-30 of the North Dakota Century Code, relating to the exemption from licensure as a psychologist of persons practicing as school psychologists.

Which has been read.

Rep. Gunsch moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 52; nays, 36; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOLMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•		•	MATTSON	•	UNHJEM	
•			•	HICKLE	•		•	MEIERS	•	VANDER VORST	
•			•	HOFFNER	•		•	MELBY	•	VIG	•
•			•	HOUMANN	•		•	MERTENS	•	WAGNER	
•			•	HOVE	•		•	MEYER	•	WALD	
•			•	JACOBSEN R	•		•	MURPHY	•	WALSH	•
•			•	JACOBSON I	•		•	MUSHIK	•	WEBER	
•			•	KELLY	•		•	NICHOLAS	•	WENTZ	
•			•	KENNELLY	•		•	OLSON	•	WESSMAN	
•			•	KERMOT	•		•	OPEDAHL	•	WINKJER	
•			•	KINGSBURY	•		•	PELTIER			
•			•	KLOUBEC	•		•	PETERSON		MR SPEAKER	
•			•	KNUDSON	•		•	POWEROY			
•			•	KOSKI	•		•	REED			
•			•	KRETSCHMAR	•		•	RETZER			
•			•	KUCHERA	•		•	RICHARD			
•			•	LANG	•		•	RIEHL			
•			•	LANGLEY	•		•	RUED			
•			•	LARDY	•		•	SCHINDLER			
•			•	LARSON F # 24	•		•	SCOFIELD			
•			•	LARSON # 29	•		•	SOLBERG			
•			•	LARSON H # 7	•		•	STENEHJEM			
•			•	LEE	•		•	STRINDEW			
•			•	LEIBHAN	•		•	SWONTEK			
•			•	LIPSIEA	•		•	THOMPSON			
•			•	MAIXNER	•		•	THORSGARD			
•			•	MARSDEN	•		•	TIMM			
•			•	MARTIN	•		•	TINJUM			
•			•	MARTINSON	•		•	TWETEN			
•			•	MATHENY	•						

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2007.** — Industrial School — A Bill for an Act making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 82; nays, 3; absent and not voting, 15.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•		•	MATTSON	•	UNHJEM	
•			•	HICKLE	•		•	MEIERS	•	VANDER VORST	
•			•	HOFFNER	•		•	MELBY	•	VIG	•
•			•	HOUMANN	•		•	MERTENS	•	WAGNER	
•			•	HOVE	•		•	MEYER	•	WALD	
•			•	JACOBSEN R	•		•	MURPHY	•	WALSH	•
•			•	JACOBSON I	•		•	MUSHIK	•	WEBER	
•			•	KELLY	•		•	NICHOLAS	•	WENTZ	
•			•	KENNELLY	•		•	OLSON	•	WESSMAN	
•			•	KERMOT	•		•	OPEDAHL	•	WINKJER	
•			•	KINGSBURY	•		•	PELTIER			
•			•	KLOUBEC	•		•	PETERSON		MR SPEAKER	
•			•	KNUDSON	•		•	POWEROY			
•			•	KOSKI	•		•	REED			
•			•	KRETSCHMAR	•		•	RETZER			
•			•	KUCHERA	•		•	RICHARD			
•			•	LANG	•		•	RIEHL			
•			•	LANGLEY	•		•	RUED			
•			•	LARDY	•		•	SCHINDLER			
•			•	LARSON F # 24	•		•	SCOFIELD			
•			•	LARSON # 29	•		•	SOLBERG			
•			•	LARSON H # 7	•		•	STENEHJEM			
•			•	LEE	•		•	STRINDEW			
•			•	LEIBHAN	•		•	SWONTEK			
•			•	LIPSIEA	•		•	THOMPSON			
•			•	MAIXNER	•		•	THORSGARD			
•			•	MARSDEN	•		•	TIMM			
•			•	MARTIN	•		•	TINJUM			
•			•	MARTINSON	•		•	TWETEN			
•			•	MATHENY	•						

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2010.** State Radio Communications — A Bill for an





HAUSAUER #49	MARTIN	TIMM
HAUSAUER R #25	MARTINSON	TINJUM
HEDSTROM	MATHENY	TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2035.** Unsatisfied Judgment — A Bill for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the State of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 15; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON		UNHJEM
BENEDICT		•	HICKLE			MEIERS		VANDER VORST
BERG	•		HOFFNER			MELBY		VIG
BERGE		•	HOLMANN		•	MERTENS		WAGNER
BERGER		•	HOVE			MEYER		WALD
BJORNSON		•	JACOBSEN R			MURPHY		WALSH
BLACK		•	JACOBSEN I			MUSHIK		WEBER
BOYUM		•	KELLY			NICHOLAS		WENTZ
BROKAW		•	KENNELLY			OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		WINKLER
CONNY		•	KINGSBURY			PELTIER		
CRABTREE		•	KLOUBEC			PETERSON		MR SPEAKER
DICK		•	KNUDSON			POMEROY		
DIETZ		•	KOSKI			REED		
DOTZENROD		•	KRETSCHMAR			RETZER		
DUBORD		•	KUCHERA			RICHARD		
EAGLES		•	LANG		•	RICHIE		
ERICKSON		•	LANGLEY			RIEHL		
FLEMING		•	LARDY			RUEID		
FREBORG		•	LARSON F #24			SCHINDLER		
GACKLE		•	LARSON G #29			SCOFFIELD		
GERL		•	LARSON H #7			SOLBERG		
GORDER		•	LEE			STENEHEJEM		
GUNDERSON		•	LEIBHAN			STRINDEK		
GUNSCH		•	LIPSIEA			SWIONTEK		
HANSON		•	MAIXNER		•	THOMPSON		
HAUGLAND		•	MARSDEN			THORSGARD		
HAUSAUER #49		•	MARTIN			TIMM		
HAUSAUER R #25		•	MARTINSON			TINJUM		
HEDSTROM		•	MATHENY		•	TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2076.** — A Bill for an Act to provide for a state building code, with enforcement by cities, townships, and counties, and exemptions; and to amend sections 11-33-01, 40-47-01, and 58-03-11 of the North Dakota Century Code, relating to the zoning authority of counties, cities, and townships.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 55; nays, 31; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			MATTSON		UNHJEM
BENEDICT		•	HICKLE			MEIERS		VANDER VORST
BERG	•		HOFFNER			MELBY		VIG
BERGE		•	HOLMANN			MERTENS		WAGNER
BERGER		•	HOVE		•	MEYER		WALD
BJORNSON		•	JACOBSEN R			MURPHY		WALSH
BLACK		•	JACOBSEN I			MUSHIK		WEBER
BOYUM		•	KELLY			NICHOLAS		WENTZ
BROKAW		•	KENNELLY			OLSON		WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		WINKLER
CONNY		•	KINGSBURY			PELTIER		
CRABTREE		•	KLOUBEC			PETERSON		MR SPEAKER
DICK		•	KNUDSON			POMEROY		
DIETZ		•	KOSKI			REED		
DOTZENROD		•	KRETSCHMAR			RETZER		
DUBORD		•	KUCHERA			RICHARD		
EAGLES		•	LANG			RICHIE		



REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
BACKES ●			●	HERMAN		●	MATTSON		●	UNHJEM				
BENEDICT ●			●	HICKLE		●	WEIERS		●	VANDER VORST	●			
BERG ●			●	HOFFNER		●	MELBY	●		VIG	●			
BERGE	●			HOUWMANN	●	●	MERTENS			WAGNER				
BERGER				HOVE	●	●	MEYER			WALD	●			
BJORNSON	●		●	JACOBSEN, R.		●	MURPHY			WALSH	●			
BLACK	●		●	JACOBSON, I.		●	MUSHK			WEBER	●			
BOYUM	●		●	KELLY ●		●	NICHOLAS	●		WENTZ	●			
BROKAW			●	KENNELLY		●	OLSON ●			WESSMAN	●			
CHRISTENSEN			●	KERMOT ●		●	OPEDAHL			WINKJER	●			
CONNY			●	KINGSBURY		●	PELTIER							
CRABTREE			●	KLOUBEK		●	PETERSON ●			MR. SPEAKER				
DICK			●	KNUDSON		●	POMERROY							
DIETZ			●	KOSKI		●	REED	●						
DOTZENROD			●	KRETSCHMAR		●	RETZER							
DUBORD ●			●	KUCHERA		●	RICHARD ●							
EAGLES ●			●	LANG		●	RICHIE							
ERICKSON			●	LANGLEY		●	RIEHL							
FLEMING			●	LARDY		●	RUED							
FREBORG			●	LARSON, F. # 24	●	●	SCHINDLER							
GACKLE			●	LARSON, G. # 29	●	●	SCOFIELD							
GEHL			●	LARSON, H. # 7	●	●	SOLBERG							
GORDER ●			●	LEE ●		●	STENEHJEM							
GUNDERSON			●	LEIBMAN ●		●	STRINDEN							
GUNSCH	●			LIPSIEA		●	SWONTEK							
HANSON			●	MAYNER		●	THOMPSON							
HAUGLAND			●	MARSDEN		●	THORSGARD							
HAUSAUER, A. # 49			●	MARTIN		●	TIMM							
HAUSAUER, R. # 25			●	MARTINSON		●	TINJUM							
HEDSTROM			●	MATHENY		●	TWETEN							

So the bill passed and the title was agreed to.

**Senate Bill No. 2137.** — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to prior service credit and withdrawal from the public employees retirement system; and to provide for retroactivity.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 31; absent and not voting, 21.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
BACKES ●			●	HERMAN		●	MATTSON		●	UNHJEM				
BENEDICT ●			●	HICKLE		●	WEIERS		●	VANDER VORST	●			
BERG ●			●	HOFFNER		●	MELBY	●		VIG	●			
BERGE	●			HOUWMANN	●	●	MERTENS			WAGNER				
BERGER				HOVE	●	●	MEYER			WALD	●			
BJORNSON			●	JACOBSEN, R.		●	MURPHY			WALSH	●			
BLACK			●	JACOBSON, I.		●	MUSHK			WEBER	●			
BOYUM			●	KELLY ●		●	NICHOLAS	●		WENTZ	●			
BROKAW			●	KENNELLY		●	OLSON ●			WESSMAN	●			
CHRISTENSEN			●	KERMOT ●		●	OPEDAHL			WINKJER	●			
CONNY			●	KINGSBURY		●	PELTIER							
CRABTREE			●	KLOUBEK		●	PETERSON ●			MR. SPEAKER				
DICK			●	KNUDSON		●	POMERROY							
DIETZ			●	KOSKI		●	REED	●						
DOTZENROD			●	KRETSCHMAR		●	RETZER							
DUBORD ●			●	KUCHERA		●	RICHARD ●							
EAGLES ●			●	LANG		●	RICHIE							
ERICKSON			●	LANGLEY		●	RIEHL							
FLEMING			●	LARDY		●	RUED							
FREBORG			●	LARSON, F. # 24	●	●	SCHINDLER							
GACKLE			●	LARSON, G. # 29	●	●	SCOFIELD							
GEHL			●	LARSON, H. # 7	●	●	SOLBERG							
GORDER ●			●	LEE ●		●	STENEHJEM							
GUNDERSON			●	LEIBMAN ●		●	STRINDEN							
GUNSCH	●			LIPSIEA		●	SWONTEK							
HANSON			●	MAYNER		●	THOMPSON							
HAUGLAND			●	MARSDEN		●	THORSGARD							
HAUSAUER, A. # 49			●	MARTIN		●	TIMM							
HAUSAUER, R. # 25			●	MARTINSON		●	TINJUM							
HEDSTROM			●	MATHENY		●	TWETEN							

So the bill lost for want of a constitutional majority.

MOTIONS

Rep. Strinden moved that the House reconsider its action whereby Senate Bill No. 2137 failed to pass, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2137 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2186.** — A Bill for an Act to create the political subdivision liability fund, to provide for limitations on payments from such fund, providing an appropriation and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 5; absent and not voting, 24.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEW ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUWMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHE ●					
ERICKSON ●			LANGLEY ●			RUE ●					
FLEMING ●			LARDY ●			SCHINDLER ●					
FREBORG ●			LARSON, F # 24 ●			SCOFIELD ●					
GACKLE ●			LARSON, G # 29 ●			SOLBERG ●					
GERL ●			LARSON, H # 7 ●			STENEHJEM ●					
GORDER ●			LEE ●			STRINDEM ●					
GUNDERSON ●			LEIBMAN ●			SWONTEK ●					
GUNSCH ●			LIPSIEA ●			THOMPSON ●					
HANSON ●			MAIXNER ●			THORSGAR ●					
HAUGLAND ●			MARSDEN ●			TIMM ●					
HAUSAUE, A # 49 ●			MARTIN ●			TINJUM ●					
HAUSAUE, R # 25 ●			MARTINSON ●			TWETEN ●					
HEDSTROM ●			MATHENY ●								

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2206.** — A Bill for an Act to provide for the licensure and regulation of those persons engaged in the business of finding lenders for persons or businesses desirous of obtaining funds and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 4; absent and not voting, 30.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEW ●		
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUWMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN, R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON, I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKJER ●		
CONMY ●			KINGSBURY ●			PELTIER ●					
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER ●		
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHE ●					

● ERICKSON	● LANGLEY ●	● RIEHL
● FLEMING ●	● LARDY ●	● RIED ●
● FREBORG ●	● LARSON F # 24	● SCHINDLER ●
● GACKLE ●	● LARSON G # 25	● SCOFIELD ●
● GERL ●	● LARSON H # 7	● SOLBERG ●
● GORDER ●	● LEE ●	● STENEHEIM ●
● GUNDERSON ●	● LEIBMAN ●	● STRINDEN ●
● GUNSCH ●	● LIPSIA ●	● SWONTEK ●
● HANSON ●	● MAIXNER ●	● THOMPSON ●
● HAUGLAN ●	● MARDEN ●	● THORSGAR ●
● HAUSAUER A # 49	● MARTIN ●	● TIMM ●
● HAUSAUER R # 25	● MARTINSON ●	● TINJUM ●
● HEDSTROM ●	● MATHENY ●	● TWETEN ●

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the following Senate Bills be messaged to the Senate immediately: 2031, 2035, 2084, 2186, and 2206, which motion prevailed.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2480.** — A Bill for an Act to provide for the transfer of the functions of the state laboratories department to the state laboratories division of the state department of health for a temporary period and to provide for an ongoing study of the state laboratories division during that temporary period; to create and enact section 19-01-01.1, a new section to chapter 23-09, a new section to chapter 23-10, and a new subsection to section 54-12-01 of the North Dakota Century Code, relating to the definition of the state laboratories department and related terms, the inspection of hotels, restaurants, boardinghouses, and mobile home parks, and the placement of a consumer affairs office in the office of the attorney general; to amend and reenact sections 4-30-18, 19-01-01, 19-01-02, 19-01-05, 19-01-13, 19-01-17, 19-01-18, subsection 1 of section 19-02.1-01, subsection 7 of section 19-10-01, subsection 1 of section 19-21-01, and subsection 2 of section 23-10-01 of the North Dakota Century Code, relating to the abolishment of the state laboratories department and the state laboratories commission and the transfer of functions to the state department of health; and to repeal sections 19-01-02.1, 19-01-03, 19-01-04, 19-01-06, 19-01-07, 19-01-08, and 23-09-02 of the North Dakota Century Code, relating to the director and assistant director of the state laboratories department, and the offices, fees, and expenses of the department.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4066.** — A concurrent resolution for the amendment of section 186 of the Constitution of the State of North Dakota, relating to the expenditure of public moneys by appropriation only, exceptions, requiring itemized written statements for bills, claims, accounts, or demands against the state, limiting expenditures to state revenues and reserves, providing a ceiling for appropriations, providing for the filing and publishing of an accurate financial statement of the state's financial condition; and providing an effective date.

Which was read the first time and referred to the Joint Committee on Constitutional Revision.

MOTION

Rep. Winkjer moved that Senate Bill No. 2150 be re-referred to the Committee on State and Federal Government, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following,

which the House has passed and your favorable consideration is requested on:

House Bill No. 1695

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2092, 2142, 2175, 2219, 2229, 2267, 2339, 2356, 2377, 2380, but refused to concur in the House amendment to Senate Bills Nos. 2110, 2153, 2286, 2432.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bills Nos. 2110, 2153, 2286, 2432.

Senate Bill No. 2110:

Senator Mutch  
Senator Lodoen  
Senator Orange

Senate Bill No. 2153:

Senator Lodoen  
Senator Tennefos  
Senator Orange

Senate Bill No. 2286:

Senator Iszler  
Senator Sorum  
Senator Schirado

Senate Bill No. 2432:

Senator Lee  
Senator Wright  
Senator Barth

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on:

House Bill No. 1489:

Senator Reiten  
Senator Holmberg  
Senator Berube

House Bill No. 1519:

Senator Reiten  
Senator Mutch  
Senator Krauter

LEO LEIDHOLM, Secretary

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Acting Speaker Conmy appointed the following to a Conference Committee on Senate Bill No. 2110:

Rep. VanderVorst  
Rep. Wald  
Rep. Langley

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House stand adjourned until 12:30 p.m., Monday, March 19, 1979, which motion prevailed.

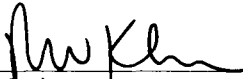
REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Natural Resources

to whom was referred House Concurrent Resolution

No. 3091, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  
Rep. Kloubec Chairman

House Concurrent Resolution No. 3091 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred House Concurrent Resolution

No. 3092, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

And be placed on the Consent Calendar

  
Rep. Lang Chairman

House Concurrent Resolution No. 3092 was placed on the 10th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2001, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 1; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2 of the reengrossed bill, after line 12, insert the following subdivision:

"Subdivision 5.

WESTERN GOVERNORS POLICY OFFICE

Fees and services	<u>\$30,000</u>
Total general fund appropriation	\$30,000"

On page 2 of the reengrossed bill, line 22, delete the numerals "480,100" and insert in lieu thereof the numerals "489,658"

On page 2 of the reengrossed bill, line 28, delete the numerals "579,144" and insert in lieu thereof the numerals "588,702"

On page 3 of the reengrossed bill, line 12, delete the numerals "2,021,137" and insert in lieu thereof the numerals "2,163,887"

On page 3 of the reengrossed bill, line 13, delete the numerals "466,966" and insert in lieu thereof the numerals "520,366"

- On page 3 of the reengrossed bill, line 16, delete the numerals "98,650" and insert in lieu thereof the numerals "104,650"
- On page 3 of the reengrossed bill, line 17, delete the numerals "84,608" and insert in lieu thereof the numerals "89,758"
- On page 3 of the reengrossed bill, line 20, delete the numerals "2,861,561" and insert in lieu thereof the numerals "3,068,861"
- On page 3 of the reengrossed bill, line 22, delete the numerals "2,548,656" and insert in lieu thereof the numerals "2,755,956"
- On page 4 of the reengrossed bill, line 7, delete the numerals "4,003,979" and insert in lieu thereof the numerals "4,095,209"
- On page 4 of the reengrossed bill, line 8, delete the numerals "737,249" and insert in lieu thereof the numerals "777,749"
- On page 4 of the reengrossed bill, line 12, delete the numerals "17,070" and insert in lieu thereof the numerals "20,773"
- On page 4 of the reengrossed bill, line 13, delete the numerals "5,788,435" and insert in lieu thereof the numerals "5,923,868"
- On page 4 of the reengrossed bill, line 16, delete the numerals "544,624" and insert in lieu thereof the numerals "553,124"
- On page 4 of the reengrossed bill, line 18, delete the numerals "28,509" and insert in lieu thereof the numerals "38,509"
- On page 4 of the reengrossed bill, line 21, delete the numerals "654,785" and insert in lieu thereof the numerals "673,285"
- On page 5 of the reengrossed bill, line 2, underscore the numerals "50,000"
- On page 5 of the reengrossed bill, delete line 3
- On page 5 of the reengrossed bill, line 4, delete the numerals "5,663,771" and insert in lieu thereof the numerals "3,653,771"
- On page 5 of the reengrossed bill, line 5, delete the numerals "2,090,611" and insert in lieu thereof the numerals "380,611"
- On page 5 of the reengrossed bill, line 6, delete the numerals "3,573,160" and insert in lieu thereof the numerals "3,273,160"
- On page 5 of the reengrossed bill, line 9, delete the numerals "1,071,511" and insert in lieu thereof the numerals "1,100,950"
- On page 5 of the reengrossed bill, line 10, delete the numerals "481,350" and insert in lieu thereof the numerals "530,516"
- On page 5 of the reengrossed bill, line 13, delete the numerals "1,609,676" and insert in lieu thereof the numerals "1,688,281"
- On page 5 of the reengrossed bill, line 15, delete the numerals "1,478,657" and insert in lieu thereof the numerals "1,557,262"
- On page 6 of the reengrossed bill, line 13, delete the numerals "17" and insert in lieu thereof the numerals "18"
- On page 6 of the reengrossed bill, line 17, delete the numerals "19,070,398" and insert in lieu thereof the numerals "19,584,794"
- On page 6 of the reengrossed bill, line 19, delete the numerals "22,010,838" and insert in lieu thereof the numerals "22,525,234"
- On page 7 of the reengrossed bill, line 2, delete the word "and", and after the word "four" insert the comma and words ", and five"
- On page 7 of the reengrossed bill, delete lines 6 through 18 and insert in lieu thereof the following section:



"SECTION 7. INSURANCE COMMISSIONER - PERFORMANCE AUDIT - APPROPRIATION.) There is hereby appropriated from moneys in the general fund in the state treasury not otherwise appropriated, the sum of \$35,000.00, or so much thereof as may be necessary, to the legislative council to contract with a qualified firm, person, or persons for a performance review of the state insurance commissioner's office during the biennium beginning July 1, 1979, and ending June 30, 1981."

On page 8 of the reengrossed bill, after line 14, insert the following section:

"SECTION 10. APPROPRIATION - HIGHWAY DEPARTMENT.) There is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$300,000.00, or so much thereof as may be necessary, and \$1,710,000.00 of federal funds, or so much thereof as may be necessary, to the state highway department for the purpose of providing financial assistance for the continuation of operations and maintenance of any railroad within the state as provided for in the Railroad Revitalization and Regulatory Reform Act of 1976, or other federal legislation, and in accordance with the provisions of House Bill No. 1103 passed by the forty-sixth legislative assembly. The highway department shall make grants of financial assistance pursuant to this appropriation only after such grants have been approved by the public service commission."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Western Governors Policy Office

The \$30,000 general fund appropriation which was deleted by the Senate is restored.

Secretary of State

This amendment increases the salaries and wages of the Secretary of State by \$9,558 to provide funds to upgrade several employees in the Secretary of State's office.

Attorney General

The Attorney General's budget is increased by a total of \$207,300 in the following areas to implement the provisions of House Bill No. 1215 relating to the enforcement and licensing of gaming tables. Salaries and wages are increased by \$142,750 to allow for the additional positions of two FTE accountant-investigators, one FTE secretary, and a .5 FTE attorney; fees and services are increased \$53,400; supplies and materials are increased \$6,000; and equipment is increased \$5,150.

Tax Commissioner

Increases salaries and wages of the Tax Commissioner by \$91,230 to restore funding for three corporate tax auditors which were deleted by the Senate. The fees and services line item is increased \$40,500 and equipment is increased \$3,703 for costs related to the three positions.

Insurance Commissioner

Salaries and wages are increased \$8,500 to add \$2,500 because of expected reclassification of an employee; and to add \$6,000 to upgrade certain employees above the minimum of their classification. The data processing line item is increased \$10,000 for additional costs related to the provisions of Senate Bill No. 2099.

Public Service Commission

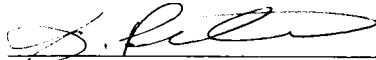
This amendment deletes the \$300,000 general fund appropriation and

\$1,710,000 federal fund appropriation for railroad assistance from the Public Service Commission appropriation. Such funds are appropriated to the Highway Department in a separate section of this Act.

Agriculture Commissioner

This amendment increases salaries and wages by \$29,439 from the Senate version by adding \$23,118 for a final adjustment to provide adequate funds for 6.5 percent annual salary increases over current salaries based on recent revisions to the salary base and for adequate fringe benefits and by adding \$6,321 to correct the executive budget. Fees and services is increased by \$49,116 by adding \$39,116 for travel for dairy inspectors and \$10,000 for dairy inspection contract fees.

And when so amended, recommends the same do pass.



Chairman

Rép. James A. Peterson

Senate Bill No. 2001 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2008, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 2; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 18, delete the numerals "1,941,111" and insert in lieu thereof the numerals "1,943,461"

On page 1 of the engrossed bill, line 19, delete the numerals "358,813" and insert in lieu thereof the numerals "343,105"

On page 1 of the engrossed bill, line 21, delete the numerals "232,000" and insert in lieu thereof the numerals "577,000"

On page 1 of the engrossed bill, line 22, delete the numerals "2,633,087" and insert in lieu thereof the numerals "2,964,729"

On page 2 of the engrossed bill, line 2, delete the numerals "2,273,453" and insert in lieu thereof the numerals "2,605,095"

On page 2 of the engrossed bill, line 5, delete the numerals "1,109,017" and insert in lieu thereof the numerals "1,111,287"

On page 2 of the engrossed bill, line 6, delete the numerals "285,096" and insert in lieu thereof the numerals "273,509"

On page 2 of the engrossed bill, line 9, delete the numerals "1,588,828" and insert in lieu thereof the numerals "1,579,511"

On page 2 of the engrossed bill, line 11, delete the numerals "1,262,433" and insert in lieu thereof the numerals "1,253,116"

On page 2 of the engrossed bill, line 12, delete the numerals "3,535,886" and insert in lieu thereof the numerals "3,858,211"

On page 2 of the engrossed bill, line 14, delete the numerals "4,221,915" and insert in lieu thereof the numerals "4,544,240"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages at the School for the Deaf by \$2,350 and at the School for the Blind by \$2,270 to allow for the reclassification of institutional support workers. The reclassifications have been recommended by the Central Personnel Division.

The operating expenses line item at the School for the Deaf is decreased by \$15,708 and at the School for the Blind is decreased by \$11,587. These amounts were included in the respective budgets for transportation expenses for students; however, those expenses are now to be provided for in Senate Bill No. 2058.

The land, structures, and major improvements line item of the School for the Deaf is increased by \$345,000 to allow for the construction of three residential cottages for intermediate and older boys.

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson

Chairman

Senate Bill No. 2008 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2009, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the reengrossed bill, line 18, delete the numerals "15,736,576" and insert in lieu thereof the numerals "16,118,263"

On page 1 of the reengrossed bill, line 19, delete the numerals "3,439,785" and insert in lieu thereof the numerals "3,339,785"

On page 1 of the reengrossed bill, line 22, delete the numerals "20,380,117" and insert in lieu thereof the numerals "20,661,804"

On page 2 of the reengrossed bill, line 2, delete the numerals "17,845,678" and insert in lieu thereof the numerals "18,127,365"

On page 2 of the reengrossed bill, line 5, delete the numerals "5,774,919" and insert in lieu thereof the numerals "5,786,332"

On page 2 of the reengrossed bill, line 6, delete the numerals "1,253,845" and insert in lieu thereof the numerals "1,251,040"

On page 2 of the reengrossed bill, line 9, delete the numerals "7,685,225" and insert in lieu thereof the numerals "7,693,833"

On page 2 of the reengrossed bill, line 11, delete the numerals "7,112,277" and insert in lieu thereof the numerals "7,120,885"

On page 2 of the reengrossed bill, line 12, delete the numerals "24,957,955" and insert in lieu thereof the numerals "25,248,250"

On page 2 of the reengrossed bill, line 14, delete the numerals "28,065,342" and insert in lieu thereof the numerals "28,355,637"

On page 2 of the reengrossed bill, after line 29, insert the following section:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that \$13,438 of the increase in Grafton state school salaries and wages and \$11,413 of the increase in the San Haven state hospital salaries and wages be for the purpose of increasing institutional support worker salaries because of contemplated reclassification of institutional support workers effective July 1, 1979. It is not the intent of the legislative assembly that everyone within each classification receive the same salary. It is the intent of the legislative assembly that the institutions work closely with representatives of the central personnel division so that any salary increases given to institutional support workers be compatible with the central personnel division pay grades for such classifications."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

This amendment restores \$368,249 for 13 positions which were recommended in the executive budget but deleted by the Senate. These positions are as follows:

Dentist	\$ 77,360
Hygienist	28,033
Lab technician	25,450
Food service worker	15,611
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Instructor	39,452
Physical therapist	<u>35,763</u>
Total	\$368,249

Also, \$13,438 is added to salaries and wages to upgrade institutional worker salaries based on proposed reclassification of these workers effective July 1, 1979. Operating expenses are reduced \$100,000 for transportation costs to be paid from the state special education appropriation as provided in Senate Bill No. 2057.

San Haven State Hospital

Salaries and wages is increased \$11,413 to upgrade institutional worker salaries based on proposed reclassification of these workers effective July 1, 1979. Operating expenses are reduced \$2,805 for transportation costs to be paid from the state special education appropriation as provided in Senate Bill No. 2057.

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson Chairman

Senate Bill No. 2013 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2013, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 3; Absent, 0, that the same

do pass.                       do not pass.                       be placed on calendar  
without recommendation.  
 be amended as follows:

On page 1 of the reengrossed bill, line 9, delete the numerals "27,879,523" and insert in lieu thereof the numerals "28,350,152"

On page 1 of the reengrossed bill, after line 14, insert the following line:

"July 1, 1979, salaries and wages                      300,000"

On page 1 of the reengrossed bill, line 15, delete the numerals "4,227,223" and insert in lieu thereof the numerals "4,397,852"

On page 1 of the reengrossed bill, line 18, delete the numerals "27,879,523" and insert in lieu thereof the numerals "28,350,152"

On page 1 of the reengrossed bill, line 19, delete the numerals "6,920,000" and insert in lieu thereof the numerals "7,341,423"

On page 1 of the reengrossed bill, line 20, delete the numerals "20,959,523" and insert in lieu thereof the numerals "21,008,729"

On page 2 of the reengrossed bill, after line 5, insert the following section:

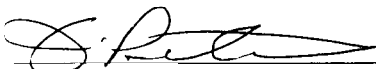
"SECTION 3.) The state hospital is authorized to use up to \$700,000.00 of federal funds appropriated in other acts passed by the forty-sixth legislative assembly, if such funds are available, towards the construction of the coal boiler at the hospital. If the \$700,000.00 of federal funds, or any portion thereof is available, the hospital is authorized to use up to \$250,000.00 of the \$1,450,000.00 general fund appropriation in the land, structures, and major improvements line item in section 1 of this Act for other maintenance projects at the hospital and thereafter the balance of the general fund appropriation of \$1,450,000.00 for the coal boiler in the land, structures, and major improvements line item shall be returned to the state general fund."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

A line item of \$300,000 is added for a portion of the July 1, 1979, payroll at the State Hospital. This amount will be paid from revenue relating to the 1977-79 biennium which is expected to be collected in July 1979. The operating expense line item is increased by \$170,629 to provide adequate funds necessary for continuing operations. The operating expense line item includes \$682,742 for natural gas and electricity and \$974,299 for food. Estimated income is increased by \$421,423 by adding \$300,000 for the estimated revenue to be received in July 1979 relating to the 1977-79 biennium; and by adding \$121,423 to include estimated funds from the State Land Department. The salaries and wages line item includes sufficient funds to continue two positions in the chemical dependency unit presently paid from federal funds.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Senate Bill No. 2023 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2023, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 5, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 8, delete the numerals "3,040,959" and insert in lieu thereof the numerals "3,077,558"

On page 1 of the engrossed bill, line 13, delete the numerals "589,170" and insert in lieu thereof the numerals "604,682"

On page 1 of the engrossed bill, line 21, delete the numerals "3,062,046" and insert in lieu thereof the numerals "3,077,558"

On page 2 of the engrossed bill, line 1, delete the numerals "1,911,046" and insert in lieu thereof the numerals "1,926,558"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase the salaries and wages line item of the Adjutant General by \$15,512 from the general fund to provide for 6.5 percent annual salary increases and adequate fringe benefits including health insurance under the alternate plan.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Senate Bill No. 2023 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2040, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 3, after the semicolon insert the following: "providing for a performance review;"

On page 1 of the engrossed bill, line 9, delete the words "sum of" and insert in lieu thereof the words and comma "sums hereinafter provided,"

On page 1 of the engrossed bill, line 10, delete the numerals "\$8,929,609"

On page 1 of the engrossed bill, after line 15, insert the following: "(Including salary of commissioner not to exceed \$66,080 for the biennium)"

On page 1 of the engrossed bill, line 20, delete the numerals "601,100" and insert in lieu thereof the numerals "660,800"

On page 1 of the engrossed bill, line 21, delete the numerals "1,100,000" and insert in lieu thereof the numerals "1,060,000"

On page 2 of the engrossed bill, after line 3, insert the following line:  
"Noxious weed control 100,000"

On page 2 of the engrossed bill, line 5, delete the numerals "8,929,609" and insert in lieu thereof the numerals "9,049,309"

On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 3. FUND BALANCE - LIMITATION ON SALARIES - PRIVATE LAND HABITAT IMPROVEMENT AND DEPREDATION FUND.) Of the moneys appropriated in section 1 of this Act for the private land habitat improvement and deer depredation fund, moneys spent for salaries from the fund shall not exceed ten percent of the line item amount. The balance of the private land habitat improvement and deer depredation fund is to be maintained at a minimum of \$100,000.00, except when such funds are used for depredation programs during the months of November through April. If the balance of the fund goes below \$100,000.00 due to expenditures for depredations during the months of November through April, the moneys derived from interest earned on the game and fish fund shall be first used to restore the balance of the private land habitat improvement fund to \$100,000.00."

On page 3 of the engrossed bill, after line 3, insert the following sections:

"SECTION 7. PERFORMANCE REVIEW - APPROPRIATION.) There is hereby appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the legislative council for a performance review of the game and fish department during the biennium beginning July 1, 1979, and ending June 30, 1981. Funds made available to the legislative council pursuant to this appropriation shall be used to contract for services from a firm experienced in management reviews of governmental operations. The Legislative Council shall make its report on the performance review to the forty-seventh legislative assembly accompanied with any legislation which may be necessary to implement the report recommendations.

SECTION 8. NOXIOUS WEED CONTROL.) Upon failure of the game and fish department to adequately destroy noxious weeds, or control and prevent spreading and dissemination of noxious weeds, on any parcel of land under its control, the county control authority for the county in which all or a portion of the land owned and leased by the game and fish department is located may, upon approval of the commissioner, enter upon the land owned and leased by the game and fish department for the purposes of destruction, control, or prevention of noxious weeds. All expenditures by county control authorities for destruction, control, or prevention of noxious weeds on game and fish lands pursuant to this section shall be reimbursed by the state game and fish department to the county control authority upon adequate certification by the county control authority, from interest on money credited to the game and fish fund. All expenditures required by this section shall be within the limits of legislative appropriation of game and fish funds arising from interest earned on invested funds."

On page 3 of the engrossed bill, line 4, delete the numeral "5" and insert in lieu thereof the numeral "6".

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT

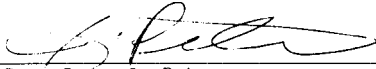
This amendment reduces the land, structures, and major improvements line item of the Game and Fish Department by \$40,000, monies which were included for noxious weed control, and adds a separate line item for noxious weed control of \$100,000. A new section is also added to the bill providing that if the Game and Fish Department does not adequately destroy noxious weeds, the county control authority for the county in which all or a portion of the land owned and leased by the Game and Fish Department is located may upon approval of the commissioner destroy the noxious weeds and be reimbursed for such expenditure by the Game and Fish Department.

This amendment also increases the equipment line item by \$29,700 for a reservoir research and rescue boat and by \$30,000 for additional snow-mobiles and trailers.

This amendment also provides that no more than 10 percent of the private land habitat improvement and deer depredation fund line item may be used for salaries. This section also provides that the balance of the fund be maintained at a minimum of \$100,000 for depredation programs during the months of November through April.

There is also appropriated \$50,000 from the Game and Fish fund to the Legislative Council for a performance review of the Game and Fish Department.

And when so amended, recommends the same do pass.



Rep. James A. Peterson Chairman

Senate Bill No. 2040 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2043, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 4; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

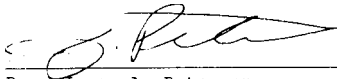
On page 1 of the reengrossed bill, line 6, after the word "governor" insert the words and semicolon "; and to provide an appropriation"

On page 2 of the reengrossed bill, after line 6, insert the following section:

"SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, and from special funds derived from federal funds or other income the sum of \$2,000,000.00 or so much thereof as may be necessary, to the weather modification board for the purposes of carrying out the research and development program under this Act for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Rep. James A. Peterson Chairman

Senate Bill No. 2043 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2046, has had the same under consideration and recommends, by a vote of

Ayes, 19; Nays, 0; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, delete the words "county equalization funds" and insert in lieu thereof the words "school districts"

On page 1, line 9, strike the word "COUNTY"



On page 1, line 10, strike the words "EQUALIZATION FUNDS" and immediately thereafter insert the words "SCHOOL DISTRICTS"

On page 1, line 13, strike the words "county equalization funds" and immediately thereafter insert the words "school districts"

On page 1, line 15, strike the words "equalization fund" and immediately thereafter insert the words "school district"

On page 1, line 17, strike the words "county equalization fund such" and immediately thereafter insert the words "school district the"

On page 2, line 2, strike the words "county equalization fund" and immediately thereafter insert the words "school district"

On page 2, line 4, strike the words "county equalization funds" and immediately thereafter insert the words "school districts"

On page 2, line 6, strike the words "such funds" and immediately thereafter insert the word "them"

On page 2, line 7, strike the words "county equalization"

On page 2, line 8, strike the word "fund" and immediately thereafter insert the words "school district"

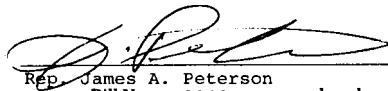
On page 2, line 13, strike the words "equalization fund"

On page 2, line 14, before the semicolon insert the words "school district"

On page 2, line 16, delete the words "equalization fund" and insert in lieu thereof the words "school district"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Senate Bill No. 2046 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2056, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:



Chairman

Rep. James A. Peterson

Senate Bill No. 2056 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2057, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 2; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.  be amended as follows:



Chairman


Rep. James A. Peterson

Senate Bill No. 2057 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2058, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 2; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:



Chairman

Rep. James A. Peterson

Senate Bill No. 2058 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

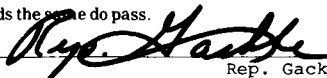
Bill No. 2237, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 5; Absent, 1, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

On page 1, line 19 of the engrossed bill, after the word "company" delete the words "used primarily to provide" and insert in lieu thereof the following: "the only business of which is providing"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Gackle

Senate Bill No. 2237 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate

Bill No. 2252, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.  
 be amended as follows:

On page 2, line 3, delete the word "subsections" and insert in lieu thereof the following: "subsection 1 of section 15-59-01"

On page 2, line 4, delete the following: "1, 3 and 4 of section 15-29-08"

On page 2, line 7, delete the words "under twenty-one years of age"

On page 4, line 19, after the word "board" insert the words "within ten working days of receipt of the proper forms"

On page 7, line 3, after the word "To" insert the words "parents and"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass

\_\_\_\_\_ *Haugland* \_\_\_\_\_ Chairman  
Senate \_\_\_\_\_ Bill No. 2252 Rep. Haugland was placed on the \_\_\_\_\_ 6th.  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2276, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 5; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2, after line 31, of the engrossed bill insert the following new section:

"SECTION 3. LEGISLATIVE INTENT AND GUIDELINES ON IMPACT GRANTS.) The legislative assembly intends that the moneys appropriated by the coal development impact office for grants, benefits and claims are to be used by grantees to meet initial impacts affecting basic governmental services directly necessitated by coal development impact. In developing grant criteria, the director of the coal development impact office shall consider the following guidelines:

1. Basic governmental services include construction of schools and other essential governmental buildings; construction of water, street, and sewer facilities; the hiring and equipping of necessary law enforcement personnel; and similar basic governmental services.
2. Basic governmental services do not include activities relating to marriage or guidance counseling, services or programs to alleviate other sociological impacts, or services or facilities requested to meet secondary impacts.

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass, \_\_\_\_\_

\_\_\_\_\_ *Martinson* \_\_\_\_\_ Chairman  
Senate \_\_\_\_\_ Bill No. 2276 was placed on the \_\_\_\_\_ 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2310, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 5; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. James A. Peterson

Senate

Bill No. 2310

was placed on the 14th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate

Bill No. 2379, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, of the engrossed bill, delete the word "two" and insert in lieu thereof the word "three"

On page 1, line 10, delete the word "Section" and insert in lieu thereof the following: "Subsections 1 and 2 of section"

On page 1, line 11, delete the word "is" and insert in lieu thereof the word "are"

On page 2, line 17, delete the word "Two" and insert in lieu thereof the word "Three"

On page 2, line 31, delete the word "written" and insert in lieu thereof the word "prescribed"

On page 3, after line 16, insert the following new subsection:

"In the case of a prescription for which a maximum allowable cost program for purposes of reimbursement has been established under title XIX of the Federal Social Security Act, the following shall also apply:

a. If the practitioner has signed the appropriate line of a prescription instructing the pharmacist to dispense as written, the words "brand necessary" must also be written on the prescription in the practitioner's own handwriting. The pharmacist may dispense a therapeutically equivalent generic name drug product if this handwritten instruction does not appear on the prescription.

b. If the pharmacist is instructed orally to dispense a brand name drug as prescribed, the pharmacist shall reduce the prescription to writing and shall note the instructions on the file copy of the prescription. The prescription shall then be signed by the practitioner on the appropriate line and the words "brand necessary" must also be written on the prescription in the practitioner's own handwriting."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Senate

Bill No. 2379

Rep. Haugland

was placed on the 6th.

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2384, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 2; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

*Rep. Knudson*

Chairman

Rep. Knudson

Bill No. 2384

was placed on the 14th  
order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Social Services and Veterans Affairs

to whom was referred Senate

Bill No. 2385, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

On page 1, line 3, after the comma, insert the word "and"

On page 1, line 4, delete the comma and words ", regulating  
payment for"

On page 1, delete lines 5 and 6

On page 1, line 7, delete the following words: "by this Act"

On page 1, line 11, delete the word "normal"

On page 1, line 13, delete the word "normal"

On page 1, line 21, after the word "is" insert the word "medically",  
insert a period after the word "necessary", and delete the  
word "to"

On page 1, delete line 22

On page 2, line 2, delete the words and commas "PERFORMANCE,  
REFERRAL, AND"

On page 2, line 6, delete the words "as family planning funds by  
any person, public or"

On page 2, line 7, delete the words and commas "private agency  
which performs, refers, or encourages" and insert in lieu  
thereof the words "to encourage"

On page 2, line 14, delete the words "an abortion necessary to"  
and insert in lieu thereof the words and period "a medically  
necessary abortion."

On page 2, delete line 15

On page 2, line 21, after the word "is" insert the word "medically",  
and delete the words "to prevent the death of the"

On page 2, line 22, delete the word "woman"

On page 2, delete lines 23 through 35

On page 3, delete lines 1 through 27

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

*Haugland* Chairman

Senate \_\_\_\_\_ Bill No. 2385 Rep. Haugland \_\_\_\_\_ was placed on the \_\_\_\_\_ 6th. \_\_\_\_\_  
 order of business on the calendar for the succeeding legislative day.

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on Education

to whom was referred Senate Bill No. 2439, has had the same under consideration and recommends that the same

- do pass.                       do not pass.                       be placed on calendar without recommendation.  
 be amended as follows:

On page 1 of the reengrossed bill, line 5, delete the words "to provide that a portion of foundation"

On page 1 of the reengrossed bill, delete line 6

On page 1 of the reengrossed bill, line 7, delete the word and comma "distributions,"

On page 1 of the reengrossed bill, line 12, after the first comma insert the following: "15-40.1-07, 15-40.1-08,"

On page 1 of the reengrossed bill, line 14, after the comma insert the following: "enrollment periods used in determining per-pupil foundation program payments for school districts,"

On page 1 of the reengrossed bill, line 15, after the semicolon insert the following: "to provide an appropriation for kindergarten aid and to appropriate moneys in the state tuition fund;"

On page 2 of the reengrossed bill, delete lines 19 through 30

On page 4 of the reengrossed bill, line 24, delete the words "fifty-seven"

On page 4 of the reengrossed bill, line 26, delete the words "one thousand" and insert in lieu thereof the words "nine hundred fifty"

On page 4 of the reengrossed bill, line 27, delete the words "twenty-seven", and delete the words "and fifty cents"

On page 5 of the reengrossed bill, line 20, delete the words "by the board of" and insert in lieu thereof the words "of oil and gas bonus payments received for the most recent quarter pursuant to section 2 of this Act"

On page 5 of the reengrossed bill, delete line 21

On page 5 of the reengrossed bill, line 22, delete the words "public schools"

On page 5 of the reengrossed bill, after line 22, insert the following sections:

"SECTION 7. AMENDMENT.) Section 15-40.1-07 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-07. HIGH SCHOOL PER-PUPIL PAYMENTS - AMOUNT - PROPORTIONATE PAYMENTS.) There shall be paid each year from the county equalization fund to all school

districts operating high schools, to school districts contracting to educate high school pupils in a federal school, subject to adjustment as provided in section 15-40.1-09, payments as follows:

1. For high schools having under seventy-five pupils in average daily membership, the amount of money resulting from multiplying the factor 1.70 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
2. For high schools having seventy-five or more, but less than one hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.40 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
3. For high schools having one hundred fifty or more, but less than five hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.32 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
4. For high schools having a total high school enrollment of five hundred fifty or more pupils in average daily membership, the amount of money resulting from multiplying the factor 1.20 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

Every high school district shall receive at least as much in total payments as it would have received if it had the highest number of pupils in the next lower category. No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district in for the previous three school year years. However, no payment shall be made for those pupils for whom federal agencies provide education. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses. School districts offering high school summer school programs shall be eligible for proportionate payments provided each course offered in such programs satisfies requirements for graduation and comprises at least as many clock hours as courses offered during the regular school term.

Districts that did not maintain high schools during the year of 1964-1965 shall not be eligible for payments unless they have a minimum enrollment of twenty-five

pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state.

SECTION 8. AMENDMENT.) Section 15-40.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-08. ELEMENTARY PER-PUPIL PAYMENTS - AMOUNT.) There shall be paid out of the county equalization fund to school districts of the county operating elementary schools and to school districts contracting to educate elementary pupils in a federal school, employing teachers holding valid certificates or permits, payments based on the number of registered students at the beginning of each school year, adjusted as provided in section 15-40.1-09, as follows:

1. For one-room rural schools there shall be paid that amount of money resulting from multiplying the factor 1.30 times the educational support per pupil as provided in section 15-40.1-06 for each of the first sixteen pupils in grades one through eight in average daily membership, and for each additional pupil in grades one through eight in daily membership there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty pupils in average daily membership.
2. For elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first twenty pupils in grades one through six in average daily membership in each classroom or for each teacher and for each additional pupil in grades one through six in average daily membership in each classroom or for each teacher there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.
3. For elementary schools having one hundred or more pupils in average daily membership, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .9 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.



4. For elementary schools in school districts having an average daily membership of one thousand or more elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .95 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
5. For each of the above classes of elementary schools, except for one-room rural schools, there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades seven and eight in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
6. For elementary schools having pupils under the compulsory age for school attendance, but not less than three years of age, in a special education program approved by the director of special education, there shall be paid that amount of money resulting from multiplying the factor .49 times the educational support per pupil as provided in section 15-40.1-06 for each special education pupil under the compulsory age for school attendance in average daily membership in each classroom or for each teacher.

No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~in~~ for the previous three school year years. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state."

On page 6 of the reengrossed bill, after line 25, insert the following sections:

"SECTION 11. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000.00, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing aid to school districts which provide kindergartens during the 1980-81 school year and which are established pursuant to the provisions of chapter 15-45. Payments made pursuant to this section shall be made on a per-pupil basis prorated under guidelines established by the superintendent of public instruction based upon the average daily memberships for eligible kindergartens as certified by the school districts. Such certifications shall be made to the superintendent of public instruction on or before June 1, 1981, and the superintendent of public instruction shall certify to the department of accounts and purchases the amounts to be paid to the school districts on or before June 30, 1981.

SECTION 12. APPROPRIATION.) There is hereby appropriated out of any moneys in the state tuition fund in the state treasury, not otherwise appropriated, the sum of \$16,500,000.00, or so much thereof as is or may become available, to the public schools of this state as provided in section 154 of the Constitution of the state of North Dakota and chapter 15-44, for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass., but be re-referred to the Committee on Appropriations.

Rep. Knudson	<i>Rep. Knudson</i>	<i>Rep. Lullian</i>
Rep. G. Larson	<i>Rep. G. Larson</i>	<i>Rep. Leibhan</i>
Rep. Dick	<i>Rep. Dick</i>	<i>Rep. Mattson</i>
Rep. Erickson	<i>Rep. Erickson</i>	<i>Rep. Olson</i>
Rep. H. Larson	<i>Rep. H. Larson</i>	<i>Rep. Schindler</i>
		<i>Rep. Swiontek</i>

*Rep. Knudson* Chairman  
Rep. Knudson

Mr. Speaker: A Minority of your Committee on Education

to whom was referred Senate Bill No. 2439, has had the same under consideration and recommends that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1 of the reengrossed bill, line 1, delete the words "covering any" and insert in lieu thereof the word "concerning"
- On page 1 of the reengrossed bill, line 2, delete the words "appropriation for"
- On page 1 of the reengrossed bill, line 5, after the word "schools" insert the words "for textbooks", and delete the words "to provide that a portion of foundation"
- On page 1 of the reengrossed bill, delete line 6
- On page 1 of the reengrossed bill, line 7, delete the word and comma "distributions,"
- On page 1 of the reengrossed bill, line 12, after the first comma insert the following: "15-40.1-07, 15-40.1-08,"
- On page 1 of the reengrossed bill, line 14, after the comma insert the following: "enrollment periods used in determining per-pupil foundation program payments for school districts,"
- On page 1 of the reengrossed bill, line 15, after the semicolon insert the following: "to provide an appropriation for kindergarten aid and to appropriate moneys in the state tuition fund;"
- On page 1 of the reengrossed bill, line 19, after the word "INTENT" insert the words "REGARDING TEXTBOOKS"
- On page 1 of the reengrossed bill, line 20, delete the words "funds appropriated to the" and insert in lieu thereof the following: "oil and gas bonus payments distributed pursuant to section 2 of this Act"
- On page 1 of the reengrossed bill, delete lines 21 and 22

On page 2 of the reengrossed bill, line 1, delete the words "North Dakota" and delete the words "on a per-pupil basis"

On page 2 of the reengrossed bill, line 2, delete the words "foundation aid program" and insert in lieu thereof the words "state tuition fund", and after the period insert the following: "Notwithstanding the provisions of section 15-44-08, such funds shall be used specifically for the purpose of providing free textbooks to the public school students of North Dakota."

On page 2 of the reengrossed bill, line 7, delete the words "for their maintenance and"

On page 2 of the reengrossed bill, line 8, delete the word "support"

On page 2 of the reengrossed bill, delete lines 19 through 30

On page 4 of the reengrossed bill, line 24, delete the words "fifty-seven"

On page 4 of the reengrossed bill, line 26, delete the words "one thousand" and insert in lieu thereof the words "nine hundred sixty"

On page 4 of the reengrossed bill, line 27, delete the words "twenty-seven", and delete the words "and fifty cents"

On page 5 of the reengrossed bill, delete lines 19 through 22

On page 5 of the reengrossed bill, after line 22, insert the following sections:

"SECTION 7. AMENDMENT.) Section 15-40.1-07 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-07. HIGH SCHOOL PER-PUPIL PAYMENTS - AMOUNT - PROPORTIONATE PAYMENTS.) There shall be paid each year from the county equalization fund to all school districts operating high schools, to school districts contracting to educate high school pupils in a federal school, subject to adjustment as provided in section 15-40.1-09, payments as follows:

1. For high schools having under seventy-five pupils in average daily membership, the amount of money resulting from multiplying the factor 1.70 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
2. For high schools having seventy-five or more, but less than one hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.40 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
3. For high schools having one hundred fifty or more, but less than five hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.32 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

4. For high schools having a total high school enrollment of five hundred fifty or more pupils in average daily membership, the amount of money resulting from multiplying the factor 1.20 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

Every high school district shall receive at least as much in total payments as it would have received if it had the highest number of pupils in the next lower category. No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~in~~ for the previous three school year years. However, no payment shall be made for those pupils for whom federal agencies provide education. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses. School districts offering high school summer school programs shall be eligible for proportionate payments provided each course offered in such programs satisfies requirements for graduation and comprises at least as many clock hours as courses offered during the regular school term.

Districts that did not maintain high schools during the year of 1964-1965 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state.

SECTION 8. AMENDMENT.) Section 15-40.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-08. ELEMENTARY PER-PUPIL PAYMENTS - AMOUNT.) There shall be paid out of the county equalization fund to school districts of the county operating elementary schools and to school districts contracting to educate elementary pupils in a federal school, employing teachers holding valid certificates or permits, payments based on the number of registered students at the beginning of each school year, adjusted as provided in section 15-40.1-09, as follows:

1. For one-room rural schools there shall be paid that amount of money resulting from multiplying

the factor 1.30 times the educational support per pupil as provided in section 15-40.1-06 for each of the first sixteen pupils in grades one through eight in average daily membership, and for each additional pupil in grades one through eight in daily membership there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty pupils in average daily membership.

2. For elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first twenty pupils in grades one through six in average daily membership in each classroom or for each teacher and for each additional pupil in grades one through six in average daily membership in each classroom or for each teacher there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.
3. For elementary schools having one hundred or more pupils in average daily membership, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .9 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
4. For elementary schools in school districts having an average daily membership of one thousand or more elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .95 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
5. For each of the above classes of elementary schools, except for one-room rural schools, there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades seven and eight in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
6. For elementary schools having pupils under the compulsory age for school attendance, but not

less than three years of age, in a special education program approved by the director of special education, there shall be paid that amount of money resulting from multiplying the factor .49 times the educational support per pupil as provided in section 15-40.1-06 for each special education pupil under the compulsory age for school attendance in average daily membership in each classroom or for each teacher.

No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~in~~ for the previous three school year years. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state."

On page 6 of the reengrossed bill, after line 25, insert the following sections:

"SECTION 11. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000.00, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing aid to school districts which provide kindergartens during the 1980-81 school year and which are established pursuant to the provisions of chapter 15-45. Payments made pursuant to this section shall be made on a per-pupil basis prorated under guidelines established by the superintendent of public instruction based upon the average daily memberships for eligible kindergartens as certified by the school districts. Such certifications shall be made to the superintendent of public instruction on or before June 1, 1981, and the superintendent of public instruction shall certify to the department of accounts and purchases the amounts to be paid to the school districts on or before June 30, 1981.

SECTION 12. APPROPRIATION.) There is hereby appropriated out of any moneys in the state tuition fund in the state treasury, not otherwise appropriated, the sum of \$16,500,000.00, or so much thereof as is or may become available, to the public schools of this state as provided in section 154 of the Constitution of the state of North Dakota, chapter 15-44, and this Act for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass, but be re-referred to the Committee on Appropriations.

*L. E. Berger*  
 Rep. Berger  
*R. Black*  
 Rep. Black  
*H. Hooper*  
 Rep. Hooper  
*R. I. Jacobson*  
 Rep. Jacobson  
*R. Meyer*  
 Rep. Meyer

*Larry E. Tinjum*  
 Rep. Tinjum

  
Rep. Knudson

Chairman

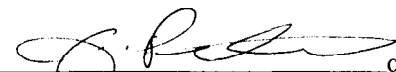
The Report of the Majority and the report of the Minority with Senate Bill No. 2439 were placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2450, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 8; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

  
Rep. James A. Peterson  
Chairman

Senate Bill No. 2450 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation to whom was referred Senate

Bill No. 2484, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1 of the engrossed bill, after the word "Act" insert the following: "to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to itemizing of deductions:"

On page 1, after line 7, insert the following new section:  
"SECTION 1.) A new section to chapter 57-38 of the North Dakota Century Code is hereby created and enacted to read as follows:

Any individual taxpayer filing a North Dakota income tax return pursuant to the provisions of this chapter may itemize deductions in lieu of taking a standard deduction even though a standard deduction was used in determining federal taxable income; provided that married persons filing separately for state income tax purposes must both either itemize or take the standard deduction. This provision of law is effective for taxable years beginning on or after January 1, 1979."

On page 1, line 20, after the comma, insert the following:  
"deductions for capital gains,"

On page 2, line 15, after the word "Act" and before the comma insert the following: "for the carryover basis rules for property acquired from decedents dying after December 31, 1976"

On page 2, line 18, delete the word "This" and insert in lieu thereof the words "The provisions of this" and after the word "Act" insert the following: "relating to the carryover

basis rules for property acquired from decedents dying after December 31, 1976,"

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.

*Rep. Gackle*

Chairman

Senate

Bill No. 2484

Rep. Gackle

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Social Services and Veterans Affairs to whom was referred Senate Concurrent Resolution

No. 4015, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete the words "making application to" and insert in lieu thereof the word "requesting"

On page 1, line 2, delete the words "call a convention for the purpose of"

On page 1, line 3, delete the words and commas "considering, drafting, and proposing" and insert in lieu thereof the word "propose"

On page 1, line 4, after the word "States" insert the words "for ratification by the states"

On page 2, line 2, delete the words "makes application to" and insert in lieu thereof the word "requests"

On page 2, line 3, delete the comma and words ", pursuant to Article V of the Constitution of the"

On page 2, delete line 4

On page 2, line 5, delete the words and commas "purpose of considering, drafting, and proposing" and insert in lieu thereof the words "to propose"

On page 2, line 6, after the word "States" insert the words "for ratification by the states"

On page 2, delete lines 12 through 19

On page 2, line 21, after the word "the" insert the words "North Dakota Congressional Delegation, the"

On page 2, line 23, delete the words "legislatures of" and insert in lieu thereof the words "President of the United States."

On page 2, delete line 24

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

*Haugland*

Chairman

Senate Concurrent Resolution

No. 4015

Rep. Haugland

was placed on the 6th

order of business on the calendar for the succeeding legislative day.



Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p.m., Monday, March 19, 1979.

ROY GILBREATH, Chief Clerk

FIFTY-THIRD DAY

Bismarck, March 19, 1979

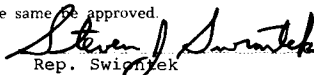
The House convened at 12:30 p.m., with Speaker Wagner presiding. The prayer was offered by Rev. Alwin Reimnitz, Zion Lutheran Church, Bismarck, North Dakota. The roll was called, and all members were present except Reps. Gerl, Hove, Lang, Lee, Lipsiea, Meyer, Retzer, Strinden, Timm and Wessman. A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-second

day and recommends that the same be corrected as follows:  
 On page 1776, line 9, delete "2011 and 2012" and insert in lieu thereof "1747 and 1748"; and in line 28, delete "17555" and insert in lieu thereof "1755".  
 On page 1788, line 42, following the word "bill," insert "as amended"  
 On page 1789, line 47, following the word "bill," insert "as amended"

And when so corrected recommends that the same be approved.

  
 Rep. Swigonek, Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2110:

- Rep. Vander Vorst
- Rep. Wald
- Rep. Langley

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2031
- Senate Bill No. 2035
- Senate Bill No. 2036
- Senate Bill No. 2084

Senate Bill No. 2131  
 Senate Bill No. 2186  
 Senate Bill No. 2206  
 Senate Bill No. 2249  
 Senate Bill No. 2357

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2047  
 Senate Bill No. 2130  
 Senate Bill No. 2306  
 Senate Bill No. 2327  
 Senate Bill No. 2371  
 Senate Bill No. 2446  
 Senate Bill No. 2454  
 Senate Bill No. 2478  
 Senate Concurrent Resolution No. 4010  
 Senate Concurrent Resolution No. 4065  
 Senate Concurrent Resolution No. 4068  
 Senate Concurrent Resolution No. 4069

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2311  
 Senate Bill No. 2355  
 Senate Bill No. 2428  
 Senate Bill No. 2444

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1063  
 House Bill No. 1239  
 House Bill No. 1388  
 House Bill No. 1430  
 House Bill No. 1485  
 House Bill No. 1502  
 House Bill No. 1564  
 House Bill No. 1576  
 House Bill No. 1617  
 House Bill No. 1620  
 House Bill No. 1648  
 House Concurrent Resolution No. 3020  
 House Concurrent Resolution No. 3023  
 House Concurrent Resolution No. 3031  
 House Memorial Resolution No. A

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1063  
 House Bill No. 1239

House Bill No. 1388  
House Bill No. 1430  
House Bill No. 1485  
House Bill No. 1502  
House Bill No. 1564  
House Bill No. 1576  
House Bill No. 1617  
House Bill No. 1620  
House Bill No. 1648  
House Concurrent Resolution No. 3020  
House Concurrent Resolution No. 3023  
House Concurrent Resolution No. 3031

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to Sign:

Senate Bill No. 2064  
Senate Bill No. 2096  
Senate Bill No. 2273  
Senate Bill No. 2300  
Senate Bill No. 2321  
Senate Bill No. 2338  
Senate Bill No. 2386  
Senate Bill No. 2449  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4034  
Senate Concurrent Resolution No. 4045  
Senate Concurrent Resolution No. 4053  
Senate Concurrent Resolution No. 4055  
Senate Concurrent Resolution No. 4067  
Senate Concurrent Resolution No. 4079

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2064  
Senate Bill No. 2096  
Senate Bill No. 2273  
Senate Bill No. 2300  
Senate Bill No. 2321  
Senate Bill No. 2338  
Senate Bill No. 2386  
Senate Bill No. 2449  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4034  
Senate Concurrent Resolution No. 4045  
Senate Concurrent Resolution No. 4053  
Senate Concurrent Resolution No. 4055  
Senate Concurrent Resolution No. 4067  
Senate Concurrent Resolution No. 4079

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

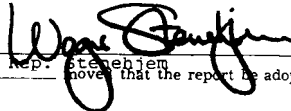
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1076	HCR NO. 3038
HB NO. 1096	HCR NO. 3044
HB NO. 1117	HCR NO. 3051
HB NO. 1262	HCR NO. 3054
HB NO. 1268	HCR NO. 3058
HB NO. 1293	HCR NO. 3060
HB NO. 1335	HCR NO. 3068
HB NO. 1368	HCR NO. 3078
HB NO. 1377	HCR NO. 3082
HB NO. 1378	HCR NO. 3089
HB NO. 1380	
HB NO. 1398	
HB NO. 1400	
HB NO. 1450	
HB NO. 1461	
HB NO. 1471	
HB NO. 1506	
HB NO. 1544	
HB NO. 1566	
HB NO. 1571	
HB NO. 1637	
HB NO. 1681	
HCR NO. 3027	
HCR NO. 3028	

and find the same correctly

} Enrolled

Representative Dietz  
motion prevailed, and the report was adopted.


  
 Rep. Wayne Stangor Chairman  
 moves that the report be adopted, which

### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1076  
 House Bill No. 1096  
 House Bill No. 1117  
 House Bill No. 1262  
 House Bill No. 1268  
 House Bill No. 1293  
 House Bill No. 1335  
 House Bill No. 1368  
 House Bill No. 1377  
 House Bill No. 1378  
 House Bill No 1380

House Bill No. 1398  
House Bill No. 1400  
House Bill No. 1450  
House Bill No. 1461  
House Bill No. 1471  
House Bill No. 1506  
House Bill No. 1544  
House Bill No. 1566  
House Bill No. 1571  
House Bill No. 1637  
House Bill No. 1681  
House Concurrent Resolution No. 3027  
House Concurrent Resolution No. 3028  
House Concurrent Resolution No. 3038  
House Concurrent Resolution No. 3044  
House Concurrent Resolution No. 3051  
House Concurrent Resolution No. 3054  
House Concurrent Resolution No. 3058  
House Concurrent Resolution No. 3060  
House Concurrent Resolution No. 3068  
House Concurrent Resolution No. 3078  
House Concurrent Resolution No. 3082  
House Concurrent Resolution No. 3089

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1076  
House Bill No. 1096  
House Bill No. 1117  
House Bill No. 1262  
House Bill No. 1268  
House Bill No. 1293  
House Bill No. 1335  
House Bill No. 1368  
House Bill No. 1377  
House Bill No. 1378  
House Bill No. 1380  
House Bill No. 1398  
House Bill No. 1400  
House Bill No. 1450  
House Bill No. 1461  
House Bill No. 1471  
House Bill No. 1506  
House Bill No. 1544  
House Bill No. 1566  
House Bill No. 1571  
House Bill No. 1637  
House Bill No. 1681  
House Concurrent Resolution No. 3027  
House Concurrent Resolution No. 3028  
House Concurrent Resolution No. 3038  
House Concurrent Resolution No. 3044  
House Concurrent Resolution No. 3051

- House Concurrent Resolution No. 3054
- House Concurrent Resolution No. 3058
- House Concurrent Resolution No. 3060
- House Concurrent Resolution No. 3068
- House Concurrent Resolution No. 3078
- House Concurrent Resolution No. 3082
- House Concurrent Resolution No. 3089

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

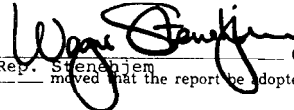
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1694

HCR NO. 3088

and find the same correctly } Engrossed

 Chairman  
 Rep. Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

Representative Dietz

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1491 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1604 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

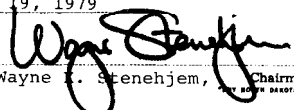
Mr. Speaker:

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1491 and House Bill No. 1604 which  
have failed to pass the House of Representatives  
over the Governor's veto, also a copy of the  
Governor's objections as well as the certificates  
of the presiding officers of the House of  
Representatives as to the final action of that  
body with reference to the passage of these bills,

were delivered to the { Governor Secretary of State } ~~XXXXXX~~ approved at the hour of

10:17 o'clock A.M. March 19, 1979

 Chairman.  
 Rep. Wayne I. Stenehjem, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

H. Mem. Res. #A

..... was delivered to the } ~~SECRET~~ Secretary of State ~~FOR HIS APPROVAL~~ at the hour of 10:52 o'clock a.m., March 19, 1979

*W. Stenohjien*  
Rep. Stenohjien Chairman  
"SEE ME AT THE PRODUCTS"

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1217 has had the same under

consideration and recommends:

That the House accede to the Senate amendments and that HB 1217 be further amended as follows:

In the Senate amendments to HB 1217, as printed on page 1149 of the Senate Journal, that line of amendment which reads "On page 1, delete lines 18-22" delete the numeral "18" and insert in lieu thereof the numeral "19"

And renumber the lines and pages accordingly

For the Senate

For the House

Sen. Roen  
Sen. Albers  
Sen. Rait  
Rep. Martinson

Rep. Martinson  
Rep. Herman  
Rep. Pomeroy

..... moved that the report be adopted, which motion prevailed.

House Bill No. 1217 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1222 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that HB 1222 be amended as follows:

On page 1, of the engrossed bill line 18 after the period insert the following: "Only land within or immediately adjacent to already existing state park land under the control of the director of state parks shall be subject to condemnation. Condemnation proceedings shall be instituted only upon express approval by the emergency commission."

And renumber the lines and pages accordingly

For the Senate

For the House

Sen. Nelson  
Sen. Roen  
Sen. Krauter

Rep. Wessman  
Rep. Crabtree  
Rep. Tirjum



Rep. Wessman *Wessman* moved that the report be adopted, which motion prevailed.  
 House Bill No. 1222 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker : Your Conference Committee to whom was referred House Bill No. 1507 has had the same under consideration and recommends:

That the House accede to the Senate amendments and that House Bill 1507 be further amended as follows:

In the Senate amendments to House Bill 1507, as printed on page 1156 of the Senate Journal, before the words "unless the activities are held in a publicly owned facility" insert the following: "1"

And renumber the lines accordingly

For the Senate	For the House
Sen. Lee <i>Lee</i>	Rep. Lipsiea <i>Lipsiea</i>
Sen. Wright <i>Wright</i>	Rep. Martin <i>Martin</i>
Sen. Barth <i>Barth</i>	Rep. Berg <i>Berg</i>

Representative Lipsiea moved that the report be adopted, which motion prevailed.

House Bill No. 1507 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

MOTIONS

Rep. Peterson moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2040, which motion prevailed.

Rep. Peterson moved that Senate Bill No. 2040 be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGE FROM THE SENATE  
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on: Senate Bill No. 2485.

LEO LEIDHOLM, Secretary  
 ANNOUNCEMENT

It was announced that the House Committee on State and Federal Government had been excused for a committee meeting.

MOTIONS

Rep. Knudson moved that Senate Bill No. 2227 be laid over one legislative day, which motion prevailed.

Rep. Martin moved that Senate Bill No. 2310 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Rep. Strinden moved that House Concurrent Resolution No. 3084 be returned to the House from the Committee on Appropriations, for the purpose of withdrawal, which motion prevailed.

Rep. Strinden requested permission to withdraw House Concurrent

Resolution No. 3084. There being no objection, it was so ordered by the Speaker.

Rep. Strinden moved that that portion of House Rule No. 45 pertaining to the deadline by which all Senate Bills and Resolutions must be reported back to the House from committee be suspended, and that that date be extended from the 53rd day, March 19, 1979, to noon on the 54th day, March 20, 1979, which motion prevailed.

FIRST READING OF HOUSE  
CONCURRENT RESOLUTION

Rep. Peltier introduced:

**House Concurrent Resolution No. 3093.** — A concurrent resolution congratulating Robert G. Thompson on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees.

Which was read the first time.

Rep. Kretschmar moved that the rules be suspended, that House Concurrent Resolution No. 3093 not be referred to committee, not printed as a bill but printed in the Journal, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION No. 3093

Introduced by: Rep. Peltier (Approved by the Committee on Delayed Bills)

A concurrent resolution congratulating Robert G. Thompson on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees.

WHEREAS, he began farming in partnership with his brothers after earning his master's degree in agricultural economics and math from North Dakota State University and now farms 2,957 acres, sunflowers and corn being his primary crops; and

WHEREAS, pivotal irrigation systems, a crop expansion program, and conservation practices highlight his farm; and

WHEREAS, he was one of four men chosen from a field of 43 state winners and was honored at the 23rd Annual Outstanding Young Farmers Awards Congress, February 25, 1979, in Burlington, Vermont;

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

That the Forty-sixth Legislative Assembly of the State of North Dakota extends its very sincere and hearty congratulations to Robert G. Thompson, Page, North Dakota, on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to Robert G. Thompson and to the Page Jaycees.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3093.** — A concurrent resolution congratulating Robert G. Thompson on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

FIRST READING OF SENATE BILLS

**Senate Bill No. 2485.** — A Bill for an Act to create and enact chapter 61-24.1 of the North Dakota Century Code, creating the Garrison

diversion mitigation and enhancement lands commission and setting forth the powers and duties thereof.

Which was read the first time and referred to the Committee on Natural Resources.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 15, 1979, I signed the following House Bills:

House Bill No. 1035  
House Bill No. 1037  
House Bill No. 1126  
House Bill No. 1156  
House Bill No. 1190  
House Bill No. 1202  
House Bill No. 1250  
House Bill No. 1261  
House Bill No. 1275  
House Bill No. 1305  
House Bill No. 1309  
House Bill No. 1322  
House Bill No. 1346  
House Bill No. 1374  
House Bill No. 1379  
House Bill No. 1446  
House Bill No. 1457  
House Bill No. 1458  
House Bill No. 1462  
House Bill No. 1473  
House Bill No. 1477  
House Bill No. 1494  
House Bill No. 1505  
House Bill No. 1509  
House Bill No. 1510  
House Bill No. 1529  
House Bill No. 1545  
House Bill No. 1578  
House Bill No. 1582  
House Bill No. 1590  
House Bill No. 1610  
House Bill No. 1675.

Sincerely yours,  
ARTHUR A. LINK  
Governor

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers

Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 18, 1979, I signed the following House Bills:

House Bill No. 1092

House Bill No. 1104

House Bill No. 1169

House Bill No. 1200

House Bill No. 1236

House Bill No. 1254

House Bill No. 1312

House Bill No. 1412

House Bill No. 1479

House Bill No. 1481

House Bill No. 1500

House Bill No. 1585

Sincerely yours,  
ARTHUR A. LINK  
Governor

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner

Speaker of the House

House Chambers

Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1192 restricts the authority of game wardens to enter buildings without a search warrant. Present law gives game wardens the authority to enter buildings without a search warrant when the warden has reason to believe that game or fish or green furs are present in the building that have been taken as the result of some illegal activity. (Section 20.1-02-15, N.D.C.C.) The law does not give game wardens the authority to enter dwelling houses without a warrant, nor would this bill have any effect on that Fourth Amendment safeguard. However, House Bill 1192 will restrict the game warden's authority to search buildings and will make a game warden's job more difficult.

A peace officer presently has the authority to enter a building if there is danger of evidence being removed or destroyed. The change in the law proposed in House Bill 1192 could be interpreted in a manner that will require game wardens to obtain a search warrant even if there is immediate danger of evidence being removed or destroyed. House Bill 1192 does not grant any exceptions to the warrant requirement, but simply states that the right to enter and search without a warrant shall not apply to buildings. Abandoned buildings used by poachers to hide game will be impossible to enter without a search warrant or permission of the owner or person in charge of the premises.

If, for example, a game warden was aware of contraband such as an illegally taken deer stored in an abandoned barn, granary, or school house, he would not be allowed to enter such a building without first obtaining a search warrant or finding the owner of the building to obtain permission. The evidence could easily be removed while the warden is obtaining a warrant or permission.

State laws cannot give game wardens the authority to violate citizen rights by performing illegal searches. All game wardens must comply

with the Fourth Amendment requirements for search and seizure, as must all peace officers. House Bill 1192, however, unnecessarily restricts game wardens more than other peace officers. For this reason, it should not be permitted to become law.

Therefore, I veto House Bill 1192.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that House Bill No. 1192 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1192 be laid over one legislative day, which motion prevailed.

#### STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1487 would amend the North Dakota Century Code to add "construction work in progress" to the value of property for rate-making purposes. The law now says the rate base is determined from the money "honestly and prudently invested, less accrued depreciation."

Arguments can be made for the concept of "Construction Work In Progress" (CWIP). The most convincing argument for it is that if CWIP is allowed in the rate base, the utility can avoid one large, sudden rate increase occurring when the plant is placed in service.

However, I believe the disadvantages of adding CWIP to the rate base through mandatory language in a statute far outweigh any possible benefits. The primary disadvantages are:

1. The consumer is assuming a stockholder expense.
2. Higher initial rates are passed on to the consumer.
3. Consumers' dollars are worth more to consumers today, due to inflation, and future dollars will be worth less. This is particularly true for low and moderate income families and those on fixed incomes.
4. Elderly citizens should not be forced to pay more for electricity in order to finance future developments they may never have the opportunity to use. We should also take note of people who have to move because of changes in jobs who will not be able to take advantage of all of the benefits of future construction.

I recognize that the cost of power plant construction has escalated in recent years, but I fear that there will be less incentive for public utilities to control costs when they know that the consumer will be paying these costs years and years before the same consumer gets his or her first kilowatt of electricity from the project.

At the present time the Public Service Commission is able, through administrative policies, to significantly ease the economic burden that inflation has placed on utilities. For example, the Public Service Commission has, through administrative decisions, allowed utilities to pass on directly the increased costs of fuel to consumers each month. The Commission has, through its policies, permitted the interest on funds used

during construction to be added to the rate base. Recently the Public Service Commission adopted the policy of permitting utilities to increase their rates based on "forward test years." When a utility files a rate increase, it projects a forward test year which is used as a base for estimating costs and revenues. This gives a much more reasonable picture of inflation and its effect on utilities earnings.

I believe that the present administrative policies of the Public Service Commission provide more than adequate protection of the economic interests of the utilities.

Therefore, I veto House Bill 1487.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that House Bill No. 1487 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1487 be laid over one legislative day, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2001 as recommended by the Committee on Appropriations as printed on pages 1796, 1797, 1798, and 1799 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2008 as recommended by the Committee on Appropriations as printed on pages 1799 and 1800 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2009 as recommended by the Committee on Appropriations as printed on pages 1800 and 1801 of the House Journal be adopted, which motion prevailed, on a verification vote.

Rep. Peterson moved that the amendments to Senate Bill No. 2013 as recommended by the Committee on Appropriations as printed on pages 1801, 1802 and 1803 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2023 as recommended by the Committee on Appropriations as printed on page 1803 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2043 as recommended by the Committee on Appropriations as printed on page 1805 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2046 as recommended by the Committee on Appropriations as printed on pages 1805 and 1806 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2237 as recommended by the Committee on Finance and Taxation as printed on page 1807 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to Senate Bill No. 2252 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1807 and 1808 of the House Journal be adopted, which motion prevailed.

#### MOTIONS

Rep. Strinden moved that Senate Bill No. 2276 be laid over one legislative day, which motion prevailed.

MOTION

Rep. Erickson moved that the rules be suspended, and the amended Committee Report on Senate Bill No. 2350 as read by the Chief Clerk as follows be substituted for the Committee Report accepted as printed on pages 1756 and 1757, which motion prevailed.

AMENDED REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Transportation

to whom was referred Senate

Bill No. 2350, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 1 after the word "to" insert the following: "create and enact a new subsection to section 39-06.1-06 and a new section to chapter 39-09 of the North Dakota Century Code, relating to fines assessed for violation of speed limits, and limitations on the reduction of speed zone speed limits; and to"

On page 1, after line 6 insert the following sections: "SECTION 1.) A new subsection to section 39-06.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

For a violation of section 39-09-02, or an equivalent ordinance, which violation involves speed limits less than fifty-five miles per hour, the penalty shall be a fee as follows:

- a. From one to five miles per hour in excess of the lawful limit, a fee in the amount of five dollars.
b. From six to ten miles per hour in excess of the lawful speed limit, a fee in the amount of ten dollars.
c. From eleven to twenty-five miles per hour in excess of the lawful speed limit, a fee in the amount of ten dollars, plus an additional fee in the amount of one dollar for each mile per hour above ten miles per hour in excess of the lawful speed limit.
d. Twenty-six or more miles per hour in excess of the lawful speed limit, a fee in the amount of thirty dollars, plus an additional fee in the amount of two dollars for each mile per hour above twenty-five miles per hour in excess of the lawful speed limit.

SECTION 2.) A new section to chapter 39-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

SPEED ZONES - REDUCTION LIMITATION.) No street, road, or highway in the state highway system or any other township, county, or state road or highway shall be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles per hour between any two signs so posted in a speed zone."

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass

Rep. Erickson Chairman

Senate Bill No. 2350 was placed on the 6th order of business on the calendar for the succeeding legislative day.

## SIXTH ORDER OF BUSINESS

Rep. Erickson moved that the amendments to Senate Bill No. 2350 as recommended by the Committee on Transportation as read by the Chief Clerk be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to Senate Bill No. 2379 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1809 of the House Journal be adopted, which motion prevailed.

## MOTION

Rep. Strinden moved that Senate Bill No. 2439 be laid over one legislative day, which motion prevailed.

## SIXTH ORDER OF BUSINESS

Rep. Haugland moved that the amendments to Senate Bill No. 2385 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1810 of the House Journal be adopted, which motion failed on a verification vote.

Rep. Nicholas moved that the amendments to Senate Bill No. 2443 as recommended by the Committee on Agriculture as printed on pages 1761, 1762 and 1763 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2484 as recommended by the Committee on Finance and Taxation as printed on pages 1820 and 1821 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to Senate Concurrent Resolution No. 4015 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1821 of the House Journal be adopted, which motion prevailed.

## MESSAGE FROM THE SENATE

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1001  
 House Bill No. 1036  
 House Bill No. 1046  
 House Bill No. 1067  
 House Bill No. 1138  
 House Bill No. 1252  
 House Bill No. 1257  
 House Bill No. 1302  
 House Bill No. 1306  
 House Bill No. 1357  
 House Bill No. 1397  
 House Bill No. 1402  
 House Bill No. 1475  
 House Bill No. 1559  
 House Bill No. 1657  
 House Bill No. 1669

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1001

- On page 1 of the engrossed bill, line 22, delete the numerals "2,342,881" and insert in lieu thereof the numerals "2,341,121"
- On page 2 of the engrossed bill, line 1, delete the numerals "5,820" and insert in lieu thereof the numerals "7,580"
- On page 2 of the engrossed bill, line 3, delete the numerals "60.00" and insert in lieu thereof the numerals "70.00"



On page 2 of the engrossed bill, line 7, after the word "sessions" insert the following: "beginning January 1, 1979, notwithstanding subdivision 1 of section 3 of chapter 27 of the 1977 Session Laws"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment transfers \$1,760 from the fees and services line item of the 46th and 47th Legislative Assemblies budget to the line item for the expense allowance of the Lieutenant Governor to pay the increased expense allowance from \$60 to \$70 per day for the Lieutenant Governor for the 46th and 47th Legislative Assemblies.

AMENDMENTS TO HOUSE BILL NO. 1036

On page 2 of the engrossed bill, line 1, delete the numerals "164,342" and insert in lieu thereof the numerals "174,283"

On page 2 of the engrossed bill, line 6, delete the numerals "196,495" and insert in lieu thereof the numerals "206,436"

On page 2 of the engrossed bill, line 7, delete the numerals "23,690,133" and insert in lieu thereof the numerals "23,700,074"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the OASIS and Social Security Division are increased by \$9,941 by adding \$6,733 to provide adequate funds for 6.5 percent annual increase and adequate fringe benefits including family medical insurance and by adding \$3,208 to upgrade the salaries of employees who are expected to be reclassified.

AMENDMENTS TO HOUSE BILL NO. 1046

On page 1, line 1, of the engrossed bill, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for annual fire inspection of all state institutions and buildings.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. ANNUAL FIRE INSPECTION OF STATE BUILDINGS AND INSTITUTIONS.) An annual fire inspection shall be performed at each state institution and building. The annual inspection shall be made by the fire department of the city or fire protection district in which the institution or building is located, at the direction of the officer in charge of the institution or building, who shall prepare a report based upon the findings of the fire inspection. The report, which shall contain specifications of any violations, shall be submitted to the responsible board, agency, or commission and the copy of the report will be submitted to the state fire marshal.

If the report indicates that any violations can be corrected within the current budget of the responsible board, agency, or commission, action to correct the violations, unless good cause can be demonstrated to the attorney general, shall be initiated within thirty days of receipt of the report by the responsible board, agency, or commission.

For the purposes of this section, a "fire inspection" is a procedure performed in accordance with standards set forth in the uniform building code, the code of the building officials and code administrators (BOCA), or the code of the national fire protection association (NFPA)."

And renumber the lines and pages accordingly.

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1046

- On page 1 of the engrossed bill, line 12, after the period, insert the following: "The state fire marshal shall annually inspect the state penitentiary, the state farm, the state industrial school, the state hospital, and San Haven state hospital."
- On page 1 of the engrossed bill, line 12, after the word "inspection" insert the words "of all other state institutions and buildings"
- On page 1 of the engrossed bill, line 15, delete the word "an" and insert in lieu thereof the word "each", and after the word "inspection" insert the words "not performed by the state fire marshal"
- And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1067

- On page 2 of the engrossed bill, line 1, delete the word "eight" and insert in lieu thereof the word "nine"
- On page 2 of the engrossed bill, line 2, delete the first "two" and insert in lieu thereof the word "three" and on the same line delete the words "two by the"
- On page 2 of the engrossed bill, line 3, delete the word "governor, two" and insert in lieu thereof the word "three"
- On page 2 of the engrossed bill, line 4, delete the word "two" and insert in lieu thereof the word "three"
- On page 2 of the engrossed bill, line 7, after the word "appoint" insert the words "one judge or"
- On page 2 of the engrossed bill, line 8, delete the words "or one judge" and on the same line following the word "and" delete the word "one" and insert in lieu thereof the word "two" and on the same line delete the word "citizen" and insert in lieu thereof the word "citizens"
- On page 2 of the engrossed bill, line 9, delete the word "is" and insert in lieu thereof the word "are", and on the same line delete the words "a judge" and insert in lieu thereof the word "judges" and on that same line delete the second word "judge" and insert in lieu thereof the word "judges" and on that same line delete the word "attorney" and insert in lieu thereof the word "attorneys"
- and renumber the lines and pages accordingly

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1138

- On page 1 of the engrossed bill, line 16, after the semicolon insert the following: "to provide effective dates;"
- On page 2 of the engrossed bill, line 16, delete the hyphen and words "- ADVISORY COMMISSION ON ELECTIONS"
- On page 2 of the engrossed bill, line 19, delete the words "a special" and insert in lieu thereof the words "additional personnel"
- On page 2 of the engrossed bill, line 20, delete the words "deputy secretary"
- On page 3 of the engrossed bill, after line 29, insert the following subdivision:
- "k. Establish standards for all election machinery, locations, and supplies, including but not limited to, ballots, wrappers,

seals, stamps, ballot boxes, pollbooks, tally sheets, reports, voting machines, electronic voting systems, and voting places."

- On page 3 of the engrossed bill, delete lines 34 and 35
- On page 4 of the engrossed bill, delete lines 1 through 32
- On page 4 of the engrossed bill, line 33, delete the numeral "7" and insert in lieu thereof the numeral "4"
- On page 5 of the engrossed bill, line 4, delete the numeral "8" and insert in lieu thereof the numeral "5"
- On page 8 of the engrossed bill, line 10, delete the third word "the" and insert in lieu thereof the words "an analysis"
- On page 8 of the engrossed bill, line 11, delete the words "complete text"
- On page 8 of the engrossed bill, line 13, delete the words "total text" and insert in lieu thereof the word "effect"
- On page 8 of the engrossed bill, line 16, delete the words and comma "In addition thereto, the attorney general shall"
- On page 8 of the engrossed bill, delete lines 17 through 26
- On page 10 of the engrossed bill, line 4, delete the words "Each affidavit prepared"
- On page 10 of the engrossed bill, delete lines 5 through 8
- On page 10 of the engrossed bill, line 27, delete the words "The secretary of state may call upon"
- On page 10 of the engrossed bill, delete lines 28 and 29
- On page 13 of the engrossed bill, after line 12, insert the following subsection:
  - "4. Shall provide voting places which are reasonably accessible to the elderly and the handicapped."
- On page 13 of the engrossed bill, line 13, delete the numeral and period "4.", and move lines 13 through 21 to the left margin of the section
- On page 18 of the engrossed bill, line 23, delete the words "In voting precincts not using"
- On page 18 of the engrossed bill, delete lines 24 through 27
- On page 20 of the engrossed bill, line 8, after the comma insert the words "thirty days"
- On page 20 of the engrossed bill, line 17, after the first word "officials" insert the comma and words ", but in no event shall the compensation exceed fifty dollars for each election"
- On page 23 of the engrossed bill, line 17, delete the words "under the name of" and insert in lieu thereof the word "for", and after the word "each" insert the word "office"
- On page 23 of the engrossed bill, line 18, delete the word "candidate", after the word "name" insert the words and commas "or names, as the case may be,", and delete the words "the one" and insert in lieu thereof the word "those"
- On page 23 of the engrossed bill, line 27, delete the word "certain" and insert in lieu thereof the words "appropriate election"
- On page 24 of the engrossed bill, line 26, delete the word "certain" and insert in lieu thereof the words "appropriate election"

- On page 25 of the engrossed bill, delete lines 11 through 31
- On page 26 of the engrossed bill, line 4, after the word "machines" insert the words "or electronic voting systems"
- On page 26 of the engrossed bill, line 20, after the period insert the following: "The ballot title shall be written by the secretary of state and approved by the attorney general."
- On page 27 of the engrossed bill, line 12, after the word "machines" insert the words "or electronic voting systems"
- On page 28 of the engrossed bill, line 34, delete the words "paper ballots or"
- On page 29 of the engrossed bill, line 6, delete the comma and words ", or paper ballot"
- On page 29 of the engrossed bill, line 11, delete the comma
- On page 29 of the engrossed bill, line 12, delete the words and comma "paper ballots,"
- On page 29 of the engrossed bill, line 15, delete the words "'Paper ballot" means an official ballot conforming in" and insert in lieu thereof the words "'Ballot envelope" means the envelope in which the ballot card is enclosed and upon which the names of write-in candidates may be written."
- On page 29 of the engrossed bill, delete lines 16 through 18
- On page 29 of the engrossed bill, line 19, delete the words "paper ballots"
- On page 29 of the engrossed bill, line 20, delete the word "or"
- On page 32 of the engrossed bill, line 14, delete the words "paper or by"
- On page 32 of the engrossed bill, line 32, delete the words "paper ballots or"
- On page 33 of the engrossed bill, line 19, delete the word "five" and insert in lieu thereof the word "eight"
- On page 34 of the engrossed bill, line 22, after the period insert the following: "He also shall deliver or cause to be delivered a manila wrapper and a suitable seal for the purpose of wrapping and sealing the stamp and inkpad at the close of the voting but prior to the counting of the ballots."
- On page 35 of the engrossed bill, line 24, delete the words "and one copy of the pollbook used at the last election"
- On page 36 of the engrossed bill, line 7, after the period insert the following: "Any elector whose name is not on the typed list shall be required to execute an affidavit in accordance with section 16.1-05-06"
- On page 36 of the engrossed bill, line 10, delete the words "The copy of"
- On page 36 of the engrossed bill, delete lines 11 through 15
- On page 39 of the engrossed bill, line 5, delete the word "fourteen" and insert in lieu thereof the word "twenty"
- On page 39 of the engrossed bill, line 15, after the period insert the following: "A voter may obtain an application form for an absent voter's ballot for a general, special, primary, or county election from either the county auditor or a city auditor."
- On page 40 of the engrossed bill, after line 6 insert the following:

" (signature of witness)

(mailing address - telephone number)"

- On page 42 of the engrossed bill, line 6, delete the words "other ballots" and insert in lieu thereof the word "returns"
- On page 42 of the engrossed bill, line 11, after the period insert the following: "An absent voter may personally deliver the absent voter's ballot to the appropriate officer's office at any time prior to four p.m. on the day before the election."
- On page 43 of the engrossed bill, line 12, after the comma insert the following: "or any absent voter's ballot received by the inspector from the appropriate officer too late to be counted at the precinct,"
- On page 47 of the engrossed bill, line 6, delete the words "legislation of any kind" and insert in lieu thereof the words "any measure before the legislative assembly"
- On page 54 of the engrossed bill, line 33, delete the words "with actual malice", and after the word "advertisement" insert the words "or news release"
- On page 55 of the engrossed bill, line 9, after the word "pay" insert the words "or give anything of value to"
- On page 55 of the engrossed bill, line 13, delete the word "payment" and insert in lieu thereof the word "inducement"
- On page 72 of the engrossed bill, line 11, delete the word "PRIMARY"
- On page 72 of the engrossed bill, line 23, delete the words "over the name or"
- On page 74 of the engrossed bill, line 17, after the word "represents" insert the following: ", but the statement shall not indicate an affiliation with or the support of any political party organized in accordance with this title"
- On page 74 of the engrossed bill, line 27, delete the words "three hundred" and insert in lieu thereof the words "one thousand"
- On page 76 of the engrossed bill, line 23, delete the word "thirty" and insert in lieu thereof the word "thirty-five"
- On page 77 of the engrossed bill, line 32, delete the commas and words ", texture, and grade of"
- On page 84 of the engrossed bill, line 34, after the first word "the" insert the word "paper", and after the word "ballot" insert the words and commas "or ballot card, ballot stub, and ballot envelope"
- On page 85 of the engrossed bill, line 3, after the period insert the following: "When an electronic voting system is used, the inspector or judge delivering the ballot card, ballot stub, and ballot envelope shall inform each elector that if the ballot stub is detached by anyone except an election judge, the ballot card and ballot envelope shall not be deposited in the ballot box, but shall be marked spoiled and placed with the other spoiled ballots."
- On page 86 of the engrossed bill, line 1, after the word "marking" insert the words "the ballot envelope"
- On page 86 of the engrossed bill, line 2, delete the words "paper ballot or"
- On page 86 of the engrossed bill, line 13, after the word "ballot" insert the words "or ballot envelope"

- On page 86 of the engrossed bill, line 20, after the word "ballot" insert the words "or ballot envelope"
- On page 97 of the engrossed bill, line 31, after the word "judges" insert the following: "shall immediately place the stamp and inkpap in the manila wrapper provided by the county auditor and seal it with the seal provided by the county auditor and then they"
- On page 99 of the engrossed bill, line 30, after the first word "and" insert the words and comma "the wrapped and sealed stamp and inkpap,"
- On page 101 of the engrossed bill, line 23, delete the words "counting centers" and insert in lieu thereof the words "public place or places", and after the word "shall" insert the words "be delivered by the election inspector and the two election judges to"
- On page 101 of the engrossed bill, line 24, after the word "counted" insert the words "in the presence of the election inspector and the two election judges"
- On page 104 of the engrossed bill, line 20, delete the words "is a candidate for office at the election" and insert in lieu thereof the following: "would not be eligible to serve as a member of the election board pursuant to subsection 2 of section 16.1-05-02 shall serve on the county canvassing board. If any of the members of the board other than the representatives of the two political parties are disqualified or cannot serve for any other reason, the county commissioners who would be qualified to serve on the board shall appoint alternates to serve in the place of those members of the board who are disqualified."
- On page 104 of the engrossed bill, delete lines 21 through 34
- On page 104 of the engrossed bill, line 35, delete the words and period "act in his place."
- On page 105 of the engrossed bill, line 2, delete the word "they" and insert in lieu thereof the words "the district chairmen"
- On page 105 of the engrossed bill, line 3, delete the word "in"
- On page 105 of the engrossed bill, line 4, delete the words "their capacity"
- On page 112 of the engrossed bill, line 17, after the period insert the following: "The duties of the state canvassing board are ministerial, mandatory, and nondiscretionary, and consist of canvassing the results received from the various counties, computing the final results, and certifying the results on the basis of the canvass."
- On page 116 of the engrossed bill, line 20, after the parenthesis insert the comma and words ", and until his successor is duly elected and qualified"
- On page 120 of the engrossed bill, line 14, delete the words "was a" and insert in lieu thereof the words "would not be qualified to serve on the election board pursuant to subsection 2 of section 16.1-05-02. If any of the members of the recount board are disqualified or cannot serve for any other reason, the members of the county commission who would be qualified to serve on the board shall appoint disinterested electors of the county to serve as alternates."
- On page 120 of the engrossed bill, delete lines 15 through 28
- On page 120 of the engrossed bill, line 29, delete the words and period "elector of the county."
- On page 123 of the engrossed bill, line 10, delete the words "are"

tried in this state" and insert in lieu thereof the words "to the court without a jury"

On page 124 of the engrossed bill, line 10, after the period insert the following: "This subsection shall not apply if an incumbent is in office and is entitled to serve until his successor is duly elected and qualified, in which event the incumbent may only be removed by impeachment."

On page 127 of the engrossed bill, after line 13, insert the following sections:

"SECTION 15.) Section 16.1-06-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

16.1-06-07. ARRANGEMENT OF NAMES ON BALLOT FOR PRESIDENTIAL ELECTORS.) The ballot provided for in section 16.1-06-05 shall be arranged as follows: The names of the candidates of the party casting the highest number of votes in the state for members of Congress at the last preceding general election shall be arranged in the first or left-hand column of such ballot; of the party casting the next highest number of votes in the second column; of the party casting the next highest number of votes in the third column; and of such other party as the secretary of state may direct in the fourth and successive columns. In presidential election years the names of presidential electors presented in one certificate of nomination shall be arranged in a group enclosed in brackets to the right and opposite the center of which shall be printed in bold type the surname of the presidential candidate represented. To the right and in a line with such surname, near the margin, shall be placed a single square, and a mark within such square shall be designated a vote for all the electors, and such group shall be placed at the head of the column under the party designated or represented in such certificate.

SECTION 16.) Section 16.1-06-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

16.1-06-07. ARRANGEMENT OF NAMES ON BALLOT FOR PRESIDENTIAL ELECTORS.) The ballot provided for in section 16.1-06-05 shall be arranged as follows:

1. Initially, the names of the candidate of the party casting the highest number of votes in the state for members of Congress at the last preceding general election shall be arranged in the first or left-hand column of such ballot; of the party casting the next highest number of votes in the second column; of the party casting the next highest number of votes in the third column; and of such other party as the secretary of state may direct in the fourth and successive columns.
2. In printing each set of official ballots for the various election precincts, one-half of the ballots shall be printed with the political party columns arranged as prescribed by subsection 1 of this section, and the other half of the ballots shall be printed by interchanging only the first two political party columns.
3. After the ballots are printed as prescribed in subsection 2 of this section, they shall be kept in separate piles and then repiled by taking one ballot from each pile and placing it upon the new pile so that every other ballot in the new pile has the first two political party columns in different positions. This repiling for political party column rotation shall be done in conjunction with the required rotation of names within the political party columns. After the repiling is completed, the ballots shall be cut and packaged for the various election precincts.

4. In presidential election years the names of presidential electors presented in one certificate of nomination shall be arranged in a group enclosed in brackets to the right and opposite the center of which shall be printed in bold type the surname of the presidential candidate represented. To the right and in a line with such surname, near the margin, shall be placed a single square, and a mark within such square shall be designated a vote for all the electors, and such group shall be placed at the head of the column under the party designated or represented in such certificate.
5. In precincts in which voting machines are used, the rotation of political party columns required by this section shall be performed in the same manner as provided for the primary election ballot.

SECTION 17. EFFECTIVE DATES.) The provisions of section 15 of this Act shall be effective from July 1, 1979, through June 30, 1981. The provisions of section 16 of this Act shall be effective on July 1, 1981."

And renumber the lines, sections, and pages accordingly

FURTHER AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1138

- 1 On page 38 of the engrossed bill, line 15, delete the word "twenty"
- 2 and insert in lieu thereof the word "thirty"
- 3 On page 38 of the engrossed bill, line 18, delete the words "twenty-day"
- 4 and insert in lieu thereof the words "thirty-day"
- 5 On page 38 of the engrossed bill, line 32, delete the word "twenty"
- 6 and insert in lieu thereof the word "thirty"
- 7 On page 39 of the engrossed bill, line 10, delete the word "thirty"
- 8 and insert in lieu thereof the word "forty"

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1252

- On page 35 of the engrossed bill, line 32, delete the word "Such"
- On page 35 of the engrossed bill, delete all of line 33
- On page 36 of the engrossed bill, delete all of lines 1 and 2
- On page 50 of the engrossed bill, delete all of lines 1 through 8
- On page 50 of the engrossed bill, line 9, delete the numeral "7"
- insert in lieu thereof the numeral "6"
- On page 69 of the engrossed bill, line 11, after the word "commission"
- insert the words "or its authorized representative"
- On page 69 of the engrossed bill, line 22, after the word "commission"
- insert the words "or its authorized representative"
- On page 69 of the engrossed bill, line 25, after the words "commission or"
- insert the words "its authorized representative"
- On page 70 of the engrossed bill, line 12, after the word "commission"
- insert the words "or its authorized representative"



On page 70 of the engrossed bill, line 21, after the word "commission" insert the words "or its authorized representative"

On page 71 of the engrossed bill, line 4, after the first word "commission" insert the words "or its authorized representative", and on that same line, after the second word "commission" insert the words "or its authorized representative"

On page 71 of the engrossed bill, line 21, after the word "commission" insert the words "or its authorized representative"

On page 71 of the engrossed bill, line 32, after the word "commission" insert the words "or its authorized representative"

On page 72 of the engrossed bill, line 3, after the word "commission" insert the words "or its authorized representative"

On page 83 of the engrossed bill, line 3, delete the words "if the refusal or willful failure to" and insert in lieu thereof the following: "After an opportunity for hearing and after a finding by the commission that the permit applicant, or operator specified in the application, controls or has controlled mining operations with a demonstrated pattern of willful violations of this chapter of such nature and duration that result in irreparable damage to the environment as to indicate an intent not to comply with the provisions of this chapter, no permit shall be issued to said permit applicant or permittee."

On page 83 of the engrossed bill, delete all of lines 4 through 9.

And renumber the lines, sections and pages accordingly.

#### AMENDMENTS TO HOUSE BILL NO. 1257

On page 1 of the engrossed bill, line 16, delete the word "three" and insert in lieu thereof the word "four"

On page 2 of the engrossed bill, line 7, delete the following: "December 1979 and of"

On page 2 of the engrossed bill, line 8, delete the words "and December"

On page 2 of the engrossed bill, line 9, delete the words "based upon the level of the index in June"

On page 2 of the engrossed bill, line 11, delete the words "and any increases based upon the level of the"

On page 2 of the engrossed bill, delete line 12

On page 2 of the engrossed bill, line 13, delete the words "following January first"

And renumber the lines and pages accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1302

On page 1 of the engrossed bill, line 9, strike the words "usual selling price" and immediately thereafter insert the words "value determined by considering"

On page 1 of the engrossed bill, strike lines 10 through 14

- On page 1 of the engrossed bill, line 15, strike the word "consideration", delete the word "shall", and strike the words "be given to"
- On page 1 of the engrossed bill, line 18, after the word "assessed" delete the following: ", including" and insert in lieu thereof a period and the words ". This shall include"
- On page 1 of the engrossed bill, line 20, delete the words "cash rent" and insert in lieu thereof the words "farm rentals"
- And renumber the lines and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1306

- On page 1, line 1, delete the words "subsection to" and insert in lieu thereof the following: "subdivision to subsection 1 of"
- On page 1, line 4, after the word "deed" and before the period insert the following: "; and to provide an effective date"
- On page 1, line 7, delete the words "subsection to" and insert in lieu thereof the following: "subdivision to subsection 1 of"
- On page 1, line 12, delete the word "an" and insert in lieu thereof the words "a beginning farmer"
- On page 1, delete lines 13 and 14
- On page 1, line 15, delete the words "worth of less than fifty thousand dollars"
- On page 1, line 19, delete the word "they" and insert in lieu thereof the words "the taxpayer"
- On page 1, line 22, after the word "worth" and before the period insert the following: ", together with such other information as the state tax commissioner may require"
- On page 2, line 4, after the period insert the following: "In determining the net worth of any person, including his dependents and spouse, if any, for purposes of this subdivision, the value of their equity in their principal residence, the value of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings shall not be included."
- On page 2, line 6, after the period insert the following: "For the purposes of this subdivision, "beginning farmer" means any person who:
- (1) Is a resident of this state.
  - (2) Receives more than half his annual income from farming, unless the person initially commences farming during the tax year for which an adjustment will be claimed under this subdivision.
  - (3) Intends to use any farmland that he wishes to purchase or rent for agricultural purposes.
  - (4) Has had adequate training, by experience or education, in the type of farming operation which he wishes to begin.
  - (5) Has, including the net worth of his dependents and spouse, if any, a net worth of less than fifty thousand dollars."

On page 2, after line 6, insert the following section:

"SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective for taxable years beginning on or after January 1, 1979."

And renumber the lines, sections and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1357

- On page 4, line 6 of the engrossed bill, delete the strike-through over the words "twenty-five" and on the same line delete the word "fifty"
- On page 4, line 12 of the engrossed bill, delete the word "forty" and insert in lieu thereof the word "twenty"
- On page five, line 6 of the engrossed bill, delete the word "fifty" and insert in lieu thereof the word "forty"
- On page five, delete all of lines 28 and 29 of the engrossed bill
- On page 5, line 31 of the engrossed bill, delete the words "thirty-five" and insert in lieu thereof "twenty"
- On page 6, line 9 of the engrossed bill, delete the word "forty" and insert in lieu thereof the word "twenty"
- On page 7, line 20 of the engrossed bill, delete the word "forty" and insert in lieu thereof the word "twenty"
- On page 8, line 4 of the engrossed bill, delete the words "twenty-five" and insert in lieu thereof "fifteen"
- On page 8, line 14 of the engrossed bill, delete the word "fifteen" and insert in lieu there of the word "ten"
- On page 8, line 15 of the engrossed bill, delete the word "twenty" and insert in lieu thereof "fifteen"
- On page 8, line 17 of the engrossed bill, delete the word "twenty" and insert in lieu thereof the word "fifteen"
- On page 8, line 18 of the engrossed bill, delete the word "fifteen" and insert in lieu thereof the word "ten"

AMENDMENTS TO HOUSE BILL NO. 1397

- On page 1, line 4, delete the colon and insert in lieu thereof a period

AMENDMENTS TO HOUSE BILL NO. 1402

- On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 3 of section 12 of House Bill No. 1257, as approved by the forty-sixth legislative assembly, relating to the allocation of revenues from the coal severance tax to counties.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 3 of section 12 of House Bill No. 1257, as approved by the forty-sixth legislative assembly, is hereby amended and reenacted to read as follows:

3. Twenty percent shall be allocated to the coal-producing counties and shall be distributed among such counties in such proportion as the number of tons of coal severed in each county bears to the total number of tons of coal

severed in the state during such quarterly period. Such allocations shall be apportioned as follows:

a. If the tipple of a currently active coal mining operation in a county is not within fifteen miles of another county in which no coal is mined, the revenue apportioned according to this subsection shall be allocated as follows:

(1) Thirty percent shall be paid by the county treasurer to the incorporated cities of the county based upon the population of each incorporated city according to the last official regular or special federal census or the census taken in accordance with the provisions of chapter 40-02 in case of a city incorporated subsequent to such census.

b- (2) Forty percent shall be deposited by the county treasurer in the county general fund to be used for general governmental purposes.

e- (3) Thirty percent shall be apportioned by the county treasurer to school districts within the county on the average daily membership basis, as certified to him by the county superintendent of schools.

b. If the tipple of a currently active coal mining operation in a county is within fifteen miles of another county in which no coal is mined, the revenue apportioned according to this subsection shall be allocated as follows:

(1) Thirty percent shall be paid by the county treasurer of the coal-producing county to the incorporated cities of that county and to any city of a non-coal-producing county when any portion of the city lies within fifteen miles of the tipple of a currently active coal mining operation in the coal-producing county, based upon the population of each incorporated city according to the last official regular or special federal census or the census taken in accordance with the provisions of chapter 40-42 in case of a city incorporated subsequent to such census.

(2) Forty percent shall be divided by the county treasurer of the coal-producing county between the general fund of the coal-producing county and the general fund of any non-coal-producing county when any portion of the latter county lies within fifteen miles of the tipple of a currently active coal mining operation in the coal-producing county. The non-coal-producing county portion shall be based upon the ratio which the assessed valuation of all quarter sections of land in that

county, any portion of which lies within fifteen miles of the tippie of a currently active coal mining operation, bears to the combined assessed valuations of all land in the coal-producing county and the quarter sections of land in the non-coal-producing county within fifteen miles of the tippie of the currently active coal mining operation. It shall be the duty of the county director of tax equalization of the coal-producing county to certify to the treasurer of the same county the number of quarter sections of land in the non-coal-producing counties which lie at least in part within fifteen miles of the tippie of a currently active coal mining operation and their assessed valuations.

- (3) Thirty percent shall be apportioned by the county treasurer of the coal-producing county to school districts within that county and to school districts in adjoining non-coal-producing counties when a portion of those school districts' land includes any of the quarter sections of land certified by the director of tax equalization to the county treasurer to be eligible to share county funds as provided for in paragraph 2 of subdivision b above. The county superintendent of the non-coal-producing counties shall certify to the county treasurer of the coal-producing county the number of students actually residing on these quarter sections lying outside the coal-producing county and each school district in non-coal-producing counties shall receive a portion of the money under this paragraph based upon the ratio of the number of children residing on quarter sections of that school district within the fifteen mile radius of the tippie of a currently active coal mining operation to the total number of school children from the coal-producing county combined with all the school children certified to be living on quarter sections within fifteen miles of the tippie of a currently active coal mining operation in the coal-producing county."

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1475

On page 1 of the engrossed bill, line 1, delete the words "credits and"

On page 1 of the engrossed bill, line 16, delete the words "credit or"

On page 2 of the engrossed bill, line 4, after the word "dollars" and before the period insert the following: ", not including the value of their equity in their principal residence, the value

of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings"

- On page 2 of the engrossed bill, line 7, delete the words "credit or"
- On page 2 of the engrossed bill, line 10, delete the word "CREDIT" and insert in lieu thereof the word "DEDUCTION"
- On page 2 of the engrossed bill, line 12, delete the numeral and period "1."
- On page 2 of the engrossed bill, line 14, delete the words "the following credit which shall be subtracted" and insert in lieu thereof the following: "a reduction in his taxable income for the year in which the sale occurred in an amount equal to fifty percent of any income realized and otherwise subject to state income taxes after consideration of any capital gains treatment, up to a maximum of fifty thousand dollars."
- On page 2 of the engrossed bill, delete lines 15 through 25
- On page 2 of the engrossed bill, delete line 26
- On page 2 of the engrossed bill, line 28, delete the words "The first five thousand dollars of income per" and insert in lieu thereof the following: "Fifty percent of any income received and otherwise subject to taxation for state income tax purposes"
- On page 2 of the engrossed bill, line 29, delete the word "year"
- On page 3 of the engrossed bill, line 3, delete the words "CREDIT OR"
- On page 3 of the engrossed bill, line 4, delete the word "INTEREST" and insert in lieu thereof the words "SALE OR RENTAL TO A BEGINNING FARMER", and delete the word "credit"
- On page 3 of the engrossed bill, line 5, delete the word "or"
- On page 3 of the engrossed bill, line 14, after the period insert the following sentence: "In order for a taxpayer to qualify for the deduction for rental income provided in section 3 of this Act, the taxpayer shall certify on his tax return that any rental arrangement with any other person was not cancelled for the purpose of qualifying for this deduction."
- And renumber the lines, sections and pages accordingly.

### MESSAGE TO THE SENATE

#### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3093

ROY GILBREATH, Chief Clerk

#### APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2153:

Rep. Wald  
Rep. Hedstrom  
Rep. Koski

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2432:

Rep. Matheny  
Rep. Kennelly  
Rep. Richard



• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUWMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON, I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1636.** — A Bill for an Act to create and enact a new section to chapter 39-19 of the North Dakota Century Code, relating to requiring the state highway department to join the international registration plan and the multistate reciprocal agreement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 85; nays, 2; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY		•	• VIG		
• BERGE			• HOUWMANN			• MERTENS		•	• WAGNER		
• BERGER			• HOVE			• MEYER		•	• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM		•	• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN	•	
• CHRISTENSEN			• KERMOY			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNSCHE			• LIPSIA	•		• SWONTEK	•				
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1671.** — A Bill for an Act to require certain insurers doing business in North Dakota to file certain information with the commissioner of insurance; and to amend and reenact section 26-01-06 of the North Dakota Century Code, relating to the power of the commissioner of insurance to issue certificates of authority to insurers.

Which has been read.





● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3048.** — A concurrent resolution directing a Legislative Council study to monitor the collocation of comprehensive mental health and area social service centers.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 87; nays, 3; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM	●	
● BENEDECT			● HEKLE			● MEERS			● VANDER VORST	●	
● BERG			● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUJANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN, R		●	● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN	●	
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● REZER					
● DUBORD			● KUICHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F #24			● SCHINDLER					
● GACKLE			● LARSON, G #29			● SCOFIELD					
● GERL			● LARSON, H #7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSON			● LIPSIEA	●		● SWIONTEK					
● HANSON			● MAJNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A #49			● MARTIN			● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the House Concurrent Resolution was declared adopted.

**SECOND READING OF HOUSE RESOLUTIONS  
ON CONSENT CALENDAR**

**House Concurrent Resolution No. 3092.** — A concurrent resolution directing an interim study by the Legislative Council of the implementation of laws requiring public buildings and facilities to be accessible and usable by the physically handicapped.

Which had been read the second time.

**ROLL CALL**

The question being on the final passage of the resolution, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM	●	
● BENEDECT			● HEKLE			● MEERS			● VANDER VORST	●	
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUJANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN	●	
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					

• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON F # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFIELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the resolution passed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1042.** — A Bill for an Act to create and enact two new sections to chapter 54-44.3 of the North Dakota Century Code, relating to revisions to the classification and compensation plan established by the central personnel division, and setting forth intent that employee complaints be resolved by basic agency grievance procedures and a statewide appeal mechanism.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO		• UNHJEM
• BENEDICT			• HICKLE			• MEIERS		• VANDER VORST
• BERG			• HOFFNER			• MELBY		• VIG
• BERGE			• HOLMANN			• MERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERMOTT			• OPEDAHL		• WINKER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOBECC			• PETERSON		• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD		•	• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHIE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFIELD		
• GERL		•	• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWIONTEK		
• HANSON			• MAIXNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1278.** — A Bill for an Act to create and enact section 54-14-04.2 of the North Dakota Century Code, relating to the use of automatic fund transfer systems by the office of the budget for departmental payrolls.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 6; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSOON	•		• UNHJEM		
• BENEDICT			• HICKLE			• WEIERS	•		• VANDER VORST		
• BERG		•	• HOFFNER			• MELBY	•		• VIG		
• BERGE			• HOJUMANN			• WERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON		•	• JACOBSEN R			• MURPHY	•		• WALSH		
• BLACK		•	• JACOBSON I			• MUSHIK	•	•	• WEBER		
• BOYUM			• KELLY			• NICHOLAS	•		• WENTZ		
• BROKAW			• KENNELLY			• OLSON	•		• WESSMAN	•	
• CHRISTENSEN			• KERWOTT			• OPEDAHJ	•		• WINKJER		
• CONNY			• KINGSBURY			• PELTIER	•				
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POWEROY	•				
• DIETZ	•		• KOSKI		•	• REED	•				
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DUBORD			• KUCHERA			• RICHARD	•				
• EAGLES			• LANG			• RICHIE	•				
• ERICKSON			• LANGLEY	•		• RIEHL	•				
• FLEMING			• LARDY		•	• RUED	•				
• FREBORG			• LARSON F # 24			• SCHINDLER	•				
• GACKLE			• LARSON G # 29			• SCOFIELD	•				
• GERL			• LARSON H # 7			• SOLBERG	•				
• GORDER		•	• LEE			• STENEHJEM	•				
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNSCHE			• LIPSIEA	•		• SWONTEK	•				
• HANSON			• MAIXNER			• THOMPSON	•				
• HAUGLAND			• MARSDEN			• THORSGARD	•				
• HAUSAUER A # 49			• MARTIN			• TIMM	•				
• HAUSAUER R # 25			• MARTINSON			• TINJUM	•				
• HEDSTROM			• MATHEHY			• TWETEN	•				

So the bill passed and the title was agreed to.

**House Bill No. 1694.** — A Bill for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to making public buildings and facilities accessible and usable by the physically handicapped.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 13; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSOON			• UNHJEM		
• BENEDICT		•	• HICKLE			• WEIERS			• VANDER VORST		
• BERG			• HOFFNER		•	• MELBY			• VIG		
• BERGE			• HOJUMANN			• WERTENS		•	• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN	•	
• CHRISTENSEN			• KERWOTT			• OPEDAHJ			• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREBORG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER		•	• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN			• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHEHY			• TWETEN					

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1063

House Bill No. 1239

House Bill No. 1388

House Bill No. 1430

House Bill No. 1485

House Bill No. 1502

House Bill No. 1564

House Bill No. 1576

House Bill No. 1617

House Bill No. 1620

House Bill No. 1648

House Concurrent Resolution No. 3020

House Concurrent Resolution No. 3023

House Concurrent Resolution No. 3031.

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2019

Senate Bill No. 2024

Senate Bill No. 2048

Senate Bill No. 2059

Senate Bill No. 2086

Senate Bill No. 2092

Senate Bill No. 2122

Senate Bill No. 2135

Senate Bill No. 2139

Senate Bill No. 2142

Senate Bill No. 2175

Senate Bill No. 2214

Senate Bill No. 2219

Senate Bill No. 2229

Senate Bill No. 2235

Senate Bill No. 2240

Senate Bill No. 2245

Senate Bill No. 2246

Senate Bill No. 2267

Senate Bill No. 2272

Senate Bill No. 2305

Senate Bill No. 2339

Senate Bill No. 2344

Senate Bill No. 2356

Senate Bill No. 2377

Senate Bill No. 2380

Senate Bill No. 2398

Senate Bill No. 2406

Senate Bill No. 2433

Senate Bill No. 2451

Senate Bill No. 2469

Senate Bill No. 2475

Senate Concurrent Resolution No. 4052

Senate Concurrent Resolution No. 4059

Senate Concurrent Resolution No. 4060

Senate Concurrent Resolution No. 4071

Senate Concurrent Resolution No. 4074  
Senate Concurrent Resolution No. 4075  
Senate Concurrent Resolution No. 4084.

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

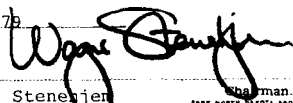
**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- H.B. No. 1063 .....
- H.B. No. 1239 .....
- H.B. No. 1388 .....
- H.B. No. 1430 .....
- H.B. No. 1485 .....
- H.B. No. 1502 .....
- H.B. No. 1564 .....
- H.B. No. 1576 .....
- H.B. No. 1617 .....
- H.B. No. 1620 .....
- H.B. No. 1648 .....

were delivered to the { Governor  
~~Secretary of State~~ for his approval at the hour of

2:30 o'clock P.M., March 19, 1979

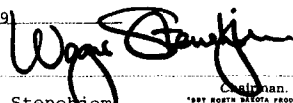
  
Rep. Stenejem Chairman.  
\*BET NORTH CAROLINA PRODUCTS\*

The committee on Enrollment and Engrossment respectfully reports that:

- H.C.R. No. 3020 .....
- H.C.R. No. 3023 .....
- H.C.R. No. 3031 .....

were delivered to the { ~~Governor~~  
Secretary of State ~~xxxxxx~~ at the hour of

2:45 o'clock P.M., March 19, 1979

  
Rep. Stenejem Chairman.  
\*BET NORTH CAROLINA PRODUCTS\*

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1076
- House Bill No. 1096
- House Bill No. 1117
- House Bill No. 1262
- House Bill No. 1268
- House Bill No. 1293
- House Bill No. 1335
- House Bill No. 1368
- House Bill No. 1377
- House Bill No. 1378
- House Bill No. 1380
- House Bill No. 1398
- House Bill No. 1400
- House Bill No. 1450
- House Bill No. 1461
- House Bill No. 1471
- House Bill No. 1506
- House Bill No. 1544
- House Bill No. 1566
- House Bill No. 1571
- House Bill No. 1637
- House Bill No. 1681
- House Concurrent Resolution No. 3027
- House Concurrent Resolution No. 3028
- House Concurrent Resolution No. 3038
- House Concurrent Resolution No. 3044
- House Concurrent Resolution No. 3051
- House Concurrent Resolution No. 3054
- House Concurrent Resolution No. 3058
- House Concurrent Resolution No. 3060
- House Concurrent Resolution No. 3068
- House Concurrent Resolution No. 3078
- House Concurrent Resolution No. 3082
- House Concurrent Resolution No. 3089.

Which the President has signed. LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE  
CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3088.** — A concurrent resolution for a constitutional amendment providing for the creation of a coal development impact trust fund; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 58; nays, 32; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●					●	●		●
BACKES			HERMAN			WATTSON			UNHJEW		
BENEDICT		●	HICKLE			WEIERS			VANDERVORST		
BERG		●	HOPFNER		●	WELBY			VIG		
BERGE			HOLMANN			WERTENS			WAGNER		
BERGER		●	HOVE			MEYER	●		WALD		●
BJORNSON			JACOBSEN, R			MURPHY			WALSH		●

• BLACK	JACOBSON, I	•	• MUSHIK	• WEBER	•
• BOYUM	KELLY	•	• NICHOLAS	• WENTZ	•
• BROKAW	• KENNELLY	•	• OLSON	• WESSMAN	•
• CHRISTENSEN	• KERMOY	•	• OPEDAHL	• WINKJER	•
• CONNY	• KINGSBURY	•	• PELTIER		
• CRABTREE	• KLUDBEC	•	• PETERSON	• MR. SPEAKER	
• DICK	• KNUDSON	•	• POMEROY		
• DIETZ	• KOSKI	•	• REED		
• DOTZENROD	• KRETSCHMAR	•	• RETZER		
• DUBORD	• KUCHERA	•	• RICHARD		
• EAGLES	• LANG	•	• RICHIE		
• ERICKSON	• LANGLEY	•	• RIEHL		
• FLEMING	• LARDY	•	• RUED		
• FREBORG	• LARSON, F # 24	•	• SCHINDLER		
• GACKLE	• LARSON, G # 29	•	• SCOFIELD		
• GERL	• LARSON, H # 7	•	• SOLBERG		
• GORDER	• LEE	•	• STENEHJEW		
• GUNDERSON	• LEIBMAN	•	• STRINDEN		
• GUNSON	• LIPSIEA	•	• SWONTEK		
• HANSON	• MAIXNER	•	• THOMPSON		
• HAUGLAND	• MARSDEN	•	• THORSgard		
• HAUSAUER, A # 49	• MARTIN	•	• TIMM		
• HAUSAUER, R # 25	• MARTINSON	•	• TINJUM		
• HEDSTROM	• MATHENY	•	• TWETEN		

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3091.** — A concurrent resolution setting forth legislative policy that the use of federal appropriations for purposes of fish and wildlife land acquisitions in connection with the Garrison Diversion Unit should be limited to purchases from only willing sellers, urging the Secretary of the Interior to establish a policy of crediting existing federal and state-owned land toward fish and wildlife mitigation and enhancement requirements, supporting the Governor's wetland policy, and urging development by the Fish and Wildlife Service of a plan for acquisition of Garrison wildlife areas for purposes of mitigation and enhancement consistent with the policies established by the statutory and contract agreements between the United States and the State of North Dakota.

Was read the second time.

Rep. Walsh requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 68; nays, 25; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSON		•	• UNHJEM		
• BENEDICT		•	• HICKLE		•	• WEERS		•	• VANDER VORST		
• BERG		•	• HOFFNER		•	• MELBY		•	• VIG		
• BERGE		•	• HOLMANN		•	• MERTENS		•	• WAGNER		
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHIK		•	• WEBER		
• BOYUM		•	KELLY		•	• NICHOLAS		•	• WENTZ		
• BROKAW		•	• KENNELLY		•	• OLSON		•	• WESSMAN		
• CHRISTENSEN		•	• KERMOY		•	• OPEDAHL		•	• WINKJER		
• CONNY		•	• KINGSBURY		•	• PELTIER		•	• MR. SPEAKER		
• CRABTREE		•	• KLUDBEC		•	• PETERSON		•			
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DUBORD		•	• KUCHERA		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FREBORG		•	• LARSON, F # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G # 29		•	• SCOFIELD		•			
• GERL		•	• LARSON, H # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEW		•			
• GUNDERSON		•	• LEIBMAN		•	• STRINDEN		•			
• GUNSON		•	• LIPSIEA		•	• SWONTEK		•			
• HANSON		•	• MAIXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSgard		•			
• HAUSAUER, A # 49		•	• MARTN		•	• TIMM		•			
• HAUSAUER, R # 25		•	• MARTINSON		•	• TINJUM		•			
• HEDSTROM		•	• MATHENY		•	• TWETEN		•			



So the House Concurrent Resolution was declared adopted.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3092.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2153:

Rep. Wald

Rep. Hedstrom

Rep. Koski.

House Bill No. 2432:

Rep. Matheny

Rep. Kennelly

Rep. Richard.

ROY GILBREATH, Chief Clerk

MOTIONS

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1694 and Senate Concurrent Resolutions No. 3088 and 3091 be messaged to the Senate immediately, which motion prevailed.

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1076	H. B. No. 1506
H. B. No. 1096	H. B. No. 1544
H. B. No. 1117	H. B. No. 1566
H. B. No. 1262	H. B. No. 1571
H. B. No. 1268	H. B. No. 1637
H. B. No. 1293	H. B. No. 1681
H. B. No. 1335	
H. B. No. 1368	
H. B. No. 1377	
H. B. No. 1378	
H. B. No. 1380	
H. B. No. 1398	
H. B. No. 1400	
H. B. No. 1450	

MONDAY, MARCH 19, 1979

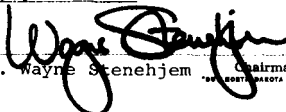
1863

H. B. No. 1461

H. B. No. 1471

were delivered to the ~~Secretary of State~~ <sup>Governor</sup> for his approval at the hour of

3:10 o'clock P.M., March 19, 1979

  
Rep. Wayne Stenehjem Chairman.  
"FOR NORTH DAKOTA PRODUCTS"

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3027

H.C.R. No. 3028

H.C.R. No. 3038

H.C.R. No. 3044

H.C.R. No. 3051

H.C.R. No. 3054

H.C.R. No. 3059

H.C.R. No. 3060

H.C.R. No. 3068

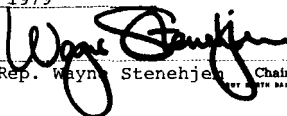
H.C.R. No. 3078

H.C.R. No. 3082

H.C.R. No. 3089

were delivered to the ~~Secretary of State~~ <sup>Governor</sup> at the hour of

3:13 o'clock P.M., March 19, 1979

  
Rep. Wayne Stenehjem Chairman.  
"FOR NORTH DAKOTA PRODUCTS"

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

- House Bill No. 1070
- House Bill No. 1122.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which

the Senate has passed unchanged:

House Bill No. 1008  
House Bill No. 1130  
House Bill No. 1241.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1095  
House Bill No. 1197  
House Bill No. 1242.

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1095

On page 1, line 5, after the word "writing" insert the following:  
"; and setting out legislative intent"

On page 1, after line 21, insert the following section:

"SECTION 3. LEGISLATIVE INTENT.) The legislative assembly intends that the provisions of sections 1 and 2 of this Act be in recognition of the contribution of spouses to the marital and familial relationship. It is not the intent of the legislative assembly that the provisions of sections 1 and 2 of this Act be utilized for evasion of a legal tax liability owed to the state of North Dakota, or to the United States government; but it is the intent of the legislative assembly that for purposes of chapter 57-37.1 equal monetary contribution or its equivalent to the acquisition of property held in joint tenancy by a husband and wife shall be presumed except that if House Bill No. 1156 as passed by the forty-sixth legislative assembly becomes effective this presumption shall not apply."

And renumber the lines, sections, and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1197

On page 2 of the engrossed bill, line 8, delete the words "or fur-

On page 2 of the engrossed bill, line 9, delete the word "bearers"

And renumber the lines and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1242

On page 1, line 4, after the word "amend" insert the following:  
"subsection 1 of"

On page 1, line 4, delete the word "sections" and insert in lieu thereof the word "section"

On page 1, line 4, after the numerals "15-39.1-13" delete the comma and insert in lieu thereof the words "and sections"

On page 2, line 9, after the word "amended" insert the words  
"and reenacted"

On page 2, line 13, after the word "aide" insert the following:  
"for more than ten days in any one school year"

On page 3, line 2, strike-through the word "and" and insert in lieu thereof a comma and on the same line, after the word "education" insert the following: "and the professional staff of the North Dakota high school activities association"

And renumber the lines, sections and pages accordingly

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1694

House Concurrent Resolution No. 3088

House Concurrent Resolution No. 3091.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1042

House Bill No. 1278.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1301, 1634, 1636, 1671, House Concurrent Resolution Nos. 3021, 3048, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2019

Senate Bill No. 2024

Senate Bill No. 2048

Senate Bill No. 2059

Senate Bill No. 2086

Senate Bill No. 2092

Senate Bill No. 2122

Senate Bill No. 2135

Senate Bill No. 2139

Senate Bill No. 2142

Senate Bill No. 2175

Senate Bill No. 2214

Senate Bill No. 2219

Senate Bill No. 2229

Senate Bill No. 2235

Senate Bill No. 2240

Senate Bill No. 2245

Senate Bill No. 2246

Senate Bill No. 2267

Senate Bill No. 2272

Senate Bill No. 2305

Senate Bill No. 2339

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Senate Bill No. 2356

Senate Bill No. 2377

Senate Bill No. 2380

Senate Bill No. 2398

Senate Bill No. 2406

Senate Bill No. 2433

Senate Bill No. 2451

Senate Bill No. 2469

Senate Bill No. 2475

Senate Concurrent Resolution No. 4052  
Senate Concurrent Resolution No. 4059  
Senate Concurrent Resolution No. 4060  
Senate Concurrent Resolution No. 4071  
Senate Concurrent Resolution No. 4074  
Senate Concurrent Resolution No. 4075  
Senate Concurrent Resolution No. 4084.

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2019  
Senate Bill No. 2024  
Senate Bill No. 2048  
Senate Bill No. 2059  
Senate Bill No. 2086  
Senate Bill No. 2092  
Senate Bill No. 2122  
Senate Bill No. 2135  
Senate Bill No. 2139  
Senate Bill No. 2142  
Senate Bill No. 2175  
Senate Bill No. 2214  
Senate Bill No. 2219  
Senate Bill No. 2229  
Senate Bill No. 2235  
Senate Bill No. 2240  
Senate Bill No. 2245  
Senate Bill No. 2246  
Senate Bill No. 2267  
Senate Bill No. 2272  
Senate Bill No. 2305  
Senate Bill No. 2339  
Senate Bill No. 2344  
Senate Bill No. 2356  
Senate Bill No. 2377  
Senate Bill No. 2380  
Senate Bill No. 2398  
Senate Bill No. 2406  
Senate Bill No. 2433  
Senate Bill No. 2451  
Senate Bill No. 2469  
Senate Bill No. 2475  
Senate Concurrent Resolution No. 4052  
Senate Concurrent Resolution No. 4059  
Senate Concurrent Resolution No. 4060  
Senate Concurrent Resolution No. 4071  
Senate Concurrent Resolution No. 4074  
Senate Concurrent Resolution No. 4075  
Senate Concurrent Resolution No. 4084.

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk



● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill lost for want of a constitutional majority.

**Senate Bill No. 2033.** Parks and Recreation Department — A Bill for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 6; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		● VIG			
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENZ		
● BROCKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FLEMBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GERL			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWIONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A # 49			● MARTIN			● TIMM					
● HAUSAUER R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**MOTIONS**

Rep. Strinden moved that Senate Bills Nos. 2006 and 2033 be messaged to the Senate immediately, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2056 be moved to the foot of the calendar, which motion prevailed.

Rep. Unhjem moved that the House reconsider its action whereby Senate Bill No. 2011 failed to pass, which motion prevailed on a verification vote.

Rep. Strinden moved that Senate Bill No. 2011 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that Senate Bills No. 2057 and 2058 be moved to the foot of the calendar, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2125.** — A Bill for an Act to create and enact a new subsection to section 39-16-01 of the North Dakota Century Code, relating to the definition of consumer reporting agency; and to amend and reenact sections 39-16-03 and 39-16-03.1 of the North Dakota Century Code, relating to the highway commissioner releasing abstracts of

operating records on court order only and the confidentiality of driver record abstracts more than three years old.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 27; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	•
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOUIMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER	•	•	WALD	•
•			•	JACOBSEN R		•	MURPHY		•	WALSH	
•			•	JACOBSON I		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	•
•			•	KERMOTT		•	OPEDAHL		•	WINKJER	•
•			•	KINGSBURY		•	PELTIER	•			
•			•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
•			•	KNUDSON		•	POMEROY		•		
•			•	KOSKI		•	REED		•		
•			•	KRETSCHMAR		•	RETZER	•			
•			•	KUCHERA		•	RICHARD		•		
•			•	LANG		•	RICHIE		•		
•			•	LANGLEY		•	RIEHL		•		
•			•	LARDY		•	RUED		•		
•			•	LARSON F # 24		•	SCHINDLER		•		
•			•	LARSON G # 28		•	SCOFIELD		•		
•			•	LARSON H # 7		•	SOLBERG	•			
•			•	LEE		•	STENEHJEM		•		
•			•	LEIBHAN		•	STRINDEN		•		
•			•	LIPSIEA		•	SWINTEK		•		
•			•	MAIXNER		•	THOMPSON		•		
•			•	MARSON		•	THORSGARD		•		
•			•	MARTIN		•	TIMM		•		
•			•	MARTINSON		•	TINKUM		•		
•			•	MATHENY		•	TWETEN		•		

So the bill passed and the title was agreed to.

**Senate Bill No. 2137.** — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to prior service credit and withdrawal from the public employees retirement system; and to provide for retroactivity.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 30; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	•
•			•	HOFFNER		•	MELBY		•	VIG	
•			•	HOUIMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER	•	•	WALD	•
•			•	JACOBSEN R		•	MURPHY		•	WALSH	
•			•	JACOBSON I		•	MUSHIK		•	WEBER	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	•
•			•	KERMOTT		•	OPEDAHL		•	WINKJER	•
•			•	KINGSBURY		•	PELTIER	•			
•			•	KLOUBEC		•	PETERSON		•	MR SPEAKER	
•			•	KNUDSON		•	POMEROY		•		
•			•	KOSKI		•	REED		•		
•			•	KRETSCHMAR		•	RETZER	•			
•			•	KUCHERA		•	RICHARD		•		
•			•	LANG		•	RICHIE		•		
•			•	LANGLEY		•	RIEHL		•		
•			•	LARDY		•	RUED		•		
•			•	LARSON F # 24		•	SCHINDLER		•		
•			•	LARSON G # 28		•	SCOFIELD		•		
•			•	LARSON H # 7		•	SOLBERG	•			
•			•	LEE		•	STENEHJEM		•		
•			•	LEIBHAN		•	STRINDEN		•		
•			•	LIPSIEA		•	SWINTEK		•		



● HANSON	● MAIXNER	THOMPSON ●
● HAUGLAND	MARSDEN ●	THORSGARD ●
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	TINJUM ●
● HEDSTROM	MATHEWY ●	TWETEN ●

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2006
- Senate Bill No. 2033.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

- Senate Bill No. 2109.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill Nos. 2196, 2218, 2465, but refused to concur in the House amendment to Senate Bill No. 2054 and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2054:

- Senator Christensen
- Senator Sorum
- Senator Schirado

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1209:

- Senator Wright
- Senator Albers
- Senator Dotzenrod
- House Bill No. 1483:
- Senator Sands
- Senator Farrington
- Senator Shablow.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

**Senate Bill No. 2197.** — A Bill for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code relating to the definition of making loans; to amend and reenact sections 6-03-13.1, 6-03-17 and 6-03-69 of the North Dakota Century Code, relating to bank separate facilities; paying and receiving stations and report of examining committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 61; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●		●	HERMAN	●	●	WATTSON		●	●		UNJEM
BENEDICT	●		HICKLE	●		MEIERS	●	●	●		VANDER VORST
BERG	●		HOFFNER	●		MELBY	●	●			VIG
BERGE	●		HOUJMAN	●		MERTENS	●	●			WAGNER
BERGER	●		HOVE	●		MEYER	●	●			WALD
BJORNSON	●		JACOBSEN R	●		MURPHY	●	●			WALSH
BLACK ●			JACOBSON I	●		MUSHIK	●	●			WEBER
BOYLUM	●		● KELLY	●		NICHOLAS	●	●			WENTZ
BROKAW	●		● KENNELLY	●		OLSON	●	●			WESSMAN ●
CHRISTENSEN	●		● KERMOY	●		OPEDAHL	●	●			WINKJER ●
● CONMY			KINGSBURY	●		● PELTIER					

● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARON	● RIJED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEM	
● GUNSCHE	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 48	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill lost.

POINT OF PERSONAL PRIVILEGE

Rep. Crabtree: "Mr. Speaker and Members of the Assembly:

"I rise to a point of personal privilege.

"The Sargent Central High School Basketball Team has accomplished a commendable feat by winning the North Dakota Class "B" Basketball Championship Saturday evening, March 17, 1979.

"The community, students and faculty deserve recognition and congratulations from this Legislative Assembly. Rep. Erickson and I, therefore, recommend the House of Representatives give highest commendation to Head Coach Gene Leer, his assistants, Roger Thorfinnson and Dean Ritter for their outstanding display of coaching ability, which enabled the Sargent Central "Cadets" to overcome an outstanding field of opponents in the 1979 Class "B" Basketball Tournament.

"The House of Representatives of the Forty-sixth Legislative Assembly extend our heartiest congratulations to the team for displaying extraordinary dedication and determination throughout the season and during the tournament.

"These players are:

- Steve Larson
- Curt Colemer
- Mike Sundquist
- Curt Kretchman
- Joe Holmgren
- Lenny Pherson
- Perry Reinertson
- Todd Kadoun
- Darren Hoistad
- Craig Kretchman
- David Bishoff
- Larry Kretchman

"We urge that the House of Representatives do authorize that copies of the Commendation be sent to Sargent Central School Superintendent, Len Johnson, Basketball Coach, Gene Leer, Assistant Coaches Roger Thorfinnson and Dean Ritter and the twelve members of the tournament team."

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2285.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

**Senate Bill No. 2233.** — A Bill for an Act to create and enact section 49-22-08.1 of the North Dakota Century Code, relating to applications for route permits and the designation of transmission facility routes; to



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• WATTSO		• UNHJEM
• BENEDICT			• HICKLE			• WEIERS		• VANDER VORST
• BERG			• HOFFNER			• WELBY		• WIG
• BERGE			• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON		•	• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOBEC			• PETERSON		• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFILO		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAJNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2269.** — A Bill for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, relating to accreditation standards; and to amend and reenact subsection 1 of section 15-34.1-03, and sections 15-38-07, 15-41-24 and 15-41-25 of the North Dakota Century Code, relating to the requirements for the minimum curriculum of all schools and the approval of private schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 73; nays, 16; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• WATTSO		• UNHJEM
• BENEDICT		•	• HICKLE			• WEIERS		• VANDER VORST
• BERG			• HOFFNER			• WELBY		• WIG
• BERGE		•	• HOUMANN			• WERTENS		• WAGNER
• BERGER			• HOVE			• MEYER		• WALD
• BJORNSON			• JACOBSEN R			• MURPHY		• WALSH
• BLACK			• JACOBSON I			• MUSHIK		• WEBER
• BOYUM			• KELLY			• NICHOLAS		• WENTZ
• BROKAW			• KENNELLY			• OLSON		• WESSMAN
• CHRISTENSEN			• KERWOTT			• OPEDAHL		• WINKJER
• CONMY			• KINGSBURY			• PELTIER		
• CRABTREE			• KLOBEC			• PETERSON		• MR SPEAKER
• DICK			• KNUDSON			• POMEROY		
• DIETZ			• KOSKI			• REED		
• DOTZENROD			• KRETSCHMAR			• RETZER		
• DUBORD			• KUCHERA			• RICHARD		
• EAGLES			• LANG			• RICHE		
• ERICKSON			• LANGLEY			• RIEHL		
• FLEMING			• LARDY			• RUED		
• FREBORG			• LARSON F # 24			• SCHINDLER		
• GACKLE			• LARSON G # 29			• SCOFILO		
• GERL			• LARSON H # 7			• SOLBERG		
• GORDER			• LEE			• STENEHJEM		
• GUNDERSON			• LEIBHAN			• STRINDEN		
• GUNSCH			• LIPSIEA			• SWONTEK		
• HANSON			• MAJNER			• THOMPSON		
• HAUGLAND			• MARSDEN			• THORSGARD		
• HAUSAUER A # 49			• MARTIN			• TIMM		
• HAUSAUER R # 25			• MARTINSON			• TINJUM		
• HEDSTROM			• MATHENY			• TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2284.** — A Bill for an Act to provide an appropriation to the Grafton state school to idemnify Mrs. Ray Holt, Mrs. Myrtle McDonald, Mr. Tim Holt, Nygard's Auto, Inc., and Wally's Fairway Foods, all of Grafton, North Dakota, for property and other losses suffered due to the acts of residents of Grafton state school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 38; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	MATTSON			•	UNHJEM
•			•	HICKLE			•	MEIERS			•	VANDER VORST
•			•	HOFFNER			•	MELBY			•	VIG
•			•	HOUJANN			•	MERTENS			•	WAGNER
•			•	HOVE			•	MEYER			•	WALD
•			•	JACOBSEN R			•	MURPHY			•	WALSH
•			•	JACOBSON I			•	MUSHK			•	WEBER
•			•	KELLY			•	NICHOLAS			•	WENTZ
•			•	KENNELLY			•	OLSON			•	WESSMAN
•			•	KERMOTT			•	OPEDAH			•	WINKJER
•			•	KINGSBURY			•	PELTIER				
•			•	KLOUBEC			•	PETERSON			•	MR. SPEAKER
•			•	KNUDSON			•	POMEROY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY			•	RIEHL				
•			•	LARBY			•	RUE				
•			•	LARSON F # 24			•	SCHINDLER				
•			•	LARSON G # 26			•	SCOFIELD				
•			•	LARSON H # 7			•	SOLBERG				
•			•	LEE			•	STENEHJEM				
•			•	LEIBMAN			•	STRINDEN				
•			•	LIPSIEA			•	SWONTEK				
•			•	MAIXNER			•	THOMPSON				
•			•	MARSDEN			•	THORSGARD				
•			•	MARTIN			•	TMM				
•			•	MARTINSON			•	TINJUM				
•			•	MATHENY			•	TWETEN				

So the bill passed and the title was agreed to.

**Senate Bill No. 2309.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to a credit for contributions to nonprofit private institutions of secondary and postsecondary education; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 3; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	MATTSON			•	UNHJEM
•			•	HICKLE			•	MEIERS			•	VANDER VORST
•			•	HOFFNER			•	MELBY			•	VIG
•			•	HOUJANN			•	MERTENS			•	WAGNER
•			•	HOVE			•	MEYER			•	WALD
•			•	JACOBSEN R			•	MURPHY			•	WALSH
•			•	JACOBSON I			•	MUSHK			•	WEBER
•			•	KELLY			•	NICHOLAS			•	WENTZ
•			•	KENNELLY			•	OLSON			•	WESSMAN
•			•	KERMOTT			•	OPEDAH			•	WINKJER
•			•	KINGSBURY			•	PELTIER				
•			•	KLOUBEC			•	PETERSON			•	MR. SPEAKER
•			•	KNUDSON			•	POMEROY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY			•	RIEHL				

● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHNIEDLER
● GACKLE	● LARSON G # 28	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEJEM
● GUNDERSON	● LEIBHAN	● STRIDEN
● GUNSCHE	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bills Nos. 2125, 2233, 2254, 2269, 2284 and 2309 be messaged to the Senate immediately, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2054:

Rep. Kretschmar

Rep. Berge

Rep. Lardy.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House stand adjourned until 12:30 p.m., Tuesday, March 20, 1979, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2026, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 7, delete the numerals

"1,495,000" and insert in lieu thereof the numerals "3,400,000"

On page 1 of the engrossed bill, line 9, after the word "to" insert

the word "city"

On page 1 of the engrossed bill, line 10, after the word "departments"

insert the words "rural fire departments and rural fire districts"

On page 1 of the engrossed bill, line 12, delete the numerals

"1,495,000" and insert in lieu thereof the numerals "3,400,000"

On page 1 of the engrossed bill, line 13, delete the numerals

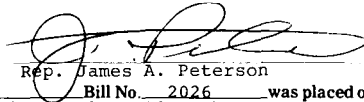
"1,495,000" and insert in lieu thereof the numerals "3,400,000"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment would allow the Tax Commissioner sufficient monies to pay the city fire departments, rural fire departments and rural fire districts monies from the insurance premium tax.

  
Rep. James A. Peterson

Chairman

Senate Bill No. 2026 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2027, has had the same under consideration and recommends, by a vote of Ayes, 16; Nays, 2; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 2 of the engrossed bill, after line 9, insert the following lines:

"Office building	\$100,000
Completion of water treatment system	88,000"

On page 2 of the engrossed bill, line 10, delete the dollar sign

On page 2 of the engrossed bill, after line 10, insert the following lines:

"Total all funds	\$408,000
Less estimated income	<u>61,000"</u>

On page 2 of the engrossed bill, line 11, delete the numerals "220,000" and insert in lieu thereof the numerals "347,000"

On page 2 of the engrossed bill, line 18, delete the numerals "2,037,773" and insert in lieu thereof the numerals "2,164,773"

On page 2 of the engrossed bill, line 19, delete the numerals "1,054,648" and insert in lieu thereof the numerals "1,115,648"

On page 2 of the engrossed bill, line 20, delete the numerals "3,092,421" and insert in lieu thereof the numerals "3,280,421"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The International Peace Garden appropriation is increased by \$100,000 from the general fund for construction of an office building, and by \$88,000, of which \$61,000 is federal funds and \$27,000 is from the general fund, for completion of the water treatment system at the Peace Garden.

And when so amended, recommends the same do pass.

  
Rep. James A. Peterson

Chairman

Senate Bill No. 2027 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2039, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 5; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

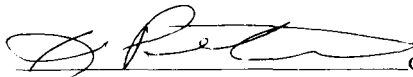
be amended as follows:

- On page 1 of the engrossed bill, line 3, delete the words "and setting forth legislative intent and"
  - On page 1 of the engrossed bill, line 4, delete the word and semicolon "guidelines;"
  - On page 1 of the engrossed bill, line 9, delete the words "sum of" and insert in lieu thereof the words and comma "sums hereinafter provided,"
  - On page 1 of the engrossed bill, line 10, delete the numerals "\$8,341,562"
  - On page 1 of the engrossed bill, line 15, delete the numerals "89,360" and insert in lieu thereof the numerals "108,986"
  - On page 1 of the engrossed bill, line 16, delete the numerals "20,428" and insert in lieu thereof the numerals "7,450"
  - On page 1 of the engrossed bill, line 17, delete the numerals "465" and insert in lieu thereof the numerals "1,200"
  - On page 1 of the engrossed bill, line 18, delete the numerals "1,800" and insert in lieu thereof the numerals "700"
  - On page 1 of the engrossed bill, line 19, delete the numerals "8,229,509" and insert in lieu thereof the numerals "9,000,000"
  - On page 1 of the engrossed bill, line 21, delete the numerals "8,341,562" and insert in lieu thereof the numerals "9,118,336"
  - On page 2 of the engrossed bill, delete lines 16 through 33
- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Coal Development Impact Office salaries and wages is increased \$19,626, fees and services is reduced \$12,978, supplies and materials is increased \$735, equipment is reduced \$1,100, and the grants line item is increased \$770,491.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Senate Bill No. 2039 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2099, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.


be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "cities" insert ", rural fire departments"

And renumber the lines accordingly



And when so amended, recommends the same do pass.

  
Chairman  
Rep. James A. Peterson

Senate Bill No. 2099 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on State and Federal Government

to whom was referred Senate

Bill No. 2150, has had the same under consideration and recommends, by a vote of

Ayes, 7; Nays, 4; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.


be amended as follows:

On page 1, line 16, of the engrossed bill delete the words "Coal used by a person who"

On page 1, delete all of lines 17 and 18

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

  
Chairman  
Rep. Martinson

Senate Bill No. 2150 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Industry, Business and Labor

to whom was referred Senate

Bill No. 2404, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 3, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 14 of the engrossed bill, delete line 4 and insert in lieu thereof the words "eighteen percent simple interest per annum upon the unpaid balance of the contract."

On page 14 of the engrossed bill, delete lines 22 through 32

On page 15, line 6 of the engrossed bill, after the period insert the following: "This finance charge may be precomputed on the amount financed calculated on the assumption that all scheduled payments will be paid when due and the effect of prepayment is governed by the provisions on rebate upon prepayment."

On page 17, line 13 of the engrossed bill, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Chairman  
Rep. Rued

Senate Bill No. 2404 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2413, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Chairman  
Rep. James A. Peterson

Senate Bill No. 2413 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2438, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 4; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

Delete the House amendments to engrossed Senate Bill No. 2438 as printed on pages 1573 through 1575 of the House Journal and further amend the engrossed bill as follows:

- On page 1, delete lines 2 and 3 and insert in lieu thereof the words "safety education"
- On page 1, line 4, delete the word "sixteen"
- On page 1, line 7, after the first semicolon insert the following: "and to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to motorcycle education requirements for motorcycle operators' permits and licenses for applicants under sixteen years of age;"
- On page 1, underscore lines 11 through 14
- On page 1, line 13, after the word "a" insert the words "motorcycle safety education", and delete the word "ten" and insert in lieu thereof the word "five"
- On page 1, line 14 delete the word "for" and insert in lieu thereof the word "at", and after the word "the" insert the words "time of"
- On page 1, delete lines 15 through 32
- On page 2, delete lines 1 through 4
- On page 2, underscore lines 5 through 33
- On page 2, line 31 delete the words "ten dollar"
- On page 2, line 34 delete the words "state highway" and insert in lieu thereof the word "general", and underscore the following: "fund in the state treasury."

On page 2, after line 34 insert the following section:

SECTION 6. AMENDMENT.) Subsection 3 of section 39-06-14 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. All applicants holding a valid North Dakota driver's license making application for a renewal of such license, shall be issued a class 3 license without being subjected to an examination as herein provided. All applicants, except those holding a valid North Dakota driver's license who will be issued a class 3 license, applying for issuance of driver licenses shall be issued a classified license after having been required to submit to an examination in the type of motor vehicle or combination of vehicles for which license is desired and which license shall authorize the holder to drive the vehicles set forth in such class as follows:

- Class 1. Any vehicle or combination of vehicles except vehicles under class 4.
- Class 2. Any vehicle or combination of vehicles except:
- a. Vehicles towing a trailer when the trailer being towed has a gross weight in excess of six thousand pounds.
  - b. Vehicles under class 4.
- Class 3. Any two-axle or tandem-axle vehicle except:
- a. A truck tractor combination as defined in subsection 70 of section 39-01-01.
  - b. A bus more than 80 inches in width and designed to carry more than ten persons and used for carrying passengers.
  - c. A two-axle or tandem-axle vehicle or combination of vehicles when towing a trailer when the trailer being towed has a gross weight in excess of six thousand pounds.
  - d. Vehicles under class 4.

Provided, however, an operator with a class 3 license may operate a farm tractor towing another vehicle having a gross weight in excess of six thousand pounds, and may operate a truck towing a farm trailer.

- Class 4. Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding tractors and vehicles on which the operator or passengers, or both, ride within an enclosed cab.

The holder of a class 1, 2, or 3 license may receive a class 4 endorsement upon successful completion of an examination. An applicant sixteen years of age and older, who does not hold a current valid driver's license may be issued a class 4 learner's permit after successful completion of a written examination.

The class 4 license will be issued after the applicant has successfully completed a driver's examination.

~~Applicants of the age of fourteen or fifteen years may receive a class 4 learner's permit to operate a motorcycle with an engine displacement of two hundred cubic centimeters or less only after successful completion of a written examination as required by the commissioner. A class 4 license or endorsement shall be issued to a fourteen or fifteen year old applicant only after he has successfully completed a driving examination, and has produced evidence satisfactory to the commissioner of either of the following:~~ No person under the age of sixteen shall be issued a motorcycle learner's permit unless the applicant is enrolled in or has completed an approved motorcycle safety course. Applicants for a motorcycle operator's license who are under sixteen shall hold an initial learner's permit for at least two months prior to applying for a class 4 operators license, shall have completed an approved motorcycle safety course, and shall hold a valid motorcycle learner's permit at the time of application. Any person under sixteen years of age who holds a permit or license shall be restricted to the operation of a motorcycle powered with an engine of two hundred cubic centimeters, or less, displacement. Evidence that the applicant has met one of the following standards shall accompany the application for a class 4 license:

- a. Satisfactory completion of a motorcycle course which included at least six hours of classroom instruction and six hours of actual motorcycle operation.
- b. Successful completion of a motorcycle course at an approved commercial driver training school which included at least six hours of classroom instruction and six hours of actual motorcycle operation.

On page 3, line 2, delete the words "state highway" and insert in lieu thereof the word "general"

On page 3, line 8, delete the words "state highway" and insert in lieu thereof the word "general"

On page 3, line 14, delete the words "state highway" and insert in lieu thereof the word "general"

On page 3, line 15, delete the numerals "210,000.00" and insert in lieu thereof the numerals "92,500.00"

On page 3, line 22, delete the words "state highway" and insert in lieu thereof the word "general"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

These amendments include the House Transportation Committee amendment to Senate Bill No. 2438. Also, the bill is amended to provide a \$5 registration fee instead of a \$10 registration fee. The bill appropriates the following amounts from the general fund:

JOURNAL OF THE HOUSE

Motor Vehicle Registrar for collection of fee	\$ 2,000
Superintendent of Public Instruction for administration of this Act	25,000
Superintendent of Public Instruction for reimbursement to schools and approved organizations	92,500
State Highway Department for advertising and promoting safety in use and operation of motorcycles	35,000
Total general fund appropriation	<u>\$154,500</u>

And when so amended, recommends the same do pass.

  
 Rep. James A. Peterson Chairman

Senate Bill No. 2438 was placed on the 6th order of business on the calendar for the succeeding legislative day.


Mr. Speaker: Your Committee on State and Federal Government to whom was referred Senate

Bill No. 2480, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

But be re-referred to the Committee on Appropriations

  
 Rep. Martinson Chairman  
Senate Bill No. 2480 was



re-referred to the Committee on Appropriations.

Mr. Speaker: Your Committee on Joint Constitutional Revision to whom was referred Senate Concurrent Resolution

No. 4066, has had the same under consideration and recommends, by a vote of

Ayes, 6; Nays, 0; Absent, 4, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

  Co-Chairman  
 Rep. Conmy Senator Wenstrom  
Senate Concurrent Resolution No. 4066 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 12:30 p.m., Tuesday, March 20, 1979.

ROY GILBREATH, Chief Clerk

FIFTY-FOURTH DAY

Bismarck, March 20, 1979

The House convened at 12:30 p.m., with Speaker Wagner presiding.

The prayer was offered by Rev. Ralph Fischer, Church of the Nazarene, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Langley, Lee, Lipsiea, Meyer, Peterson, Retzer, Richie, and Strinden.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-third Day and finds the same to be correct.

Handwritten signature of Steve Swiontek, Chairman, Rep. Swiontek

Rep. Reed moved that the report be adopted, which motion prevailed.

REPORT OF PROGEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1008
HB NO. 1130
HB NO. 1241
HB NO. 1301
HB NO. 1634
HB NO. 1636
HB NO. 1671
HCR NO. 3021
HCR NO. 3048

and find the same correctly } Enrolled

Representative Hanson Rep. Swiontek moved that the report be adopted, which motion prevailed, and the report was adopted.

## Report of Conference Committees

Mr. Speaker \_\_\_\_\_: Your Conference Committee to whom was referred House \_\_\_\_\_ Bill No. 1065 \_\_\_\_\_ has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate	For the House
<i>Charles Loden</i>	<i>Vander Vorst</i>
Sen. <u>Loden</u> _____	Rep. <u>Vander Vorst</u> _____
<i>Wald</i>	<i>Wald</i>
Sen. <u>Mutch</u> _____	Rep. <u>Wald</u> _____
<i>Miller Heinrich</i>	<i>Gerl</i>
Sen. <u>Miller Heinrich</u> _____	Rep. <u>Gerl</u> _____
Rep. <u>Vander Vorst</u> _____	

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

House \_\_\_\_\_ Bill No. 1065 \_\_\_\_\_ was placed on the 6th \_\_\_\_\_

order of business on the calendar for the succeeding legislative day.

Mr. Speaker \_\_\_\_\_: Your Conference Committee to whom was referred House \_\_\_\_\_ Bill No. 1409 \_\_\_\_\_ has had the same under consideration and recommends:

That the Senate recede from its amendments and that HB 1409 be amended as follows:

- On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections" and on the same line after the numerals "40-55-06" insert the following: "and 40-55-07"
- On page 1, line 16, delete the strike-through on the words "~~in such municipality~~" and after the word "~~municipality~~" insert the following: ", school district or park district,"
- On page 1, line 19, after the period insert the following: "The members of the recreation board or commission shall be appointed by the mayor or presiding officer of the municipality, park district or school district involved, whichever of said political subdivisions establishes the recreation system."
- On page 2, line 1, after the comma insert the following: "park district or school district,"
- On page 2, line 4, strike through the word "municipality" and following that word insert the following: "area involved, one shall be chosen from the membership of the governing body of the municipality,"
- On page 2, line 6, after the word "~~municipality~~" insert the word "involved" and after the period insert the following: "The remaining members shall be chosen at large from the largest geographic area represented by the municipality, park district or school district involved."
- On page 2, delete lines 7 through 12
- On page 2, line 13 delete the word and period "system."

On page 2, line 19, after the word "officer" insert the following: "of the municipality, school district or park district involved"

On page 2, line 22, delete the words "Appointments made after"

On page 2, delete lines 23 through 25

On page 2, after line 25 insert the following new section:  
"SECTION 2. AMENDMENT.) Section 40-55-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-55-07. GOVERNING BODY, BOARD, OR COMMISSION MAY ACCEPT GRANTS OF REAL ESTATE AND MONEY - CONDITIONS.) The governing body of a municipality, school district or park district, recreation board or commission or other authority in which is vested the power to provide, establish, maintain and conduct such supervised recreation system may accept any grant or devise of real estate or any gift or bequest of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or recreation purposes, but if the acceptance thereof for such purposes will subject such municipality, school district or park district to additional expense for improvement, maintenance or removal, the acceptance of any grant or devise of real estate shall always be subject to the approval of the governing body of such municipality, school district or park district. Money received for such purpose, unless otherwise provided by the terms of the gift or bequest shall be deposited with the treasurer of such municipality the governing body to the account of the recreation board or commission or other body having charge of such work, and the same may be withdrawn and paid out by such body in the same manner as money appropriated for recreation purposes."

And renumber the lines and pages accordingly

For the Senate  
Sen. Farrington  
Sen. Reiten  
Sen. Shablow  
Rep. Boyum

For the House  
Rep. Boyum  
Rep. G. Larson  
Rep. Gerl

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1409 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2109 has had the same under

consideration and recommends:

that the House recede from its amendment

For the Senate  
Senator Lodoen  
Senator Orange  
Senator Mutch  
Rep. Lang

For the House  
Rep. Lang  
Rep. Retzer  
Rep. Malxner

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2109 was placed on the Sixth

order of business on the calendar for the succeeding legislative day.



## MOTIONS

Rep. Strinden moved that the rules be suspended, and that the House reconsider its action whereby it accepted the committee reports on Senate Bill No. 2439, and that Senate Bill No. 2439 be re-referred to the Committee on Education, which motion prevailed on a verification vote.

## ANNOUNCEMENT

The Committee on Education was excused to attend a committee meeting.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1352 provides that if the number of points assigned to a traffic violation are two or less, the violation and points will not be entered on the driver's record. The records of the violation and points are required to be kept in a separate, confidential file. The aim of this bill is to limit access to and use of information on traffic violations by insurance companies writing motor vehicle insurance in North Dakota.

Restricting the availability of motor vehicle records to insurance companies will have an adverse effect on the insurance rating system in North Dakota. The overall result may be that good drivers with no or few violations will be subsidizing the careless drivers with numerous tickets. Ultimately, rates may be increased to cover claims caused by poor drivers.

House Bill 1352, when considered in light of other legislation that has passed, provides that an individual can speed up to 70 miles per hour and the violation will not be shown on his or her driving record; nor will it be made available to the public. The bill makes no distinction as to where the violation occurs. The violation can be on an interstate highway, on a county road, or on a state highway. Further, it makes no distinction as to when the violation occurs, either during the day or night. The bill places a person who is caught speeding at 70 miles per hour at night on a county road in a better position than before the adoption of the 55 mile per hour speed limit. The bill gives its tacit blessing to driving up to 70 miles per hour, regardless of where the violation occurs or the time when the violation occurs, by providing that traffic violation information will not be made available to insurance companies.

We should all be concerned about the safety of the people of this state when operating motor vehicles on our highways. Statistics indicate that there has been a substantial reduction of highway fatalities since the inception of the 55 mile per hour speed limit. Nationally, 9,000 fewer people were killed on the highways in this country the year after the 55 mile per hour speed limit was introduced. There is a corresponding reduction in fatalities on North Dakota highways since the adoption of the 55 mile per hour speed limit. In 1973, before the adoption of the 55 mile per hour speed limit, the number of fatalities on our highways was 208. In 1974, after the adoption of the 55 mile per hour speed limit, the number of North Dakota deaths on the highway was 162, a 22% reduction.

Since the adoption of the 55 mile per hour speed limit, North Dakota has not experienced the number of deaths on its highways when compared with the number of fatalities that occurred in the year before the adoption

of the lowered speed limit: 1975, 169 fatalities; 1976, 182 fatalities; 1977, 180 fatalities; 1978, 185 fatalities.

The current trend among insurance departments nationwide is to require adequate traffic violation information in order that insurance companies may do a proper underwriting and rating of risk. Full motor vehicle records information is the cornerstone of this trend. Because House Bill 1352 seeks to limit public access to motor vehicle records, it is certainly contrary to this national trend.

In closing, I point out that a vast majority of North Dakota drivers do not have poor driving records. I have received information from an insurance company that nearly 98% of their applicants for renewal of motor vehicle insurance contracts have acceptable citation histories. This means that House Bill 1352 would be helping only the careless drivers on North Dakota highways; limiting access to motor vehicle records would seriously impair the possibility of identifying the few poor drivers from the vast majority of good drivers.

Because this bill could reduce incentive for obeying the 55 mile per hour speed limit, I hereby veto House Bill 1352.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that House Bill No. 1352 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1352 be laid over one legislative day, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Martinson moved that the amendments to House Bill No. 1217 as recommended by the Conference Committee on State and Federal Government as printed on page 1829 of the House Journal be adopted, which motion prevailed.

Rep. Wessman moved that the amendments to House Bill No. 1222 as recommended by the Conference Committee on Natural Resources as printed on page 1829 of the House Journal be adopted, which motion prevailed.

Rep. Lipsiea moved that the amendments to House Bill No. 1507 as recommended by the Conference Committee on Finance and Taxation as printed on page 1830 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2026 as recommended by the Committee on Appropriations as printed on page 1875 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2027 as recommended by the Committee on Appropriations as printed on page 1876 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2039 as recommended by the Committee on Appropriations as printed on pages 1876 and 1877 of the House Journal be adopted, which motion prevailed.

#### MOTION

Rep. Strinden moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2276, and that Senate Bill No. 2276 be re-referred to the Committee on Appropriations, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2099 as recommended by the Committee on Appropriations as printed on page 1877 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to Senate Bill No. 2150 as recommended by the Committee on State and Federal Government as printed on page 1878 of the House Journal be adopted.

Rep. Backes moved a substitute motion that the amendments to Senate Bill No. 2150 be laid on the table.

Rep. Martinson requested a call of the House, which request was granted.

Rep. Strinden moved that the House dispense with the Call of the House, which motion prevailed.

The question then was on the motion of Rep. Backes to lay the amendments to Senate Bill No. 2150 on the table.

ROLL CALL

The roll was called, and there were ayes, 38; nays, 56; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN			MATTSON		●	UNHEM		●
●			WICKLE		●	WEIERS		●	VANDER VORST		●
●		●	HOFFNER			WELBY		●	VIG		●
●		●	HOUMANN		●	MERTENS		●	WAGNER		●
●			HOVE		●	MEYER	●		WALD		●
●			JACOBSEN R			MURPHY		●	WALSH		●
●			JACOBSEN I			MUSHIK		●	WEBER		●
●		●	KELLY			NICHOLAS		●	WENTZ		●
●		●	KENNELLY			OLSON		●	WESSMAN		●
●		●	KERMOTT		●	OPEDAHL		●	WINKLER		●
●			KINGSBURY		●	PELTIER		●			
●			KLOUBEC			PETERSON			MR SPEAKER		●
●			KNUDSON		●	POWEROY					
●			KOSKI			REED		●			
●		●	KRETSCHMAR			RETZER	●				
●		●	KUCHERA			RICHARD					
●			LANG			RICHIE					
●		●	LANGLEY		●	RIEHL					
●		●	LARDY			RUED					
●		●	LARSON F # 24		●	SCHINDLER		●			
●		●	LARSON G # 29		●	SCOREFIELD		●			
●		●	LARSON H # 7		●	SOLBERG		●			
●			LEE		●	STENHJEM		●			
●			LEIGHAN			STRINDEN		●			
●		●	LIPSIE			SWIONTEK		●			
●			MAIXNER			THOMPSON		●			
●		●	MARSDEN		●	THORSGARD		●			
●		●	MARTIN		●	TIMM		●			
●		●	MARTINSON		●	TINJUM		●			
●		●	MATHEWY		●	TWETEN		●			

The motion failed.

The question then was on the adoption of the amendments to Senate Bill No. 2150, which motion prevailed.

ANNOUNCEMENT

The Committee on Education again was excused to attend a committee meeting.

SIXTH ORDER OF BUSINESS

Rep. Rued moved that the amendments to Senate Bill No. 2404 as recommended by the Committee on Industry, Business and Labor as printed on page 1878 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2438 as recommended by the Committee on Appropriations as printed on pages 1879, 1880, 1881 and 1882 of the House Journal be adopted, which motion prevailed.

## MOTIONS

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1067, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1095, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1138, which motion prevailed.

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1138 be deemed properly re-engrossed and placed on final passage, which motion failed on a verification vote.

Rep. Kloubec moved that the House do concur in the Senate amendments to House Bill No. 1197, which motion prevailed.

Rep. Knudson moved that the House do concur in the Senate amendments to House Bill No. 1242, which motion prevailed.

Rep. Kloubec moved that the House do concur in the Senate amendments to House Bill No. 1252, which motion prevailed.

Rep. Gackle moved that the House not concur on Senate amendments to House Bill No. 1257, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1257:

Rep. Gackle  
Rep. Murphy  
Rep. Backes

## MOTION

Rep. Gackle moved that the House not concur on Senate amendments to House Bill No. 1302, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1302:

Rep. A. Hausauer  
Rep. Timm  
Rep. Weber

## MOTIONS

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1306, which motion prevailed.

Rep. Rued moved that the House do concur in the Senate amendments to House Bill No. 1357, which motion prevailed.

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1397, which motion prevailed.

Rep. Gackle moved that the House not concur on Senate amendments to House Bill No. 1402, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1402:

Rep. Gackle  
Rep. Murphy  
Rep. Backes

## MOTIONS

Rep. Gackle moved that the House do concur in the Senate amendments to House Bill No. 1475, which motion prevailed.

Rep. Knudson moved that the House do concur in the Senate amendments to House Bill No. 1559, which motion prevailed.

#### MOTIONS

Rep. Knudson moved that the House do concur in the Senate amendments to House Bill No. 1657, which motion prevailed.

Rep. Lang moved that the House do concur in the Senate amendments to House Bill No. 1669, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2286:

Rep. Black  
Rep. Wald  
Rep. Kelly

#### MESSAGES TO THE SENATE

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2010  
Senate Bill No. 2076  
Senate Bill No. 2085  
Senate Concurrent Resolution No. 4058

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2121  
Senate Bill No. 2241  
Senate Bill No. 2250  
Senate Bill No. 2332  
Senate Bill No. 2473

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2007  
Senate Bill No. 2125  
Senate Bill No. 2233  
Senate Bill No. 2254  
Senate Bill No. 2269  
Senate Bill No. 2284  
Senate Bill No. 2309  
Senate Bill No. 2391

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1008  
House Bill No. 1130  
House Bill No. 1241  
House Bill No. 1301  
House Bill No. 1634  
House Bill No. 1636  
House Bill No. 1671  
House Concurrent Resolution No. 3021  
House Concurrent Resolution No. 3048

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1008  
House Bill No. 1130  
House Bill No. 1241  
House Bill No. 1301  
House Bill No. 1634  
House Bill No. 1636  
House Bill No. 1671  
House Concurrent Resolution No. 3021  
House Concurrent Resolution No. 3048

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2483  
Senate Concurrent Resolution No. 4070  
Senate Concurrent Resolution No. 4072

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1002  
House Bill No. 1030  
House Bill No. 1198  
House Bill No. 1493  
House Bill No. 1550  
House Bill No. 1624  
House Bill No. 1628  
House Bill No. 1645

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1002

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act directing the legislative council to administer a scientific and technological research and development program, to set out its responsibilities and duties, to provide for its staffing; to set forth legislative intent concerning the coal trust fund; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. SCIENCE AND TECHNOLOGY PROGRAM - STAFF - RELATIONSHIP TO USERS.)

1. The legislative council, or its designee, shall administer a scientific and technological research and development program (hereafter called "science and technology program" or "program"). The program shall be operated in accordance with the provisions of this Act and

## JOURNAL OF THE HOUSE

the existing statutory authority of the legislative council.

2. The legislative council staff office shall provide staff for the program, and the council, or its designee, may hire such additional staff as it deems necessary, including a program staff director. The council, or its designee, shall set compensation for any additional staff within the limits of legislative appropriations.
3. The council, or its designee, shall structure the program to provide scientific and technical assistance to the legislative assembly and the legislative council; and, in cooperation with other state agencies, to coordinate with and assist in the:
  - a. Development of a comprehensive environmental data base for North Dakota.
  - b. Development of information systems capable of meeting the needs of North Dakota decision makers.
  - c. Development of assessment/modeling capabilities to forecast the environmental characteristics of North Dakota.
  - d. Development of monitoring systems to detect changes in the environmental characteristics of North Dakota.

As used in this subsection, "environmental" includes physical, biological, social, and economic factors.

4. The council, or its designee, may contract for such research or development with any suitable person or governmental or private entity. The emergency commission may authorize the transfer of funds between the council, or its designee, and any state agency to support contracts between the council, or its designee, and that agency.
5. The council shall give preference to existing state entities when contracting for research or development.
6. Capabilities developed by, or under contract to, the council shall, to the extent possible, be multidisciplinary in nature and be designed to:
  - a. Provide comprehensive outputs useful to a variety of user entities.
  - b. Ensure that all data and analytic methods can be clearly identified by the user so as to allow the user to judge its value.
  - c. Enhance the ability of user entities to meet their own responsibilities, thus reducing the duplication of research and development among governmental entities.
7. Capabilities developed shall, to the extent feasible, be transferred to other governmental entities for operation. The recipient entity is hereby authorized to enter into an agreement

with the council, or its designee, for receipt and operation of a capability to be transferred. All computer software developed by or for the council shall be its property and may be sold by the council, and all proceeds from such sale shall be deposited in the special trust fund from the coal severance tax. Any software sold pursuant to this subsection shall be sold without warranty of any kind, and shall not be maintained by the council, or its designee.

SECTION 2. SCIENCE AND TECHNOLOGY PROGRAM - FEE POLICIES - DATA HANDLING - AID FROM AGENCIES AND INSTITUTIONS.)

1. The council, or its designee, may establish a user fee policy to be charged to various classes of users of its products and services. The council may decide that one or more classes of users may receive its products or services, or both, free of charge.
2. Data obtained by the council, its designee, or its staff from other governmental agencies which is not normally made public or, if it is made public, is not made public in the form the council, its designee, or its staff will be using it, shall be subject to the source agency's policy on dissemination of the information consistent with state and federal laws.

SECTION 3. SCIENCE AND TECHNOLOGY PROGRAM - GRANTS TO STATE AGENCIES - PROCEDURES - DURATION.)

1. The council, or its designee, may, from appropriated funds available to it for that purpose, make grants to state agencies to fund, wholly or partially, unanticipated environmental research needs. The council will be solely responsible for determining which grant applications will be funded. The council shall not consider or fund any grant applications pursuant to this section after December thirty-first of the second fiscal year of any biennium.
2. The council will adopt guidelines for grant applications by August 1, 1979. In addition to the guidelines developed by the council, the council and all applicants shall be guided by the following:
  - a. State agencies shall be the only eligible applicants for grants under this section.
  - b. Grants may be made only for projects projected to be completed during the biennium in which the grant is made.
  - c. Grants shall not be made in which the state would incur costs during a time period following the biennium in which the grant is made.
  - d. The recognition of the need for the environmental research must have occurred after adjournment of the legislative assembly which appropriated the funds from which the grant would be made.
  - e. Grant applications may be submitted to any member of the council, or its designee, and



will be forwarded by that member to the council, or its designee.

- f. All grant applications received will be placed on the agenda of the council, or its designee, no later than the second meeting after receipt of the application.
- g. The council, or its designee, will notify the emergency commission of grant applications and grants made pursuant to this section.

SECTION 4. SCIENCE AND TECHNOLOGY PROGRAM - DATA PROCESSING SERVICES TO COUNCIL.) The office of data processing of the department of accounts and purchases, hereafter "the office", shall provide such data processing services as the council may request within the limits of the appropriations available to the council. All agreements between the department of accounts and purchases, the office, or both, and the predecessor of the council program herein authorized shall be void on July 1, 1979.

SECTION 5. SCIENCE AND TECHNOLOGY PROGRAM - APPROPRIATION.)

1. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the legislative council, the sum of \$1,600,000, or so much thereof as may be necessary, and such other public and private funds as may be available, which are hereby appropriated, for the operation of the science and technology program. These funds will be available commencing July 1, 1979, until June 30, 1981, except as provided in subsection 2 of this section.
2. Section 54-44.1-11 shall not apply to the appropriation in this section.
3. The director of accounts and purchases and the state treasurer will make such transfers of funds between lined items of appropriation in this section as may be requested by the chairman of the council when the nature of studies and duties undertaken by the council requires such transfers.
4. The science and technology program created by this Act is the statutory successor to the resources research committee and the North Dakota regional environmental assessment program established by Senate Bill No. 2004, forty-fifth legislative assembly.

SECTION 6. LEGISLATIVE INTENT.) The legislative assembly recognizes that moneys were appropriated from the special fund created by subsection 2 of section 12 of chapter 563 of the 1975 Session Laws for support of the regional environmental assessment program, and that such moneys were used, in essence, in response to the impact of rapid coal development. The legislative assembly intends that, until specifically provided otherwise by law, further deposits in the trust fund referred to above, or its statutory successor, shall consist of moneys allocated from severance tax revenue, and interest and income from investment of fund balances and not by deposits from the regional environmental assessment program or its successor entity."

And renumber the lines and pages accordingly

AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002  
AS AMENDED BY THE SENATE

In section 6 of the Senate amendments to engrossed House Bill No. 1002 as printed on page 1444 of the Senate Journal, delete the last sentence and insert in lieu thereof the following: "The legislative assembly intends that, until otherwise specifically provided by law, further deposits in the trust fund referred to above, or its statutory successor, shall consist of moneys allocated from coal severance tax revenue as provided by law, and shall not consist of deposits from the regional environmental assessment program or its successor entity."

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1030

On page 1, line 11 delete the amount "\$484,222" and insert in lieu thereof the amount "\$448,967"

On page 1, line 18 delete the amount "\$134,655" and insert in lieu thereof the amount "\$99,400"

On page 1, line 20 delete the amount "\$484,222" and insert in lieu thereof the amount "\$448,967"

On page 1, line 22 delete the amount "\$210,596" and insert in lieu thereof the amount "\$175,341"

And renumber the lines and pages accordingly.

AMENDMENTS TO HOUSE BILL NO. 1198

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to provide for the award of damages for harm caused by activities associated with the exploration for, the development, and production of oil and gas.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF  
NORTH DAKOTA:

SECTION 1. LEGISLATIVE FINDINGS.) The legislative assembly finds the following:

1. Exploration for and development of oil and gas reserves in this state interferes with the use, agricultural or otherwise, of the surface of certain land.
2. Owners of the surface estate and other persons should be justly compensated for injury to their persons or property and interference with the use of their property occasioned by oil and gas development.

SECTION 2. DEFINITIONS.) In this Act, unless the context or subject matter otherwise requires:

1. "Agricultural production" means the production of any growing grass or crop attached to the surface of the land, whether or not the grass or crop is to be sold commercially, and the production of any farm animals, whether or not the animals are to be sold commercially.
2. "Drilling operations" means the exploration for or drilling of an oil and gas well which requires entry upon the surface estate and was commenced subsequent to June 30, 1979, and the production operations ensuing therefrom.
3. "Mineral developer" means the person who acquires the mineral estate or lease for the purpose of extracting or using the minerals for nonagricultural purposes.

4. "Mineral estate" means an estate in or ownership of all or part of the minerals underlying a specified tract of land.
5. "Minerals" means oil and gas.
6. "Surface estate" means an estate in or ownership of the surface of a particular tract of land.
7. "Surface owner" means the person who has possession of the surface of the land either as an owner or as a tenant.

SECTION 3. SURFACE DAMAGE AND DISRUPTION PAYMENTS.) The mineral developer shall pay the surface owner a sum of money equal to the amount of damages sustained by the surface owner for loss of agricultural production and income, lost land value, and lost value of improvements caused by drilling operations. The amount of damages may be determined by any formula mutually agreeable between the surface owner and the mineral developer. When determining damages, consideration shall be given to the period of time during which the loss occurs and the surface owner may elect to be paid damages in annual installments over a period of time; except that the surface owner shall be compensated for harm caused by exploration only by a single sum payment. The payments contemplated by this section shall only cover land directly affected by drilling operations. Payments under this section are intended to compensate the actual surface owner for damage and disruption; any reservation or assignment of such compensation apart from the surface estate except to a tenant of the surface estate is prohibited.

SECTION 4. NOTICE OF DRILLING OPERATIONS.) Except for exploration activities governed by chapter 38-08.1, the mineral developer shall give the surface owner written notice of the drilling operations contemplated. This notice shall be given to the record surface owner at his address as shown by the records of the county register of deeds at the time the notice is given. This notice shall sufficiently disclose the plan of work and operations to enable the surface owner to evaluate the effect of drilling operations on the surface owners use of the property.

SECTION 5. OTHER RESPONSIBILITIES OF MINERAL DEVELOPER.) The mineral developer shall be responsible for all damages to property, real or personal, resulting from the lack of ordinary care by the mineral developer.

SECTION 6. NOTIFICATION OF INJURY.) Any person, to receive compensation, shall notify the mineral developer of the damages sustained by the person within two years after the injury occurs or would become apparent to a reasonable man.

SECTION 7. AGREEMENT - OFFER OF SETTLEMENT.) Unless both parties provide otherwise by written agreement, within sixth days after the mineral developer receives notice of damages the mineral developer shall make a written offer of settlement to the person seeking compensation for the damages. The person seeking compensation may accept or reject any offer so made.

SECTION 8. REJECTION- LEGAL ACTION - FEES AND COSTS.) If the person seeking compensation receives a written rejection, rejects the offer of the mineral developer, or receives no reply, that person may bring an action for compensation in the court of proper jurisdiction. If the amount of compensation awarded by the court is greater than that which had been offered by the mineral developer, the court shall award the person seeking compensation reasonable attorney fees and any costs assessed by the court.

SECTION 9. APPLICATION OF ACT.) The remedies provided by this Act shall not preclude any person from seeking other remedies allowed by law."

And renumber the lines and pages accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1493

On page 1 of the engrossed bill, line 14, following the word "state" insert the following ""; however, if the water commission establishes water use fees, the fees shall be based only on the anticipated cost of filing and processing the water use permit application"

On page 2 of the engrossed bill, line 16, following the period delete the word "The"

On page 2 of the engrossed bill, delete all of lines 17, 18, and 19.

On page 2 of the engrossed bill, line 20, delete the words "specific permit or a specific class of permits."

## AMENDMENTS TO HOUSE BILL NO. 1550

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act relating to the taxation of property and providing legislative intent concerning property taxation, limitations on increases or forced reductions in property taxes levied by taxing districts for certain years, and statements of full consideration; to create and enact a new subsection to section 57-13-04 of the North Dakota Century Code, relating to the powers and duties of the state board of equalization; to amend and reenact sections 57-02-27 and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the assessment of property, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; providing a penalty; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATEMENT OF LEGISLATIVE FINDINGS - LEGISLATIVE INTENT.) Although the laws of this state require the assessment of all taxable property at its true and full value, it is the finding of the legislative assembly that actual assessments are much less than true and full value. It is the intent of the legislative assembly that the state board of equalization shall, from the effective date of this Act, establish equity of taxation within the guidelines established by this Act.

SECTION 2. PROPERTY TO BE VALUED AT TRUE AND FULL VALUE.) Beginning with the year 1980, all assessors and boards of equalization shall place the value of all items of taxable property at the true and full value of the property and the assessed valuation on such property for the year 1980 and each year thereafter shall be determined pursuant to section 7 of this Act. For the purposes of this Act, the term "true and full value" shall have the same meaning as provided in subsection 4 of section 57-02-01.

SECTION 3. LIMITATIONS ON INCREASES OR FORCED REDUCTIONS IN PROPERTY TAXES LEVIED BY TAXING DISTRICTS FOR YEARS 1980 and 1981 - EXCEPTIONS.)

1. Each taxing district may levy in 1980 and 1981 at least as much in dollars as the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:

## JOURNAL OF THE HOUSE

- a. Less an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land or taxable improvements to real property which is removed from the assessment rolls of that taxing district after the year 1979 but was included in the assessment for the year 1979.
  - b. Plus an amount equal to the sum determined by the application of any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
2. No taxing district shall be permitted to levy in 1980 and 1981 taxes expressed in dollars in excess of the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
- a. Plus an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land and taxable improvements to real property which was not taxable in 1979 or was omitted from the assessment rolls for that year but which is included in the assessment for the years 1980 or 1981.
  - b. Plus an amount equal to the sum determined by the application of any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
3. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 may be increased if the electors of the taxing district authorize additional levies after the effective date of this Act at either a special or regular election as provided by law.
4. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 shall not apply to the Fargo school district or to any school district in which the electors have approved unlimited mill levies as provided by law.

SECTION 4. STATEMENTS OF FULL CONSIDERATION TO BE FILED WITH STATE BOARD OF EQUALIZATION OR REGISTER OF DEEDS - PROCEDURE - SECRECY OF INFORMATION - PENALTY.)

1. Any grantee or his authorized agent who presents a deed in the office of the county register of deeds shall certify on the face of the deed either of the following:
- a. A statement that a report of the full consideration paid for the property conveyed has been filed with the state board of equalization.
  - b. A statement of the full consideration paid for the property conveyed.

2. The register of deeds shall not record any deed unless it contains either of the statements required by subsection 1.
3. The register of deeds shall accumulate and at least monthly forward to the state board of equalization a report containing the information filed in his office pursuant to subsection 1.
4. The state board of equalization shall prescribe the necessary forms for the statements and reports to be used in carrying out the purposes of this Act, and the forms will contain a space for the explanation of special circumstances which may have contributed to the amount of the consideration.
5. For purposes of this section, the word "deed" means an instrument or writing whereby any real property or interest therein shall be granted, conveyed, or otherwise transferred to the grantee, purchaser, or other person.
6. The state board of equalization shall guard the secrecy of information contained on statements filed with the board pursuant to subsection 1, and any information provided local officials shall be limited to such data as is necessary to perform their official duties and shall not include the names of any grantors or grantees. Any reports made available to the public must be made in a manner that will not reveal the names of any grantors or grantees.
7. Any person who shall, in the statements provided for in subsection 1, willfully falsify the consideration paid for the transferred real property or interest therein or who falsely certifies that he has filed a report of full consideration with the state board of equalization shall be guilty of a class B misdemeanor.

SECTION 5. AMENDMENT.) Section 57-02-27 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-27. PROPERTY TO BE ASSESSED VALUED AT FULL VALUE - LIMITATION ON ASSESSMENT OF ANNEXED AGRICULTURAL LANDS.) All property subject to taxation based on the value thereof shall be assessed valued at its true and full value in money as defined in subsection 4 of section 57-02-01. In determining the true and full value of real and personal property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price at which said property would sell at auction, or at forced sale, or in the aggregate with all the property in the town or district, but he shall value each article or description by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing valuing any tract, or lot of real property, there shall be determined the value of the land, exclusive of improvements, and the value of all taxable improvements and structures thereon, and the aggregate value of the property, including all taxable structures and other improvements, excluding the value of crops growing upon cultivated lands. In valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell for at a fair voluntary sale for cash. Agricultural lands within the corporate limits of a city, whether or not

platted, shall constitute agricultural property and be so classified and valued for ad valorem property tax purposes until such lands are put to another use. Such valuation shall be uniform with the assessed-value valuation of adjoining unannexed agricultural land.

SECTION 6. AMENDMENT.) Section 57-02-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-28. BASIS FOR COMPUTATION OF TAX.) The value of all property subject to a general property tax, not exempted by law nor subject to any gross sales or other lieu tax, to be used in the computation of the tax levied for the payment of any bonded or improvement warrant indebtedness shall be the ~~full and true assessed value thereof~~, but the net value of such property to be used in the computation of all other taxes levied thereon shall be fifty percent of the ~~true and full assessed value thereof~~. ~~Assessors and boards of review shall assess and return all taxable property at its full and true value, and the county auditor, after equalization of the property. For purposes of this section, "assessed value" means the value established by the state board of equalization, shall make the computation necessary to ascertain said fifty percent value pursuant to section 7 of this Act.~~

SECTION 7.) A new subsection to section 57-13-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Establish the assessed value to be used on each of the classes of taxable property, based upon the de facto classes developed prior to the effective date of this Act, by city and township assessors, county directors of tax equalization, and the board based upon the actual average assessment levels, stated as percentages, for each class of property for the previous year. The assessed values so established shall be based upon the returns of assessments of taxable property provided by the counties plus information compiled by the board for property assessed by the board pursuant to section 179 of the Constitution of North Dakota. The percentages so determined shall be certified to county directors of tax equalization on or before October thirty-first of each year. The board may make adjustments in the percentage of assessed valuation to be applied to any class of property, or to specific types of property within a class of property, if required to do so pursuant to a federal law. If the board finds the range of differences between the percentages established pursuant to this subsection increasing as compared to the relationships between the percentages on the various classes of property which existed on the effective date of this Act, the board shall report such fact to the subsequent legislative assembly accompanied by any appropriate proposed legislation to bring the relationships to within the range of the relative levels which existed on the effective date of this Act.

SECTION 8. AMENDMENT.) Subsection 1 of section 57-13-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Equalize the assessment of land real property

by adding to the aggregate value thereof in any assessment district in a county and in every county in the state in which the board may believe the valuation too low, such rate percent as will raise the same to its proper relative value, and by deducting from the aggregate assessed value thereof, in any assessment district in a county and in every county in the state in which the board may believe the value too high, such percent as will reduce the same to its proper relative value. City lots shall be equalized in the manner provided for equalizing other ~~lands~~ real property. In performing its duties pursuant to this subsection, the board shall take into consideration the provisions of section 57-01-06.1;

SECTION 9. AMENDMENT.) Section 57-55-04 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-55-04. TAXES - HOW DETERMINED - DISBURSEMENT.) The tax for each mobile home shall be determined by the director of tax equalization by placing an evaluation on such mobile home based upon its true and full value and applying the same assessed valuation as established by the state board of equalization for other property in the same classification based on use, pursuant to standards and guides as determined by the state tax commissioner and applying such evaluation to the preceding year's total mill levies applying to property within the taxing district wherein the mobile home is located. If a mobile home is acquired or moved into this state during the calendar year, and a tax decal has not been previously issued on such mobile home in this state for such year, the tax shall be determined by computing the remaining number of months of the current year to the nearest full month and multiplying such number by one-twelfth of the amount which would be due for the full year. The taxes collected pursuant to the provisions of this chapter shall be disbursed in the same year they are collected and in the same manner as real estate taxes for the preceding year are disbursed.

SECTION 10. EFFECTIVE DATE.) The provisions of this Act shall be effective on or after January 1, 1980."

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1624

On page 1, of the engrossed bill, line 1, delete the words "the early identification of"

On page 1, of the engrossed bill, line 2, delete the words "handicapping conditions in preschool children,"

On page 1, of the engrossed bill, delete lines 9 through 16

And renumber the lines, sections and pages accordingly

AMENDMENTS TO HOUSE BILL NO. 1628

On page 1, line 3, after the numeral "39-06.1-10" insert the following: ", and section 39-09-01.1"

On page 2, strike all of line 7

On page 2, line 20 delete the numerals "39-09-01" and insert in lieu thereof the numerals "39-09-01.1"



On page 2, after line 21, insert the following:

"SECTION 4.) Section 39-09-01.1 of the North Dakota Century Code is hereby created and enacted to read as follows:  
39-09-01.1. CARE REQUIRED IN OPERATING VEHICLE.) Any person driving a vehicle upon a highway shall drive the vehicle in a careful and prudent manner, having due regard to the traffic, surface, and width of the highway and other conditions then existing, and shall give such warnings as are reasonably necessary for safe operation under the circumstances. No person may drive any vehicle upon a highway in a manner to endanger the life, limb, or property of any person."

On page 3, line 6, after the words "distance of" strike through the words "five hundred" and insert immediately thereafter the words "one thousand"

And renumber the lines, pages, and sections accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1645

On page 1, line 1, delete the words and numerals "sections 57-54-14 and" and insert in lieu thereof the word and numerals "section 39-24-03"

On page 1, line 2, delete the numerals "57-54-19"

On page 1, delete line 3

On page 1, line 4, delete the words "state snowmobile fund" and insert in lieu thereof the words "fees for snowmobile registration and assessment of a snowmobile trail tax"

On page 1, line 7, delete the numerals "57-54-14" and insert in lieu thereof the numerals "39-24-03" and after the word "the" insert the words and numerals "1977 Supplement to the"

On page 1, delete lines 10 through 21 and insert in lieu thereof the following:

"39-24-03. REGISTRATION - APPLICATION - ISSUANCE - FEES - RENEWAL.) Application for registration shall be made to the registrar in such a form as the registrar shall prescribe and furnish, and shall state the name and address of every owner of the snowmobile and be signed by at least one owner. A copy of such the application shall serve as evidence of registration for a period of not more than thirty days from the date of application. Upon receipt of the application and the appropriate fee as hereinafter provided, such the snowmobile shall be registered and a registration number and a certificate of registration assigned. Such The registration number shall be:

1. At least two inches in height and of a reflectorized material; and
2. Securely affixed on each side of the forward half of the snowmobile in such a position as to provide clear legibility for identification. Such The certificate of registration shall include information regarding the manufacturer, model, year, and serial number, if such the information is available; the address of the owner; and the address of the former owner or the dealer, as the case may be.

The fee for registration of each snowmobile shall be ~~four~~ two dollars for a registration period of two years beginning July first of each biennium. The fee for initial registration of each snowmobile registered on and after July first of the second year of the biennium shall also be ~~four~~

two dollars. The fee for a duplicate or replacement registration number or registration card which shall be lost, mutilated, or shall become illegible shall not exceed two dollars. In addition, in each year that fees are collected for the unsatisfied judgment fund there shall be assessed a fee of one dollar per year for each snowmobile registered, which shall be placed in the unsatisfied judgment fund. For each snowmobile registered under the provisions of this chapter, there shall be assessed a snowmobile trail tax in the amount of two four dollars.

Every owner of a snowmobile shall renew his the registration in such a manner as the registrar shall prescribe, upon payment of the same registration fees provided in this section.

Upon application for registration as prescribed in this section, any snowmobile dealer as defined in section 39-24-01 shall be issued registration numbers distinctively marked as dealer's registration numbers upon payment of the appropriate fee as prescribed in this section. Such The dealer's registration numbers shall be used only on snowmobiles owned by the dealership."

On page 2, delete lines 1 through 15

On page 2, line 19, delete the numerals "320,000.00" and insert in lieu thereof the numerals "85,000.00"

And renumber the lines, sections, and pages accordingly

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended, but subsequently failed to pass:

House Bill No. 1203

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1203

On page 3, line 32, following the word "brought" insert a period and delete the remainder of the line

On page 3, delete line 33

On page 3, line 34, delete the words and the period "action is or could have been brought."

On page 3, line 35, delete the word "shall" and insert in lieu thereof the words "may, in that person's sole descretion,"

On page 4, line 5, delete the word "shall" and insert in lieu thereof the word "may"

And renumber the lines and pages accordingly

AMENDMENT TO THE  
AMENDMENT TO HOUSE BILL 1203

(as printed on page 1403 of the Senate Journal)

On page 3, line 35, delete the word "descretion" and insert in lieu thereof the word "discretion"



**Senate Bill No. 2008.** School for the Deaf and School for the Blind — A Bill for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 7; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON	●	● UNHJEW
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG	●		● HOPFNER			● MELBY		● YIG
● BERG		●	● HOUIMANN		●	● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON		●	● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER ●
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POWEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG		●	● LARSON F # 24	●		● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE ●			● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWIGONTEK		
● HANSON		●	● MAIXNER ●			● THOMPSON		
● HAUGLAND			● MARSDEN		●	● THORSgard		
● HAUSAUER A # 49			● MARTIN ●			● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2009.** Grafton State School and San Haven State Hospital — A Bill for an Act making an appropriation for defraying the expenses of the Grafton state school and the San Haven state hospital of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATSON		● UNHJEW
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG	●		● HOPFNER			● MELBY		● YIG
● BERG		●	● HOUIMANN		●	● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON		●	● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER ●
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK	●		● KNUDSON			● POWEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY ●			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG		●	● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE			● STENEHJEM		

• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWIONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2011.** — A Bill for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 38; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
			• HERMAN			• MATTSON			• UNHJEM		
			• HICKLE			• MEIERS			• VANDER VORST		
			• HOFFNER			• MELBY			• VIG		
			• HOFMANN			• MERTENS			• WAGNER		
			• HOVE			• MEYER			• WALD		
			• JACOBSEN R			• MURPHY			• WALSH		
			• JACOBSEN I			• MUSHIK			• WEBER		
			• KELLY			• NICHOLAS			• WENTZ		
			• KENNELLY			• OLSON			• WESSMAN		
			• KENNOTT			• OPEDAHL			• WINJEH		
			• KINGSBURY			• PELTIER					
			• KLOUBEC			• PETERSON			• MR. SPEAKER		
			• KNUDSON			• POMEROY					
			• KOSKI			• REED					
			• KRETSCHMAR			• RETZER					
			• KUCHERA			• RICHARD					
			• LANG			• RICHIE					
			• LANGLEY			• RIEHL					
			• LARDY			• RUED					
			• LARSON F #24			• SCHINDLER					
			• LARSON G #29			• SCOFIELD					
			• LARSON H #7			• SOLBERG					
			• LEE			• STENEHJEM					
			• LEIBHAN			• STRINDEW					
			• LIPSIEA			• SWIONTEK					
			• MAIXNER			• THOMPSON					
			• MARSDEN			• THORSGARD					
			• MARTIN			• TIMM					
			• MARTINSON			• TINJUM					
			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

- Senate Bill No. 2047
- Senate Bill No. 2130
- Senate Bill No. 2196
- Senate Bill No. 2218
- Senate Bill No. 2285
- Senate Bill No. 2306
- Senate Bill No. 2327
- Senate Bill No. 2371
- Senate Bill No. 2446
- Senate Bill No. 2454
- Senate Bill No. 2465
- Senate Bill No. 2478
- Senate Concurrent Resolution No. 4010
- Senate Concurrent Resolution No. 4065
- Senate Concurrent Resolution No. 4068
- Senate Concurrent Resolution No. 4069

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2286:

- Rep. Black
Rep. Wald
Rep. Kelly

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bills Nos. 1257, 1302, 1402.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bills Nos. 1257, 1302, 1402.

House Bill No. 1257:

- Rep. Gackle
Rep. Murphy
Rep. Backes

House Bill No. 1302:

- Rep. A. Hausauer
Rep. Timm
Rep. Weber

House Bill No. 1402:

- Rep. Gackle
Rep. Murphy
Rep. Backes

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2013. - A Bill for an Act making an appropriation for defraying the expenses of the state hospital of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 7; absent and not voting, 4.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL CALL (YEAS, N-V, NAYS), 1979 LEGISLATURE (YEAS, N-V, NAYS). Rows list representatives and their voting status.

● MAUSAUER A. # 49	● MARTIN	● TIMM
● MAUSAUER R. # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2023.** Adjutant General — A Bill for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG	●		● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUIMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY	●		● WALSH		
● BLACK	●		● JACOBSON I			● MUSHIK			● WEBER	●	
● BOYUM			● KELLY			● NICHOLAS	●		● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 29			● SCOFIELD					
● GER			● LARSON H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBMAN			● STRINDEN					
● GUNSON			● LPSIA			● SWONKEN					
● HANSON			● MAXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAR	●				
● MAUSAUER A. # 49			● MARTIN			● TIMM					
● MAUSAUER R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2043.** — A Bill for an Act to create and enact two new sections to chapter 2-07 of the North Dakota Century Code, relating to the establishment of a program of weather modification research and development under the coordination and supervision of the weather modification board, and reports by the weather modification board to the governor; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 29; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSOON	●		● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VIG		●
● BERGE		●	● HOUIMANN		●	● MERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		●
● BJORNSON			● JACOBSEN R		●	● MURPHY	●		● WALSH		
● BLACK			● JACOBSON I			● MUSHIK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY		●	● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR SPEAKER		●
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					

● DOTZENROD	● KRETSCHMAR	RETZER ●
● DuBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHEW
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bills Nos. 2056, 2057, and 2058 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2046.** — A Bill for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to due dates of payments to school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION						ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKES ●			● HERMAN			● MATTSO			● UNHEM					
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST					
● BERG ●			● HOFFNER			● MELBY			● VIG					
● BERGE			● HOUMANN			● MEYENS			● WAGNER					
● BERGER			● HOYE			● MEYER			● WALD					
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH					
● BLACK			● JACOBSON I			● MUSHIK			● WEBER					
● BOYUM			● KELLY			● NICHOLAS ●			● WENTZ					
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN					
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKER					
● CONMY			● KINGSBURY			● PELTIER								
● CRABTREE			● KLOUBEC			● PETERSON ●			● MR. SPEAKER					
● DICK			● KNUDSON			● POMEROY								
● DIETZ			● KOSKI			● REED								
● DOTZENROD			● KRETSCHMAR			● RETZER								
● DuBORD			● KUCHERA			● RICHARD								
● EAGLES			● LANG			● RICHE								
● ERICKSON			● LANGLEY			● RIEHL								
● FLEMING			● LARDY			● RUED								
● FREBORG			● LARSON F # 24			● SCHINDLER								
● GACKLE			● LARSON G # 29			● SCOFIELD								
● GERL			● LARSON H # 7			● SOLBERG								
● GORDER			● LEE ●			● STENEHEW								
● GUNDERSON			● LEIBHAN			● STRINDEN								
● GUNSCH			● LIPSIEA			● SWIONTEK								
● HANSON			● MAIXNER			● THOMPSON								
● HAUGLAND			● MARSDEN			● THORSGARD								
● HAUSAUER, A # 49			● MARTIN			● TIMM ●								
● HAUSAUER, R # 25			● MARTINSON			● TINJUM								
● HEDSTROM			● MATHENY			● TWETEN								

So the bill passed and the title was agreed to.

**Senate Bill No. 2227.** — A Bill for an Act to authorize the state board of higher education to sell and convey certain land owned by the state of North Dakota, proceeds to go to the general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 5.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNHLEM		
BENEDICT		●	HICKLE			MEIERS			VANDERVORST		
BERG ●			HOFFNER		●	MELBY			VG		
BERGE			HOUWANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER			WALD		
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		
BLACK		●	JACOBSON I			MUSHIK			WEBER		●
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAH			WINKER		
CONMY		●	KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON			MR SPEAKER		
DICK			KNUDSON			POMEROY					
DIETZ			KOSKI			REED					
DOTZENROD		●	KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE ●					
ERICKSON			LANGLEY			RIEHL		●			
FLEMING			LARDY			RUED					
FREBERG			LARSON F # 24			SCHINDLER					
GACKLE			LARSON G # 29			SCOFIELD					
GERL			LARSON H # 7			SOLBERG					
GORDER			LEE ●			STENEHEM					
GUNDERSON			LEIBHAN			STRINDEN					
GUNSCH			LIPSIA			SWONTEK					
HANSON			MAIXNER			THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER A # 49			MARTIN			TIMM					
HAUSAUER R # 25			MARTINSON			TINJUM					
HEDSTROM			MATHENY			TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2237.** — A Bill for an Act to amend and reenact section 57-06-01 of the North Dakota Century Code, relating to the exemption of one-way paging and communication systems from property taxation under chapter 57-06.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 19; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNHLEM		
BENEDICT		●	HICKLE			MEIERS			VANDERVORST		
BERG ●			HOFFNER		●	MELBY			VG		
BERGE			HOUWANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER			WALD		
BJORNSON		●	JACOBSEN R		●	MURPHY		●	WALSH		
BLACK		●	JACOBSON I			MUSHIK			WEBER		
BOYUM			KELLY			NICHOLAS			WENTZ		
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAH			WINKER		
CONMY		●	KINGSBURY			PELTIER		●			
CRABTREE			KLOUBEC			PETERSON			MR SPEAKER		
DICK			KNUDSON			POMEROY					
DIETZ			KOSKI			REED					
DOTZENROD		●	KRETSCHMAR			RETZER					
DUBORD			KUCHERA			RICHARD					
EAGLES			LANG			RICHIE					
ERICKSON			LANGLEY			RIEHL					
FLEMING			LARDY			RUED					
FREBERG			LARSON F # 24			SCHINDLER					
GACKLE			LARSON G # 29			SCOFIELD					
GERL			LARSON H # 7			SOLBERG					
GORDER			LEE ●			STENEHEM		●			
GUNDERSON			LEIBHAN			STRINDEN					
GUNSCH		●	LIPSIA		●	SWONTEK					
HANSON			MAIXNER		●	THOMPSON					
HAUGLAND			MARSDEN			THORSGARD					
HAUSAUER A # 49		●	MARTIN			TIMM					
HAUSAUER R # 25			MARTINSON			TINJUM					
HEDSTROM			MATHENY			TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2252.** — A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code,



● GORDER	● LEE	● STENEHEM
● GUNDERSON	● LEIBHAN	● STRANDEN
● GUNSCHE	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2316.** — A Bill for an Act to create and enact a new section to title 12.1 of the North Dakota Century Code, relating to the manufacture, sale, or delivery of marijuana, hashish, and cocaine paraphernalia; to the definition of paraphernalia and other terms; and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 10; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● WATTSO			● UNHJEM		
● BACKES			● HICKLE			● WEIERS			● VANDER VORST		
● BENEDICT			● HOFFNER			● MELBY			● VIG		
● BERG			● HOLMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOBECC			● PETERSON			● MR SPEAKER		
● DICK			● KNUJSON			● POWEROY					
● DIETZ			● KOSKI			● REED					
● DOTTEWROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON F #24			● SCHINDLER					
● GACKLE			● LARSON G #29			● SCOFIELD					
● GERL			● LARSON H #7			● SOLBERG					
● GORDER			● LEE			● STENEHEM					
● GUNDERSON			● LEIBHAN			● STRANDEN					
● GUNSCHE			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER A #49			● MARTIN			● TIMM					
● HAUSAUER R #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2350.** — A Bill for an Act to create and enact a new subsection to section 39-06.1-06 and a new section to chapter 39-09 of the North Dakota Century Code, relating to fines assessed for violation of speed limits, and limitations on the reduction of speed zone speed limits; and to amend and reenact paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to points assessed against drivers' licenses for violation of the speed limit.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 8; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		

• BERGE	• HOUMANN	• MERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R.	• MURPHY	• WALSH
• BLACK	• JACOBSON, I.	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONNY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that the rules be suspended, and the following be messaged to the Senate immediately:

Senate Bills Nos. 2001, 2008, 2009, 2011, 2013, 2023, 2043, 2046, 2227, 2237, 2313, 2316 and 2350, which motion prevailed.

Rep. Strinden moved that the House stand adjourned for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2364.** — A Bill for an Act to amend and reenact subsection 4 of section 23-13-02.1, subsection 2 of section 23-13-02.3, sections 23-13-02.4 and 23-13-02.5, and subsection 1 of section 23-13-02.6 of the North Dakota Century Code, relating to the use of coin-operated and card-operated dispensing devices in self-service motor fuel dispensing facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 66; nays, 16; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEIERS		•	• VANDER VORST		
• BERG	•		• HOFFNER		•	• MELBY		•	• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK	•		• WEBER		•
• BOYUM		•	• KELLY			• NICHOLAS	•		• WENTZ		
• BROKAW			• KENNELLY			• OLSON		•	• WESSMAN		•
• CHRISTENSEN			• KERMOY			• OPEDAHL		•	• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY	•				
• DIETZ			• KOSKI	•		• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DuBORD			• KUCHERA		•	• RICHARD					
• EAGLES	•		• LANG			• RICHIE	•				
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED		•			
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7		•	• SOLBERG					
• GORDER			• LEE		•	• STENEHJEM					
• GUNDERSON		•	• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA	•		• SWONTEK					

• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A #49	• MARTIN	• TIMM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on Education

to whom was referred Senate Bill No. 2439, has had the same under consideration and recommends that the same

- do pass.  do not pass.  be placed on calendar without recommendation.
- be amended as follows:

On page 1 of the reengrossed bill, line 5, delete the words "to provide that a portion of foundation"

On page 1 of the reengrossed bill, delete line 6

On page 1 of the reengrossed bill, line 7, delete the words and comma "distributions, and"

On page 1 of the reengrossed bill, line 8, after the word "program" insert the following: ", and to provide for adjusting foundation aid payments"

On page 1 of the reengrossed bill, line 12, after the first comma insert the following: "15-40.1-07, 15-40.1-08,"

On page 1 of the reengrossed bill, line 14, after the comma insert the following: "enrollment periods used in determining per-pupil foundation program payments for school districts,"

On page 1 of the reengrossed bill, line 15, after the semicolon insert the following: "to repeal subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction for federal impact payments; to provide an appropriation for kindergarten aid and to appropriate moneys in the state tuition fund;"

On page 2 of the reengrossed bill, delete lines 19 through 30

On page 3 of the reengrossed bill, after line 11, insert the following section:

"SECTION 5. ADJUSTMENT OF FOUNDATION AID PAYMENT.)  
Whenever the taxable valuation of property is diminished because of the reclassification of real property as personal property which results from either legislative or judicial action, the state foundation aid payment to the affected school district shall be based on the diminished valuation in the year in which it is paid to the school district."

On page 4 of the reengrossed bill, line 24, delete the words "fifty-seven" and insert in lieu thereof the word "ten"

On page 4 of the reengrossed bill, line 26, delete the words "one thousand" and insert in lieu thereof the words "nine hundred sixty"

On page 4 of the reengrossed bill, line 27, delete the words "twenty-seven", and delete the words "and fifty cents"

On page 5 of the reengrossed bill, line 20, delete the words "by the board of" and insert in lieu thereof the words "of oil and gas bonus payments received for the most recent quarter pursuant to section 2 of this Act"

On page 5 of the reengrossed bill, delete line 21

On page 5 of the reengrossed bill, line 22, delete the words "public schools"

On page 5 of the reengrossed bill, after line 22, insert the following sections:

"SECTION 8. AMENDMENT.) Section 15-40.1-07 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-07. HIGH SCHOOL PER-PUPIL PAYMENTS - AMOUNT - PROPORTIONATE PAYMENTS.) There shall be paid each year from the county equalization fund to all school districts operating high schools, to school districts contracting to educate high school pupils in a federal school, subject to adjustment as provided in section 15-40.1-09, payments as follows:

1. For high schools having under seventy-five pupils in average daily membership, the amount of money resulting from multiplying the factor 1.70 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
2. For high schools having seventy-five or more, but less than one hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.40 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
3. For high schools having one hundred fifty or more, but less than five hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.32 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
4. For high schools having a total high school enrollment of five hundred fifty or more pupils in average daily membership, the amount of money resulting from multiplying the factor 1.20 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

Every high school district shall receive at least as much in total payments as it would have received if it had the highest number of pupils in the next lower category. No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~in~~ for the previous three school year years. However, no payment shall be made for those pupils for whom federal agencies provide education. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and

other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses. School districts offering high school summer school programs shall be eligible for proportionate payments provided each course offered in such programs satisfies requirements for graduation and comprises at least as many clock hours as courses offered during the regular school term.

Districts that did not maintain high schools during the year of 1964-1965 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state.

SECTION 9. AMENDMENT.) Section 15-40.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-08. ELEMENTARY PER-PUPIL PAYMENTS - AMOUNT.) There shall be paid out of the county equalization fund to school districts of the county operating elementary schools and to school districts contracting to educate elementary pupils in a federal school, employing teachers holding valid certificates or permits, payments based on the number of registered students at the beginning of each school year, adjusted as provided in section 15-40.1-09, as follows:

1. For one-room rural schools there shall be paid that amount of money resulting from multiplying the factor 1.30 times the educational support per pupil as provided in section 15-40.1-06 for each of the first sixteen pupils in grades one through eight in average daily membership, and for each additional pupil in grades one through eight in daily membership there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty pupils in average daily membership.
2. For elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first twenty pupils in grades one through six in average daily membership in each classroom or for each teacher and for each additional pupil in grades one through six in average daily membership in each classroom or for each teacher there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.

3. For elementary schools having one hundred or more pupils in average daily membership, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .9 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
4. For elementary schools in school districts having an average daily membership of one thousand or more elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .95 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
5. For each of the above classes of elementary schools, except for one-room rural schools, there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades seven and eight in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
6. For elementary schools having pupils under the compulsory age for school attendance, but not less than three years of age, in a special education program approved by the director of special education, there shall be paid that amount of money resulting from multiplying the factor .49 times the educational support per pupil as provided in section 15-40.1-06 for each special education pupil under the compulsory age for school attendance in average daily membership in each classroom or for each teacher.

No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~in~~ for the previous three school year years. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state."

On page 6 of the reengrossed bill, after line 25, insert the following sections:

"SECTION 12. REPEAL.) Subdivision b of subsection



3 of section 15-40.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby repealed effective July 1, 1980.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000.00, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing aid to school districts which provide kindergartens during the 1980-81 school year and which are established pursuant to the provisions of chapter 15-45. Payments made pursuant to this section shall be made on a per-pupil basis prorated under guidelines established by the superintendent of public instruction based upon the average daily memberships for eligible kindergartens as certified by the school districts. Such certifications shall be made to the superintendent of public instruction on or before June 1, 1981, and the superintendent of public instruction shall certify to the department of accounts and purchases the amounts to be paid to the school districts on or before June 30, 1981.

SECTION 14. APPROPRIATION.) There is hereby appropriated out of any moneys in the state tuition fund in the state treasury, not otherwise appropriated, the sum of \$16,500,000.00, or so much thereof as is or may become available, to the public schools of this state as provided in section 154 of the Constitution of the state of North Dakota and chapter 15-44, for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass., but be re-referred to the Committee on Appropriations.

Rep. Knudson	Rep. H. Larson
Rep. G. Larson	Rep. H. Larson
Rep. Black	Rep. Leibhan
Rep. Erickson	Rep. Matson
Rep. Swiontek	Rep. Olson
	Rep. Schindler
	Chairman

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Minority of your Committee on Education to whom was referred Senate Bill No. 2439, has had the same under consideration and recommends that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

- On page 1 of the reengrossed bill, line 5, delete the words "to provide that a portion of foundation"
- On page 1 of the reengrossed bill, delete line 6
- On page 1 of the reengrossed bill, line 7, delete the words and comma "distributions, and"
- On page 1 of the reengrossed bill, line 8, after the word "program" insert the following: ", and to provide for adjusting foundation aid payments"

- On page 1 of the reengrossed bill, line 12, after the first comma insert the following: "15-40.1-07, 15-40.1-08,"
- On page 1 of the reengrossed bill, line 14, after the comma insert the following: "enrollment periods used in determining per-pupil foundation program payments for school districts,"
- On page 1 of the reengrossed bill, line 15, after the semicolon insert the following: "to repeal subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction for federal impact payments; to provide an appropriation for kindergarten aid and to appropriate moneys in the state tuition fund;"
- On page 2 of the reengrossed bill, delete lines 19 through 30
- On page 3 of the reengrossed bill, after line 11, insert the following section:

"SECTION 5. ADJUSTMENT OF FOUNDATION AID PAYMENT.) Whenever the taxable valuation of property is diminished because of the reclassification of real property as personal property which results from either legislative or judicial action, the state foundation aid payment to the affected school district shall be based on the diminished valuation in the year in which it is paid to the school district."

- On page 4 of the reengrossed bill, line 24, delete the words "fifty-seven" and insert in lieu thereof the word "twenty"
- On page 4 of the reengrossed bill, line 26, delete the words "one thousand" and insert in lieu thereof the words "nine hundred seventy"
- On page 4 of the reengrossed bill, line 27, delete the words "twenty-seven", and delete the words "and fifty cents"
- On page 5 of the reengrossed bill, line 20, delete the words "by the board of" and insert in lieu thereof the words "of oil and gas bonus payments received for the most recent quarter pursuant to section 2 of this Act"
- On page 5 of the reengrossed bill, delete line 21
- On page 5 of the reengrossed bill, line 22, delete the words "public schools"
- On page 5 of the reengrossed bill, after line 22, insert the following sections:

"SECTION 8. AMENDMENT.) Section 15-40.1-07 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-07. HIGH SCHOOL PER-PUPIL PAYMENTS - AMOUNT - PROPORTIONATE PAYMENTS.) There shall be paid each year from the county equalization fund to all school districts operating high schools, to school districts contracting to educate high school pupils in a federal school, subject to adjustment as provided in section 15-40.1-09, payments as follows:

1. For high schools having under seventy-five pupils in average daily membership, the amount of money resulting from multiplying the factor 1.70 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

2. For high schools having seventy-five or more, but less than one hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.40 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
3. For high schools having one hundred fifty or more, but less than five hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.32 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
4. For high schools having a total high school enrollment of five hundred fifty or more pupils in average daily membership, the amount of money resulting from multiplying the factor 1.20 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

Every high school district shall receive at least as much in total payments as it would have received if it had the highest number of pupils in the next lower category. No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district in for the previous three school year years. However, no payment shall be made for those pupils for whom federal agencies provide education. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses. School districts offering high school summer school programs shall be eligible for proportionate payments provided each course offered in such programs satisfies requirements for graduation and comprises at least as many clock hours as courses offered during the regular school term.

Districts that did not maintain high schools during the year of 1964-1965 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state.

SECTION 9. AMENDMENT.) Section 15-40.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-08. ELEMENTARY PER-PUPIL PAYMENTS - AMOUNT.) There shall be paid out of the county equalization fund to school districts of the county operating elementary schools and to school districts contracting to educate elementary pupils in a federal school, employing teachers holding valid certificates or permits, payments based on the number of registered students at the beginning of each school year, adjusted as provided in section 15-40.1-09, as follows:

1. For one-room rural schools there shall be paid that amount of money resulting from multiplying the factor 1.30 times the educational support per pupil as provided in section 15-40.1-06 for each of the first sixteen pupils in grades one through eight in average daily membership, and for each additional pupil in grades one through eight in daily membership there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty pupils in average daily membership.
2. For elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first twenty pupils in grades one through six in average daily membership in each classroom or for each teacher and for each additional pupil in grades one through six in average daily membership in each classroom or for each teacher there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.
3. For elementary schools having one hundred or more pupils in average daily membership, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .9 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
4. For elementary schools in school districts having an average daily membership of one thousand or more elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .95 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.

5. For each of the above classes of elementary schools, except for one-room rural schools, there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades seven and eight in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
6. For elementary schools having pupils under the compulsory age for school attendance, but not less than three years of age, in a special education program approved by the director of special education, there shall be paid that amount of money resulting from multiplying the factor .49 times the educational support per pupil as provided in section 15-40.1-06 for each special education pupil under the compulsory age for school attendance in average daily membership in each classroom or for each teacher.

No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~for~~ the previous three school year ~~years~~. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state."

On page 6 of the reengrossed bill, after line 25, insert the following sections:

"SECTION 12. REPEAL.) Subdivision b of subsection 3 of section 15-40.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby repealed effective July 1, 1980.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000.00, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing aid to school districts which provide kindergartens during the 1980-81 school year and which are established pursuant to the provisions of chapter 15-45. Payments made pursuant to this section shall be made on a per-pupil basis prorated under guidelines established by the superintendent of public instruction based upon the average daily memberships for eligible kindergartens as certified by the school districts. Such certifications shall be made to the superintendent of public instruction on or before June 1, 1981, and the superintendent of public instruction shall certify to the department of accounts and purchases the amounts to be paid to the school districts on or before June 30, 1981.

SECTION 14. APPROPRIATION.) There is hereby appropriated out of any moneys in the state tuition fund in the state treasury, not otherwise appropriated, the sum of \$16,500,000.00, or so much thereof as is or may become available, to the public schools of this state as provided in section 154 of the Constitution of the state



● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A. #49	● MARTIN	● TIMM
● HAUSAUER R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

The motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Knudson moved that the amendments to Senate Bill No. 2439 as recommended by the Minority of the Committee on Education be adopted.

Rep. Backes requested a call of the House, which request was granted.

Rep. Backes moved that the House dispense with the Call of the House, which motion prevailed.

ROLL CALL

The question then was on the motion to adopt the amendments as recommended by the Minority of the Committee on Education, the roll was called and there were ayes, 31; nays, 65; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		WATTSON		●	UNKJEM		●
●			HICKLE		●	WEIERS		●	VANDERVORST		●
●		●	HOFFNER		●	WELBY		●	VIG		●
●	●		HOLMANN		●	MERTENS		●	WAGNER		●
●			HOVE		●	MEYER		●	WALD		●
●		●	JACOBSEN R.		●	MURPHY		●	WALSH		●
●		●	JACOBSON I.		●	MUSHIK		●	WEBER		●
●		●	KELLY		●	NICHOLAS		●	WENTZ		●
●			KENNELLY		●	OLSON		●	WESSMAN		●
●		●	KERMOTT		●	OPEDAHL		●	WINKLER		●
●		●	KINGSBURY		●	PELTIER		●			
●		●	KLOUBEC		●	PETERSON		●	MR SPEAKER		●
●		●	KNUDSON		●	POMEROY		●			
●		●	KOSKI		●	REED		●			
●		●	KRETSCHMAR		●	RETZER		●			
●		●	KUCHERA		●	RICHARD		●			
●		●	LANG		●	RICHIE		●			
●		●	LANGLEY		●	RIEHL		●			
●		●	LARDY		●	RUED		●			
●		●	LARSON, # 24		●	SCHINDLER		●			
●		●	LARSON, G. # 26		●	SCOFIELD		●			
●		●	LARSON, H. # 7		●	SOLBERG		●			
●		●	LEE		●	STENEHJEM		●			
●		●	LEIGHAN		●	STRINDEN		●			
●		●	LIPSIEA		●	SWONTEK		●			
●		●	MAIXNER		●	THOMPSON		●			
●		●	MARSDEN		●	THORSGARD		●			
●		●	MARTIN		●	TIMM		●			
●		●	MARTINSON		●	TINJUM		●			
●		●	MATHENY		●	TWETEN		●			

The motion failed.

Senate Bill No. 2439 was re-referred to the Committee on Appropriations.

ANNOUNCEMENTS

The Committee on Appropriations were excused to attend a committee meeting.

MOTION

Rep. Strinden moved that Senate Concurrent Resolutions be placed at the top of the calendar, which motion prevailed.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2001
- Senate Bill No. 2008
- Senate Bill No. 2009
- Senate Bill No. 2011
- Senate Bill No. 2013
- Senate Bill No. 2023
- Senate Bill No. 2043

Senate Bill No. 2046  
 Senate Bill No. 2227  
 Senate Bill No. 2237  
 Senate Bill No. 2313  
 Senate Bill No. 2316  
 Senate Bill No. 2350

ROY GILBREATH, Chief Clerk

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2047  
 Senate Bill No. 2130  
 Senate Bill No. 2196  
 Senate Bill No. 2218  
 Senate Bill No. 2285  
 Senate Bill No. 2306  
 Senate Bill No. 2327  
 Senate Bill No. 2371  
 Senate Bill No. 2446  
 Senate Bill No. 2454  
 Senate Bill No. 2465  
 Senate Bill No. 2478  
 Senate Concurrent Resolution No. 4010  
 Senate Concurrent Resolution No. 4065  
 Senate Concurrent Resolution No. 4068  
 Senate Concurrent Resolution No. 4069

The Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2047  
 Senate Bill No. 2130  
 Senate Bill No. 2196  
 Senate Bill No. 2218  
 Senate Bill No. 2285  
 Senate Bill No. 2306  
 Senate Bill No. 2327  
 Senate Bill No. 2371  
 Senate Bill No. 2446  
 Senate Bill No. 2454  
 Senate Bill No. 2465  
 Senate Bill No. 2478  
 Senate Concurrent Resolution No. 4010  
 Senate Concurrent Resolution No. 4065  
 Senate Concurrent Resolution No. 4068  
 Senate Concurrent Resolution No. 4069  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

**SECOND READING OF SENATE  
 CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4005.** — A concurrent resolution to recreate a special Garrison Diversion Legislative Overview Committee to review matters concerning Garrison diversion through the upcoming interim and the next legislative session and to represent legislative interests in the Garrison Diversion Project.



Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 62; nays, 10; absent and not voting, 28.

REGULAR SESSION									ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●					
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●					
BERG ●			HOFFNER ●			MELBY ●			VIG ●					
BERGE ●			HOJUMANN ●			MERTENS ●			WAGNER ●					
BERGER ●			HOVE ●			MEYER ●			WALD ●					
BJORNSON ●			JACOBSEN ●			MURPHY ●			WALSH ●					
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●					
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●					
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●					
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKLER ●					
CONMY ●			KINGSBUR ●			PELTIER ●								
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER					
DICK ●			KNUDSON ●			POMEROY ●								
DIETZ ●			KOSKI ●			REED ●								
DOTZENROD ●			KRETSCHMAR ●			RETZER ●								
DUBORD ●			KUCHERA ●			RICHARD ●								
EAGLES ●			LANG ●			RICHE ●								
ERICKSON ●			LANGLEY ●			RIED ●								
FLEMING ●			LARDY ●			RUE ●								
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●								
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●								
GERL ●			LARSON H # 7 ●			SOLBERG ●								
GORDER ●			LEE ●			STENEHJEM ●								
GUNDERSON ●			LEIBHAN ●			STRINDEN ●								
GUNSCH ●			LIPSIE ●			SWONTEK ●								
HANSON ●			MAIXNER ●			THOMPSON ●								
HAUGLAND ●			MARSDEN ●			THORSGAR ●								
HAUSAUER A. # 49 ●			MARTIN ●			TIMM ●								
HAUSAUER P. # 25 ●			MARTINSON ●			TINJUM ●								
HEDSTROM ●			MATHENY ●			TWETEN ●								

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4006.** — A concurrent resolution for the amendment of section 173 of the Constitution of the State of North Dakota, relating to the election of certain county officials; for the repeal of subsection 6 of section 69 of the Constitution of the State of North Dakota, relating to the jurisdiction of police magistrates, constables, and justices of the peace; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 69; nays, 2; absent and not voting, 29.

REGULAR SESSION									ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●					
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●					
BERG ●			HOFFNER ●			MELBY ●			VIG ●					
BERGE ●			HOJUMANN ●			MERTENS ●			WAGNER ●					
BERGER ●			HOVE ●			MEYER ●			WALD ●					
BJORNSON ●			JACOBSEN ●			MURPHY ●			WALSH ●					
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●					
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●					
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●					
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKLER ●					
CONMY ●			KINGSBUR ●			PELTIER ●								
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR SPEAKER					
DICK ●			KNUDSON ●			POMEROY ●								
DIETZ ●			KOSKI ●			REED ●								
DOTZENROD ●			KRETSCHMAR ●			RETZER ●								
DUBORD ●			KUCHERA ●			RICHARD ●								
EAGLES ●			LANG ●			RICHE ●								
ERICKSON ●			LANGLEY ●			RIED ●								
FLEMING ●			LARDY ●			RUE ●								
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●								
GACKLE ●			LARSON G # 29 ●			SCOFIELD ●								
GERL ●			LARSON H # 7 ●			SOLBERG ●								
GORDER ●			LEE ●			STENEHJEM ●								
GUNDERSON ●			LEIBHAN ●			STRINDEN ●								
GUNSCH ●			LIPSIE ●			SWONTEK ●								
HANSON ●			MAIXNER ●			THOMPSON ●								

● HAUGLAND	MARSDEN ●	THORSGAR ●
● HAUSAUER A #49	MARTIN ●	TINN ●
● HAUSAUER R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	TWETEN ●

So the Senate Concurrent Resolution was declared adopted.

#### MOTIONS

Rep. Strinden moved that the House reconsider its action whereby it adopted the amendments to Senate Bill No. 2026, which motion prevailed.

Rep. Strinden moved that the House reconsider its action whereby it accepted the committee report on Senate Bill No. 2026, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2026 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MOTION

Rep. Conmy moved that Senate Concurrent Resolution No. 4009 be laid over one legislative day, which motion prevailed.

#### MESSAGE FROM THE SENATE

##### Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 2035, 2036, 2070, 2160, 2186, 2206, 2357, and subsequently passed the same, but refused to concur in the House amendments to Senate Bill Nos. 2006, 2031, 2033, 2084, 2131, 2249, and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill Nos. 2006, 2031, 2033, 2084, 2131, 2249.

Senate Bill No. 2006:

Senator Hanson  
Senator Olin  
Senator Tallackson

Senate Bill No. 2031:

Senator Strinden  
Senator Naaden  
Senator Walsh

Senate Bill No. 2033:

Senator Thane  
Senator Hanson  
Senator Erdman

Senate Bill No. 2084:

Senator Peterson  
Senator Sandness  
Senator Dotzenrod

Senate Bill No. 2131:

Senator Nelson  
Senator Strand  
Senator Berube

Senate Bill No. 2249:

Senator Strand  
Senator Solberg  
Senator Lashkowitz

LEO LEIDHOLM, Secretary

#### SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4015.** — A concurrent resolution requesting the Congress of the United States to propose an amendment to the Constitution of the United States for ratification by the states to provide protection of the right to life of all human beings.

Was read the second time.

The question being on the final adoption of the resolution, as amended.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

**Senate Concurrent Resolution No. 4021.** — A concurrent resolution urging Congress to exempt North Dakota lignite from provisions of any Federal coal severance tax enacted for the purpose of alleviating impacts created by increased coal train traffic.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2054:

Rep. Kretschmar

Rep. Berge

Rep. Lardy.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1008

House Bill No. 1130

House Bill No. 1241

House Bill No. 1301

House Bill No. 1634

House Bill No. 1636

House Bill No. 1671

House Concurrent Resolution No. 3021

House Concurrent Resolution No. 3048.

Which the President has signed.

LEO LEIDHOLM, Secretary

#### MOTION

Rep. Strinden moved that Senate Concurrent Resolution No. 4028 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE

#### CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4029.** — A concurrent resolution urging the Congress of the United States and the trustee in bankruptcy of the Milwaukee Road railroad to maintain Lines West as a viable and operating railroad line.

Was read the second time.

The question being on the final adoption of the resolution, as amended.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

**Senate Concurrent Resolution No. 4030.** — A concurrent resolution urging Congress to discontinue government assistance to striking employees.

Was read the second time.

Rep. Gerl requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 34; nays, 35; absent and not voting, 31.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION						ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●					
BENEDICT ●			HICKLE ●			MEIERS ●			VANDER VORST ●					
BERG ●			HOFFNER ●			MELBY ●			VIG ●					
BERGE ●			HOUWMAN ●			MERTENS ●			WAGNER ●					
BERGER ●			HOVE ●			MEYER ●			WALD ●					
BLONSON ●			JACOBSEN ●			MURPHY ●			WALSH ●					
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●					
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●					
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●					
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●					
CONMY ●			KINGSBURY ●			PELTIER ●								
CRABTREE ●			KLOUBEC ●			PETERSON ●			MR. SPEAKER					
DICK ●			KNUDSON ●			POMEROY ●								
DIETZ ●			KOSKI ●			REED ●								
DOTZENROD ●			KRETSCHMAR ●			RETZER ●								
DUBORD ●			KUCHERA ●			RICHARD ●								
EAGLES ●			LANG ●			RICHIE ●								
ERICKSON ●			LANGLEY ●			RUE ●								
FLEMING ●			LARDY ●			RUED ●								
FREBORG ●			LARSON F # 24 ●			SCHINDLER ●								
GACKLE ●			LARSON G # 20 ●			SCOFIELD ●								
GERL ●			LARSON H # 7 ●			SOLBERG ●								
GORDER ●			LEE ●			STENEHJEM ●								
GUNDERSON ●			LEIBHAN ●			STRANDEN ●								
GUNSCH ●			LIPSIEA ●			SWIONTEK ●								
HANSON ●			MAUXNER ●			THOMPSON ●								
HAUGLAND ●			MARSDEN ●			THORSGAR ●								
HAUSAUER A # 49 ●			MARTIN ●			TIMM ●								
HAUSAUER R # 25 ●			MARTINSON ●			TINJUM ●								
HEDSTROM ●			MATHENY ●			TWETEN ●								

So the Senate Concurrent Resolution was declared lost.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2340 which the President has signed the certification over the Governor's veto, and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE  
CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4033.** — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to prohibit federal estate taxes.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a verification vote.

PARLIAMENTARY RULING

Speaker Wagner ruled in response to a question that a resolution calling for appropriate action by the Congress calling a constitutional convention to propose an amendment to the Federal Constitution would require only a majority vote of the members present.

SECOND READING OF SENATE  
CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4050.** — A concurrent resolution directing a Legislative Council study of the use of special funds and cash accounts maintained in the state treasury and of the state's accounting system.



• DOTZENROD	• KRETSCHMAR	• RETZER
• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEWING	• LARDY	• RUED
• FREBORG	• LARSON # 24	• SCHINDLER
• GACKLE	• LARSON # 29	• SCOFIELD
• GERL	• LARSON M # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSON	• LIPSIE	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A # 49	• MARTIN	• TIMM
• HAUSAUER R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the Senate Concurrent Resolution was declared adopted.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3021

H.C.R. No. 3048

were delivered to the ~~Governor~~ Secretary of State ~~for his approval~~ at the hour of

4:41 o'clock P.M., March 20, 1979

*Wage Stenehjem*  
Rep. Stenehjem Chairman

The committee on Enrollment and Engrossment respectfully reports that:

H.B. No. 1008

H.B. No. 1130

H.B. No. 1241

H.B. No. 1301

H.B. No. 1634

H.B. No. 1636

H.B. No. 1671

were delivered to the ~~Governor~~ Secretary of State for his approval at the hour of

4:45 o'clock P.M., March 20, 1979

*Wage Stenehjem*  
Rep. Stenehjem Chairman

**SECOND READING OF SENATE  
CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4062.** A concurrent resolution urging the State Board of Higher Education and the state educational institutions under its control and administration to participate in programs sponsored by the National Science Foundation.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

**Senate Concurrent Resolution No. 4063.** — A concurrent resolution directing a Legislative Council study of the local delivery of programs by the Farmers Home Administration.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT	•		• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE	•		• HOUWMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDAHL	•		• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED	•				
• FREBORG			• LARSON # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER			• LEE	•		• STENHEJEM					
• GUNDERSON			• LEIBHAN			• STRINDEH					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGRAND					
• HAUSAUER A # 49			• MARTIN			• TINM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• THETEN					

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4076.** — A concurrent resolution directing the Legislative Council to study the procedures involved in family law and other related domestic relations matters.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• UNHJEM		
• BENEDICT	•		• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE	•		• HOUWMANN			• MERTENS	•		• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN R			• MURPHY			• WALSH		
• BLACK			• JACOBSON I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOIT			• OPEDAHL	•		• WINKJER		
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON	•		• MR SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER	•				
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED	•				

● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GEAL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSCH	● LIPSIE	● SWINTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4078.** — A concurrent resolution directing the Legislative Council to study eminent domain procedures for condemnation of land acquired for public use, and relocation assistance.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● MATTHEWSON			● UNHJEM		
●			● HICKLE			● MEERS			● VANDER VORST		
●			● HOFFNER			● WELBY			● VIG		
●			● HOLMANN			● WERTENS			● WAGNER		
●			● HOVE			● MEYER			● WALD		
●			● JACOBSEN			● MURPHY			● WALSH		
●			● JACOBSON, I			● MUSHIK			● WEBER		
●			● KELLY			● NICHOLAS			● WENTZ		
●			● KENNELLY			● OLSON			● WESSMAN		
●			● KERMOY			● OPEDAHL			● WINKLER		
●			● KINGSBURY			● PELTIER			● MR SPEAKER		
●			● KLOUBEC			● PETERSON					
●			● KNUDSON			● POMEROY					
●			● KOSKI			● REED					
●			● KRETSCHMAR			● REEDER					
●			● KUCHERA			● RICHARD					
●			● LANG			● RICHE					
●			● LANGLEY			● RIEHL					
●			● LARDY			● RUED					
●			● LARSON, F # 24			● SCHINDLER					
●			● LARSON, G # 29			● SCOFIELD					
●			● LARSON, H # 7			● SOLBERG					
●			● LEE			● STENEHJEM					
●			● LEIBMAN			● STRINDEN					
●			● LIPSIE			● SWINTEK					
●			● MAXNER			● THOMPSON					
●			● MARSDEN			● THORSGAARD					
●			● MARTIN			● TIMM					
●			● MARTINSON			● TINJUM					
●			● MATHENY			● TWETEN					

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4080.** — A concurrent resolution urging the United States Department of Agriculture, the United States Department of Commerce, the United States Department of Energy, the United States Department of Transportation, and the Small Business Administration to assist and encourage the manufacture and marketing of gasohol; and urging Congress to consider any requests for funds to support any related programs.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

MOTIONS

Rep. Hoffner moved that Senate Concurrent Resolution No. 4064 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that that portion of House Rule No. 45 pertaining



to the deadline by which all Senate Bills and Resolutions must be reported back to the House from committee be suspended, and that the date be extended from noon of the 54th day, March 20, 1979, through the 55th day, March 21, 1979, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2131:

Rep. Erickson  
Rep. Schindler  
Rep. Hoffner

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2249:

Rep. Rued  
Rep. Gunderson  
Rep. Richard

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the Fifth Order of Business, and at the conclusion of the Fifth Order, the House stand adjourned until 9:00 a.m., Wednesday, March 21, 1979, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2003, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 8; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar  
without recommendation.

be amended as follows:

- On page 2 of the engrossed bill, line 5, delete the numerals "3,020,666" and insert in lieu thereof the numerals "3,060,388"
- On page 2 of the engrossed bill, line 10, delete the numerals "7,961,837" and insert in lieu thereof the numerals "8,901,559"
- On page 2 of the engrossed bill, line 13, delete the numerals "497,044" and insert in lieu thereof the numerals "535,344"
- On page 2 of the engrossed bill, line 19, delete the numerals "736,504" and insert in lieu thereof the numerals "774,804"
- On page 2 of the engrossed bill, line 20, delete the numerals "461,908" and insert in lieu thereof the numerals "481,998"
- On page 2 of the engrossed bill, line 21, delete the numerals "274,596" and insert in lieu thereof the numerals "292,806"
- On page 2 of the engrossed bill, line 22, delete the numerals "2,121,901" and insert in lieu thereof the numerals "2,140,111"
- On page 2 of the engrossed bill, line 23, delete the numerals "8,423,745" and insert in lieu thereof the numerals "8,483,557"
- On page 2 of the engrossed bill, line 24, delete the numerals "10,545,646" and insert in lieu thereof the numerals "10,623,668"

And renumber the lines accordingly

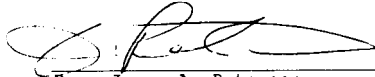
#### STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages of central data processing by \$39,722

to provide for 6.5 percent average annual salary increases and to provide for adequate fringe benefits including full family medical coverage.

Increase salaries and wages of the Central Personnel Division by \$38,300. Of that amount, a decrease of \$38 will allow for 6.5 percent average annual salary increases and adequate fringe benefits including full family medical coverage; and an increase of \$38,338, of which \$18,248 is from the general fund and \$20,090 is from federal funds, is to provide for an equal employment opportunity officer which was deleted by the Senate.

And when so amended, recommends the same do pass.

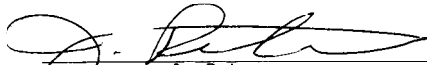


Rep. James A. Peterson Chairman

Senate Bill No. 2003 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2018, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 5; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

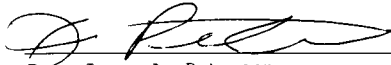


Rep. James A. Peterson Chairman

Senate Bill No. 2018 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2037, has had the same under consideration and recommends, by a vote of Ayes, 19; Nays, 0; Absent, 0, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:



Rep. James A. Peterson Chairman

Senate Bill No. 2037 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2038, has had the same under consideration and recommends, by a vote of Ayes, 10; Nays, 8; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

- On page 1 of the engrossed bill, line 17, delete the numerals "1,826,916" and insert in lieu thereof the numerals "1,882,010"
On page 1 of the engrossed bill, line 20, delete the numerals "133,201" and insert in lieu thereof the numerals "150,000"
On page 1 of the engrossed bill, line 22, delete the numerals "2,427,533" and insert in lieu thereof the numerals "2,499,426"

- On page 2 of the engrossed bill, line 1, delete the numerals "227,532" and insert in lieu thereof the numerals "272,854"
- On page 2 of the engrossed bill, line 2, delete the numerals "2,200,001" and insert in lieu thereof the numerals "2,226,572"
- On page 2 of the engrossed bill, line 4, delete the words "JUDGES OF DISTRICT COURT" and insert in lieu thereof the words "UNIFIED JUDICIAL SYSTEM"
- On page 2 of the engrossed bill, line 5, delete the numerals "2,370,658" and insert in lieu thereof the numerals "3,282,423"
- On page 2 of the engrossed bill, line 7, delete the numerals "133,724" and insert in lieu thereof the numerals "382,500"
- On page 2 of the engrossed bill, line 9, delete the numerals "2,909,339" and insert in lieu thereof the numerals "4,069,880"
- On page 2 of the engrossed bill, line 11, delete the numerals "2,758,339" and insert in lieu thereof the numerals "3,918,880"
- On page 2 of the engrossed bill, line 29, delete the numerals "5,023,097" and insert in lieu thereof the numerals "6,210,209"
- On page 2 of the engrossed bill, line 30, delete the numerals "441,532" and insert in lieu thereof the numerals "486,854"
- On page 2 of the engrossed bill, line 31, delete the numerals "5,464,629" and insert in lieu thereof the numerals "6,697,063"
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:


Supreme Court

The Supreme Court salaries and wages line item is increased \$55,094, of which \$9,772 is from the general fund and \$45,322 is Law Enforcement Council funds for the position of juvenile court coordinator. The Supreme Court supplies and materials line item is increased \$16,799 to permit maintenance acquisitions for the law library.

Unified Judicial System

This amendment restores funding for the Unified Judicial System. The recommended appropriation for the Unified Judicial System is an increase of \$1,160,541 over the Senate version of the appropriation for the district courts. It is an increase of \$897,140 over the amount included in the executive budget for the district courts. The recommended appropriation for the Unified Judicial System includes funding for 19 district court judges for 24 months, 29 associate district judges for six months, and 13 juvenile referees for 24 months. This appropriation includes travel funds for both district court judges and associate district judges and funds for transition office expenses for 12 associate district judges.

And when so amended, recommends the same do pass.

  
 Rep. James A. Peterson Chairman

Senate Bill No. 2038 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2040, has had the same under consideration and recommends, by a vote of  
 Ayes, 16; Nays, 0; Absent, 3, that the same

do pass. do not pass. be placed on calendar  
without recommendation. be amended as follows:

- On page 1 of the engrossed bill, line 3, after the semicolon insert the following: "providing for a performance review;"
- On page 1 of the engrossed bill, line 9, delete the words "sum of" and insert in lieu thereof the words and comma "sums hereinafter provided,"
- On page 1 of the engrossed bill, line 10, delete the numerals "\$8,929,609"
- On page 1 of the engrossed bill, after line 15, insert the following: "(Including salary of commissioner not to exceed \$66,080 for the biennium)"
- On page 1 of the engrossed bill, line 20, delete the numerals "601,100" and insert in lieu thereof the numerals "660,800"
- On page 1 of the engrossed bill, line 21, delete the numerals "1,100,000" and insert in lieu thereof the numerals "1,060,000"
- On page 2 of the engrossed bill, after line 3, insert the following line:  
"Noxious weed control 100,000"
- On page 2 of the engrossed bill, line 5, delete the numerals "8,929,609" and insert in lieu thereof the numerals "9,049,309"
- On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 3. FUND BALANCE - LIMITATION ON SALARIES - PRIVATE LAND HABITAT IMPROVEMENT AND DEPREDATION FUND.) Of the moneys appropriated in section 1 of this Act for the private land habitat improvement and deer depredation fund, moneys spent for salaries from the fund shall not exceed ten percent of the line item amount. The balance of the private land habitat improvement and deer depredation fund is to be maintained at a minimum of \$100,000.00, except when such funds are used for depredation programs during the months of November through April. If the balance of the fund goes below \$100,000.00 due to expenditures for depredations during the months of November through April, the moneys derived from interest earned on the game and fish fund shall be first used to restore the balance of the private land habitat improvement fund to \$100,000.00."

- On page 3 of the engrossed bill, after line 3, insert the following sections:

"SECTION 7. PERFORMANCE REVIEW - APPROPRIATION.) There is hereby appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, to the legislative council for a performance review of the game and fish department during the biennium beginning July 1, 1979, and ending June 30, 1981. Funds made available to the legislative council pursuant to this appropriation shall be used to contract for services from a firm experienced in management reviews of governmental operations. The legislative council shall make its report on the performance review to the forty-seventh legislative assembly accompanied with any legislation which may be necessary to implement the report recommendations.

SECTION 8. NOXIOUS WEED CONTROL.) Upon failure of the game and fish department to adequately destroy noxious weeds, or control and prevent spreading and dissemination of noxious weeds, on any parcel of land under its control, the county control authority for the county in which all or a portion of the land owned and leased by the game and fish department is located may, upon approval of the commissioner, enter upon the land owned and leased by the game and fish department for the purposes of destruction, control, or prevention of noxious weeds. All expenditures by county control authorities for destruction, control, or prevention of noxious weeds on game and fish lands pursuant to this section shall be reimbursed by the state game and fish department to the county control authority upon adequate certification by the county control authority."

On page 3 of the engrossed bill, line 4, delete the numeral "5" and insert in lieu thereof the numeral "6". And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:


This amendment reduces the land, structures, and major improvements line item of the Game and Fish Department by \$40,000, moneys which were included for noxious weed control, and adds a separate line item for noxious weed control of \$100,000. A new section is also added to the bill providing that if the Game and Fish Department does not adequately destroy noxious weeds, the county control authority for the county in which all or a portion of the land owned and leased by the Game and Fish Department is located may upon approval of the commissioner destroy the noxious weeds and be reimbursed for such expenditures by the Game and Fish Department.

This amendment also increases the equipment line item by \$29,700 for a reservoir research and rescue boat and by \$30,000 for additional snowmobiles and trailers.

This amendment also provides that no more than 10 percent of the private land habitat improvement and deer depredation fund line item may be used for salaries. This section also provides that the balance of the fund be maintained at a minimum of \$100,000 for depredation programs during the months of November through April.

There is also appropriated \$50,000 from the game and fish fund to the Legislative Council for a performance review of the Game and Fish Department.

And when so amended, recommends the same do pass.

  
Chairman  
Rep. James A. Peterson

Senate Bill No. 2040 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2460, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 6; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

Delete the House amendments to reengrossed Senate Bill No. 2460 as printed on pages 1659 through 1660 of the House Journal and further amend the reengrossed bill as follows:

On page 1 of the reengrossed bill, line 1, delete everything after the word "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act making an appropriation for defraying the expenses of the office of energy management, office of economic opportunity, state planning division, natural resources council, and the special projects coordinator of the state of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various agencies of the state of North Dakota for the purposes of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## Subdivision 1.

## OFFICE OF ENERGY MANAGEMENT

Salaries and wages	\$ 456,231
Fees and services	439,446
Supplies and materials	153,147
Equipment	7,850
Data processing	500
Grants, benefits, and claims	<u>11,616,559</u>
Total all funds	\$ <u>12,673,733</u>
Less estimated income	<u>12,626,388</u>
Total general fund appropriation	\$ <u>47,345</u>

## Subdivision 2.

## OFFICE OF ECONOMIC OPPORTUNITY

Salaries and wages	\$ 352,462
Fees and services	226,492
Supplies and materials	27,500
Equipment	4,685
Data processing	2,500
Grants, benefits, and claims	<u>4,576,502</u>
Total all funds	\$ <u>5,190,141</u>
Less estimated income	<u>5,086,263</u>
Total general fund appropriation	\$ <u>103,878</u>

## Subdivision 3.

## STATE PLANNING DIVISION

Salaries and wages	\$ 360,095
Fees and services	339,089
Supplies and materials	54,659
Equipment	2,778
Data processing	71,022
Grants, benefits, and claims	<u>1,257,670</u>
Total all funds	\$ <u>2,085,313</u>
Less estimated income	<u>1,843,227</u>
Total general fund appropriation	\$ <u>242,086</u>

## Subdivision 4.

## NATURAL RESOURCES COUNCIL

Salaries and wages	\$ 192,911
Fees and services	69,924
Supplies and materials	7,780
Equipment	1,100
Grants, benefits, and claims	<u>134,301</u>
Total all funds	\$ <u>406,016</u>
Less estimated income	<u>321,433</u>
Total general fund appropriation	\$ <u>84,583</u>

## Subdivision 5.

## SPECIAL PROJECTS COORDINATOR

Salaries and wages	\$ 16,348
Fees and services	5,460
Supplies and materials	300
Total general fund appropriation	\$ <u>22,108</u>
Grand total general fund appropriation	\$ 500,000
SB 2460	
Grand total special funds appropriation	\$ 19,877,311
SB 2460	
Grand total all funds appropriated	\$ 20,377,311
SB 2460	

SECTION 2. COMMUNITY DEVELOPMENT BLOCK GRANTS.) If federal funds are made available to the state planning division

related to the community development block grants program, and if such federal funds do not require additional state matching funds, the state planning division is authorized to accept and expend such funds upon approval by the emergency commission during the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

SECTION 4. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION.) All acts and parts of acts that may be in conflict herewith are hereby repealed and if for any reason or cause any specific appropriation for any item or set of items should be held by the court or courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purposes provided for herein."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes the provisions for a federal aid coordinator. It provides for separate appropriations for the Office of Energy Management, Office of Economic Opportunity, State Planning Division, Natural Resources Council, and the Special Projects Coordinator. The total salaries and wages appropriations for all of these agencies is reduced \$232,000, of which \$118,908 is from the general fund and \$113,092 is from federal funds, from the amounts recommended in the executive budget to reduce the number of positions. Salaries and wages is reduced by 14.4 percent in each of the agency's appropriations from the amount recommended in the executive budget. Originally, this was anticipated to be a reduction of eight positions in total for all five agencies when they were consolidated in an office of federal aid coordinator. The amendment provides a total general fund appropriation for all these agencies of \$500,000.

And when so amended, recommends the same do pass.



Rep. James A. Peterson

Chairman

Senate

Bill No. 2460

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Education

to whom was referred Senate

Bill No. 2463, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 1; Absent, 3, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 16, after the word "program" insert a "." and delete the words "and has met" and insert in lieu thereof the following new sentence: "Standards will be established by mutual consent of the board of psychological examiners and the department of public instruction."

On page 1, delete all of lines 17 and 18

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. Knudson Chairman

Senate Rep. Knudson Bill No. 2463 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**Mr. Speaker:** Your Committee on Natural Resources to whom was referred Senate

Bill No. 2485, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

Rep. Kloubec Chairman

Senate Rep. Kloubec Bill No. 2485 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Pursuant to Rep. Kretschmar's motion, the House stood adjourned until 9:00 a.m., Wednesday, March 21, 1979.

ROY GILBREATH, Chief Clerk



FIFTY-FIFTH DAY

Bismarck, March 21, 1979

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

The prayer was offered by Rev. Al Soderberg, Church of God, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Eagles, Fleming, Lee, Martin, Richie, Swiontek and Tinjum.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-fourth Day and finds the same to be correct.

Signature of Rep. Swiontek, Chairman

Rep. Meiers moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR 3094 be introduced.

Signature of Rep. Earl Strinden, Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR 3095 be introduced.

Signature of Rep. Earl Strinden, Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTION

Reps. Scofield, Winkjer and I. Jacobson and Senators Wenstrom and Rait introduced:

**House Concurrent Resolution No. 3094.** — A concurrent resolution congratulating the UND-Williston women's basketball team and their coach, Ms. Penny Johnson, for placing third in the National Junior College women's basketball tournament.

Which was read the first time.

Rep. Strinden moved that the rules be suspended, that House Concurrent Resolution No. 3094 not be referred to committee, not printed as a bill but printed in the journal, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

HOUSE CONCURRENT RESOLUTION No. 3094

Introduced by Reps. Scofield, Winkjer, I. Jacobson, Senator Wenstrom, Rait (Approved by Committee on Delayed Bills).

A concurrent resolution congratulating the UND-WILLISTON women's basketball team and their coach, Ms. Penny Johnson, for placing third in the National Junior College women's basketball tournament.

WHEREAS, the UND-Williston women's basketball team, known as the Tetons, placed third in the National Junior College women's basketball tournament in Overland Park, Kansas, by defeating the Broward Junior College women's basketball team; and

WHEREAS, the Tetons ended their season with a 28-4 record and set a tournament scoring record with 414 points for the five games played; and

WHEREAS, two of the Teton's team members were named to the 10-member all tournament squad;

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

That the Forty-sixth Legislative Assembly extends sincere congratulations to the UND-Williston women's basketball team and its individual members; Jean Roise, Carol Gatzke, Sandra Gunlikson, Lori Sandaker, Shelly Hughes, Janet Thompson, Debby Syverson, Denise Forbregd, Debra Sax, Shirley Dreyer, Mary Anderson, and Laurel Forsberg, manager; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly also extends its sincere congratulations to the coach of the UND-Williston women's basketball team, Ms. Penny Johnson; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the Tetons and their coach, in care of the Women's Athletic Department, UND-Williston, in Williston, North Dakota.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3094.** — A concurrent resolution congratulating the UND-Williston women's basketball team and their coach, Ms. Penny Johnson, for placing third in the National Junior College women's basketball tournament.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTION

Rep. Langley introduced:

**House Concurrent Resolution No. 3095.** — A concurrent resolution urging the United States Congress to designate Fort Totten as a national historic site.

Which was read the first time.

Rep. Strinden moved that the rules be suspended, that House Concurrent Resolution No. 3095 not be referred to committee, not printed as a bill but printed in the journal, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

**HOUSE CONCURRENT RESOLUTION No. 3095**

Introduced by Rep. Langley (Approved by Committee on Delayed Bills).

A concurrent resolution urging the United States Congress to designate Fort Totten as a national historic site.

WHEREAS, Fort Totten, which is located approximately 12 miles southwest of Devils Lake, North Dakota, on the south shore of Devils Lake on the Fort Totten Indian Reservation, was established by General Alfred H. Terry on July 17, 1867, to help protect an overland route extending from southwestern Minnesota to western Montana and served as a U.S. Army installation until it was abandoned on November 18, 1890; and

WHEREAS, the Fort Totten State Historic Site, administered by the State Historical Society of North Dakota, is one of the most well preserved military posts representing the period of the Indian wars west of the Mississippi River; and

WHEREAS, it is critical that renovation of the original buildings of Fort Totten be undertaken in the near future before any major building losses occur; and

WHEREAS, the renovation is a project that is currently beyond the financial resources of the State of North Dakota; and

WHEREAS, various subcommittees of the Budget Section of the Legislative Council, the North Dakota State Historical Society, and the Forty-fifth Legislative Assembly have all gone on record urging the federal government to provide funding for the Fort Totten Site;

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

That the Forty-sixth Legislative Assembly of North Dakota hereby urges the Congress of the United States to designate Fort Totten as a national historic site to be eligible to receive federal funding for purposes of renovation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Interior, the director of the National Park Service, the chairmen of the Senate and House Committees on the Interior, and the North Dakota Congressional Delegation.

**SECOND READING OF**

**HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3095.** — A concurrent resolution urging the United States Congress to designate Fort Totten as a national historic site.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 19, 1979, I signed the following House Bills:

House Bill No. 1063  
House Bill No. 1096  
House Bill No. 1117  
House Bill No. 1239  
House Bill No. 1262  
House Bill No. 1268  
House Bill No. 1293  
House Bill No. 1368  
House Bill No. 1377  
House Bill No. 1378  
House Bill No. 1380  
House Bill No. 1398  
House Bill No. 1400  
House Bill No. 1430  
House Bill No. 1450  
House Bill No. 1461  
House Bill No. 1485  
House Bill No. 1502  
House Bill No. 1506  
House Bill No. 1544  
House Bill No. 1564  
House Bill No. 1566  
House Bill No. 1571  
House Bill No. 1576  
House Bill No. 1617  
House Bill No. 1620  
House Bill No. 1637  
House Bill No. 1681

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner announced the following conference committee appointments:

Senate Bill No. 2006:

Rep. Marsden  
Rep. Thorsgard  
Rep. Fleming

Senate Bill No. 2012:

Rep. R. Christensen  
Rep. Unhjem  
Rep. Solberg

Senate Bill No. 2015:

Rep. Kingsbury  
Rep. F. Larson  
Rep. Fleming

Senate Bill No. 2031:

Rep. Kingsbury

Rep. Christensen  
 Rep. Opedahl  
 Senate Bill No. 2033:  
 Rep. Marsden  
 Rep. Thorsgard  
 Rep. Solberg  
 Senate Bill No. 2044:  
 Rep. Kingsbury  
 Rep. Christensen  
 Rep. Opedahl  
 Senate Bill No. 2084:  
 Rep. Kermott  
 Rep. Melby  
 Rep. Pomeroy

#### SIXTH ORDER OF BUSINESS

Rep. Vander Vorst moved that the amendments to House Bill No. 1065 as recommended by the Conference Committee on Industry, Business and Labor as printed on page 1884 of the House Journal be adopted, which motion prevailed.

Rep. Boyum moved that the amendments to House Bill No. 1409 as recommended by the Conference Committee on Political Subdivisions as printed on pages 1884 and 1885 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 2109 as recommended by the Conference Committee on Industry, Business and Labor as printed on page 1885 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2003 as recommended by the Committee on Appropriations as printed on pages 1934 and 1935 of the House Journal be adopted, which motion prevailed on a verification vote.

Rep. Peterson moved that the amendments to Senate Bill No. 2038 as recommended by the Committee on Appropriations as printed on pages 1935 and 1936 of the House Journal be adopted, which motion prevailed on a verification vote.

Rep. Peterson moved that the amendments to Senate Bill No. 2040 as recommended by the Committee on Appropriations as printed on pages 1936, 1937, and 1938 of the House Journal be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2460 as recommended by the Committee on Appropriations as printed on pages 1938, 1939, and 1940 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2463 as recommended by the Committee on Education as printed on pages 1940 and 1941 of the House Journal be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1067.** — A Bill for an Act to create and enact chapter 27-25 of the North Dakota Century Code, relating to the creation of a judicial nominating committee.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 30; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●			●			●		●
BACKES		●	●	HERMAN		●	WATTSON		●		●
BENEDICT		●	●	HICKLE		●	WEIERS		●		●
BERG		●	●	HOFFNER		●	MELBY		●		●
BERGE		●	●	HUHMANN		●	MERTENS		●		●
BERGER		●	●	HOVE		●	MEYER		●		●
BJORNSON			●	JACOBSEN, R.		●	MURPHY		●		●
BLACK			●	JACOBSON, I.		●	MUSHIK		●		●
BOYUM			●	KELLY		●	NICHOLAS		●		●
BROKAW		●	●	KENNELLY		●	OLSON		●		●
CHRISTENSEN			●	KERMOTT		●	OPEDAHL		●		●
CONNY			●	KINGSBURY		●	PELTIER		●		●
CRABTREE			●	KLOUBEC		●	PETERSON		●	●	MR. SPEAKER
DICK			●	KNUDSON		●	POMEROY		●		
DIETZ			●	KOSKI		●	REED		●		
DOTZENROD			●	KRETSCHMAR		●	RETZER		●		
DUBORD		●	●	KUCHERA		●	RICHARD		●		
EAGLES			●	LANG		●	RICHIE		●		
ERICKSON			●	LANGLEY		●	RIEHL		●		
FLEMING		●	●	LARDY		●	RUED		●		
FREDBORG			●	LARSON, F. # 24		●	SCHINDLER		●		
GACKLE			●	LARSON, G. # 29		●	SCOFIELD		●		
GERL		●	●	LARSON, H. # 7		●	SOLBERG		●		
GORDER			●	LEE		●	STENEHJEM		●		
GUNDERSON			●	LEIBHAN		●	STRINDEN		●		
GUNSCH			●	LIPSIEA		●	SWONTEK		●		
HANSON		●	●	MAIXNER		●	THOMPSON		●		
HAUGLAND			●	MARSDEN		●	THORSGAR		●		
HAUSAUER, A. # 48		●	●	MARTIN		●	TIMM		●		
HAUSAUER, R. # 25			●	MARTINSON		●	TINJUM		●		
HEDSTROM			●	MATHEVY		●	TWETEN		●		

So the bill passed and the title was agreed to.

**House Bill No. 1095.** — A Bill for an Act to create and enact new sections to chapters 47-10 and 47-11 of the North Dakota Century Code, relating to a presumption that a nontestamentary transfer of real or personal property between spouses is always for a consideration, and not a gift, unless stated in writing.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 5; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		●
BACKES			●	HERMAN		●	WATTSON		●		●
BENEDICT			●	HICKLE		●	WEIERS		●		●
BERG			●	HOFFNER		●	MELBY		●		●
BERGE			●	HUHMANN		●	MERTENS		●		●
BERGER			●	HOVE		●	MEYER		●		●
BJORNSON			●	JACOBSEN, R.		●	MURPHY		●		●
BLACK			●	JACOBSON, I.		●	MUSHIK		●		●
BOYUM			●	KELLY		●	NICHOLAS		●		●
BROKAW			●	KENNELLY		●	OLSON		●		●
CHRISTENSEN			●	KERMOTT		●	OPEDAHL		●		●
CONNY			●	KINGSBURY		●	PELTIER		●		●
CRABTREE			●	KLOUBEC		●	PETERSON		●	●	MR. SPEAKER
DICK			●	KNUDSON		●	POMEROY		●		
DIETZ			●	KOSKI		●	REED		●		
DOTZENROD			●	KRETSCHMAR		●	RETZER		●		
DUBORD			●	KUCHERA		●	RICHARD		●		
EAGLES			●	LANG		●	RICHIE		●		
ERICKSON			●	LANGLEY		●	RIEHL		●		
FLEMING			●	LARDY		●	RUED		●		
FREDBORG			●	LARSON, F. # 24		●	SCHINDLER		●		
GACKLE			●	LARSON, G. # 29		●	SCOFIELD		●		
GERL			●	LARSON, H. # 7		●	SOLBERG		●		
GORDER			●	LEE		●	STENEHJEM		●		
GUNDERSON			●	LEIBHAN		●	STRINDEN		●		
GUNSCH			●	LIPSIEA		●	SWONTEK		●		
HANSON			●	MAIXNER		●	THOMPSON		●		
HAUGLAND			●	MARSDEN		●	THORSGAR		●		
HAUSAUER, A. # 48			●	MARTIN		●	TIMM		●		
HAUSAUER, R. # 25			●	MARTINSON		●	TINJUM		●		
HEDSTROM			●	MATHEVY		●	TWETEN		●		

So the bill passed and the title was agreed to.

**House Bill No. 1138.** — A Bill for an Act to create and enact chapters 16.1-01, 16.1-04, 16.1-05, 16.1-06, 16.1-07, 16.1-08, 16.1-09, 16.1-10, 16.1-12,

16.1-13, 16.1-14, 16.1-15, and 16.1-16, and sections 16.1-11-03 through 16.1-11-24 and sections 16.1-11-26 through 16.1-11-34 of the North Dakota Century Code, relating to a new election code establishing qualifications for electors, initiative and referendum procedures, election offenses, the administration of elections, the establishment of voting precincts, the qualifications and duties of election officers, election supplies, ballots, electronic voting systems, and voting machines, absent voters' ballots, political contributions by corporations and associations, the disclosure of financial interests, corrupt practices, primary elections, nominations at the general election, the conduct of elections, presidential electors, election returns, recounts, and contests; and to repeal chapters 16-01, 16-03, 16-05, 16-06, 16-08, 16-09, 16-10, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-18, 16-20, 16-21, 16-21.1, 16-22, and sections 16-04-02, 16-04-02.1, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-07, 16-04-08, 16-04-09, 16-04-10, 16-04-12, 16-04-13, 16-04-15.1, 16-04-15.2, 16-04-16, 16-04-17, 16-04-18, 16-04-19, 16-04-21, 16-04-25, 16-04-26, 16-04-27, 16-04-28, 16-04-29, 16-04-30, 16-04-31, 16-04-32, 16-04-33, 16-04-34, 16-04-35, 16-04-36, 16-07-01, 16-07-02, 16-07-03, 16-07-04, 16-07-05, 16-07-06, 16-07-07, 16-07-08, 16-07-09, 16-17-10, and 16-17-12 of the North Dakota Century Code, relating to general election provisions, individual nominations, primary elections, nominations for office, general and special elections, the no-party ballot, the establishment of precincts and voting places, election officers and supplies, the conduct of elections, returns and contests of elections, voting by new residents, absent voters' ballots, corrupt practices, voting machines, electronic voting systems, and the disclosure of financial interest.

Which has been read.

Rep. Conmy moved that the House waive the reading of the title to House Bill No. 1138, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 15; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTISON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDERVORST	
•		•		HOFFNER		•	MELBY		•	VG	
•			•	HOLMANN			MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN, R		•	MURPHY		•	WALSH	
•			•	JACOBSON, I			MUSHIK		•	WEBER	•
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	
•			•	KERMOTT		•	OPEDAHL		•	WINKJER	
•			•	KINGSBURY			PELTIER				
•			•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•			•	KNUDSON		•	POWERDY				
•			•	KOSKI		•	REED				
•			•	KRETSCHMAR		•	RETZER				
•		•		KUCHERA			RICHARD		•		
•			•	LANG		•	RICHIE				
•			•	LANGLEY		•	RIEHL				
•				LARDY		•	RUED				
•			•	LARSON, F # 24		•	SCHINDLER				
•			•	LARSON, G # 28		•	SCOFIELD				
•		•		LARSON, H # 7		•	SOLBERG		•		
•			•	LEE		•	STENEHJEM				
•			•	LEIBHAN		•	STRINDEN				
•			•	LIPSIEA		•	SWONTEK				
•		•		MARNER		•	THOMPSON				
•			•	MARSDEN		•	THORSGARD				
•		•		MARTIN		•	TIMM				
•		•		MARTINSON		•	TINJUM				
•			•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.





• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEK	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKA	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	•
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 28	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSICA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSgard	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1252.** — A Bill for an act to create and enact Chapter 38-14.1 of the North Dakota Century Code, relating to surface mining and reclamation operations, the designation of areas unsuitable for mining; the necessity of a mining permit; permit terms; permit application requirements; mining and reclamation plans; extended mining plans; performance bonds; release of performance bonds; informal conference procedures; permit renewals; environmental protection performance standards; prohibited mining practices; inspections and monitoring; enforcement procedures; formal hearings; permit revocations; bond forfeitures; administrative review of regulations; judicial review; small operators; conflict of interest; citizen suits; cooperation with federal and state agencies and penalties; and to repeal chapter 38-14, relating to the regulation of surface coal mining operations.

Which has been read.

Rep. Strinden moved that the House waive the reading of the title to House Bill No. 1252, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTONS			• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEK			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKA			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 28			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSICA			• SWONTEK					
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO	●	● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG	●		● HOFFNER			● MELBY		● WIG
● BERGE			● HOUWMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY	●	● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUJSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES	●		● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEM		
● GUNSCHE	●		● LIPSIA			● SWIONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A # 49			● MARTIN	●		● TIMM		
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1397.** — A Bill for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for all sales to hospitals licensed by the state health department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 13; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSO	●	● UNHJEM
● BENEDICT			● HICKLE		●	● MEIERS		● VANDER VORST
● BERG	●		● HOFFNER			● MELBY		● WIG
● BERGE			● HOUWMANN			● MERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY	●	● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW		●	● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOTT			● OPEDAHL		● WINKJER
● CONMY			● KINGSBURY			● PELTIER	●	
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUJSON			● POMEROY		
● DIETZ			● KOSKI		●	● REED		
● DOTZENROD		●	● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES	●		● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED	●	
● FREBORG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFIELD		
● GERL			● LARSON H # 7			● SOLBERG		●
● GORDER			● LEE	●		● STENEHJEM		
● GUNDERSON			● LEIBHAN			● STRINDEM		
● GUNSCHE			● LIPSIA			● SWIONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER A # 49			● MARTIN	●		● TIMM		●
● HAUSAUER R # 25			● MARTINSON			● TINJUM		
● HEDSTROM		●	● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1475.** — A Bill for an Act to provide for income tax credits and deductions as incentives for landowners to sell or lease land to beginning farmers; and to provide an effective date.





● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSCH	● LIPSIE	● SWONTEK
● HANSON	● MAINZER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGAARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2002, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 1; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 9, delete the words and numerals "sum of \$251,742,898" and insert in lieu thereof the words "sums hereinafter provided,"

On page 1 of the engrossed bill, line 15, delete the numerals "3,258,254" and insert in lieu thereof the numerals "3,476,689"

On page 1 of the engrossed bill, line 16, delete the numerals "1,363,103" and insert in lieu thereof the numerals "1,370,448"

On page 1 of the engrossed bill, line 19, delete the numerals "325,567" and insert in lieu thereof the numerals "327,294"

On page 1 of the engrossed bill, line 20, delete the numerals "69,637" and insert in lieu thereof the numerals "71,137"

On page 1 of the engrossed bill, line 21, delete the numerals "11,825,000" and insert in lieu thereof the numerals "12,739,351"

On page 1 of the engrossed bill, line 22, delete the numerals "199,230,000" and insert in lieu thereof the numerals "208,462,000"

On page 2 of the engrossed bill, line 2, delete the numerals "34,130,986" and insert in lieu thereof the numerals "35,030,986"

On page 2 of the engrossed bill, line 3, delete the numerals "251,742,898" and insert in lieu thereof the numerals "263,018,256"

On page 2 of the engrossed bill, line 4, delete the numerals "50,280,383" and insert in lieu thereof the numerals "55,708,232"

On page 2 of the engrossed bill, line 5, delete the numerals "201,462,515" and insert in lieu thereof the numerals "207,310,024"

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages is increased \$155,019, of which \$101,158 is from the general fund and \$53,861 is from federal funds, to provide adequate funds for 6.5 percent salary increases and necessary fringe benefits including family medical insurance for 84.5 full-time positions and temporary help in the Department of Public Instruction.

Salaries and wages is increased by \$63,416 for two additional positions, fees and services by \$7,345, supplies and materials by \$1,727, equipment by \$1,500, and the federal grant line item by \$900,000 for amounts related to House Bill No. 1063 which provides that the adult basic education program now administered at the University of North Dakota will be administered by the Department of Public Instruction. All funds related to this program are federal funds.

The special education line item is increased \$914,351 from the general fund by adding \$534,251 related to the change in the formula for sending students out of the district as provided in Senate Bill No. 2056; and by adding \$250,000 related to out-of-state tuition and increased maximum reimbursement of special education student transportation costs as provided in Senate Bill No. 2056, and by adding \$130,100 for costs to be reimbursed by the Department of Public Instruction for transportation costs for students at the School for the Deaf, School for the Blind, Grafton State School, and San Haven State Hospital as provided in Senate Bill Nos. 2057 and 2058.

The total foundation aid grant line item is \$208,462,000 and reflects the following factors:

	Reflecting Proposed Amendments to SB 2439
Per-pupil payments	\$256,352,000
Transportation payments	<u>22,073,500</u>
<b>Total</b>	<b>\$278,425,500</b>
<b>Less:</b>	
21-mill county levy	\$ 32,683,400
20-mill local levy	30,880,100
State tuition fund	5,300,000
874 reduction	<u>1,100,000</u>
<b>Total deductions</b>	<b>\$ 69,963,500</b>
<b>Total grant line item for foundation aid in SB 2002 before federal revenue sharing funds and Vietnam bonus sinking funds</b>	<b>\$208,462,000</b>
<b>Less:</b>	
Federal revenue sharing	\$ 12,400,000
Vietnam bonus sinking fund	<u>4,400,000</u>
<b>Total</b>	<b>\$ 16,800,000</b>
<b>Net general fund for foundation program in SB 2002</b>	<b><u>\$191,662,000</u></b>

(The kindergarten appropriation is being included in Senate Bill No. 2439)

Per-pupil payments:	
First year	\$ 910
Second year	960

The estimated income line item is increased \$5,427,849 by adding the \$4,400,000 Vietnam bonus sinking funds which are also included in the foundation aid grant line item, adding \$53,861 related to the necessary adjustment in the salaries and wages line item, and by adding \$973,988 for the adult basic education program.

And when so amended, recommends the same do pass.



Chairman

Senate Rep. James A. Peterson  
Bill No. 2002 was placed on the 6th  
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2276, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 6; Absent, 2, that the same





- On page 1 of the reengrossed bill, delete line 6
- On page 1 of the reengrossed bill, line 7, delete the words and comma "distributions, and"
- On page 1 of the reengrossed bill, line 8, after the word "program" insert the following: ", and to provide for adjusting foundation aid payments"
- On page 1 of the reengrossed bill, line 12, after the first comma insert the following: "15-40.1-07, 15-40.1-08,"
- On page 1 of the reengrossed bill, line 14, after the comma insert the following: "enrollment periods used in determining per-pupil foundation program payments for school districts,"
- On page 1 of the reengrossed bill, line 15, after the semicolon insert the following: "to repeal subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction for federal impact payments; to provide an appropriation for kindergarten aid and to appropriate moneys in the state tuition fund;"
- On page 2 of the reengrossed bill, delete lines 19 through 30
- On page 3 of the reengrossed bill, after line 11, insert the following section:

"SECTION 5. ADJUSTMENT OF FOUNDATION AID PAYMENT.) Whenever the taxable valuation of property is diminished because of the reclassification of real property as personal property which results from either legislative or judicial action, the state foundation aid payment to the affected school district shall be based on the diminished valuation in the year in which it is paid to the school district."

- On page 4 of the reengrossed bill, line 24, delete the words "fifty-seven" and insert in lieu thereof the word "twenty"
- On page 4 of the reengrossed bill, line 26, delete the words "one thousand" and insert in lieu thereof the words "nine hundred seventy"
- On page 4 of the reengrossed bill, line 27, delete the words "twenty-seven", and delete the words "and fifty cents"
- On page 5 of the reengrossed bill, line 20, delete the words "by the board of" and insert in lieu thereof the words "of oil and gas bonus payments received for the most recent quarter pursuant to section 2 of this Act"
- On page 5 of the reengrossed bill, delete line 21
- On page 5 of the reengrossed bill, line 22, delete the words "public schools"
- On page 5 of the reengrossed bill, after line 22, insert the following sections:

"SECTION 8. AMENDMENT.) Section 15-40.1-07 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-07. HIGH SCHOOL PER-PUPIL PAYMENTS - AMOUNT - PROPORTIONATE PAYMENTS.) There shall be paid each year from the county equalization fund to all school districts operating high schools, to school districts contracting to educate high school pupils in a federal school, subject to adjustment as provided in section 15-40.1-09, payments as follows:

1. For high schools having under seventy-five pupils in average daily membership, the amount of money resulting from multiplying the factor 1.70 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
2. For high schools having seventy-five or more, but less than one hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.40 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
3. For high schools having one hundred fifty or more, but less than five hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.32 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
4. For high schools having a total high school enrollment of five hundred fifty or more pupils in average daily membership, the amount of money resulting from multiplying the factor 1.20 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.

Every high school district shall receive at least as much in total payments as it would have received if it had the highest number of pupils in the next lower category. No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~is~~ for the previous three school year years. However, no payment shall be made for those pupils for whom federal agencies provide education. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses. School districts offering high school summer school programs shall be eligible for proportionate payments provided each course offered in such programs satisfies requirements for graduation and comprises at least as many clock hours as courses offered during the regular school term.

Districts that did not maintain high schools during the year of 1964-1965 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are

offered, and a minimum enrollment of ten pupils if one year of high school work is offered. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state.

SECTION 9. AMENDMENT.) Section 15-40.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-08. ELEMENTARY PER-PUPIL PAYMENTS - AMOUNT.) There shall be paid out of the county equalization fund to school districts of the county operating elementary schools and to school districts contracting to educate elementary pupils in a federal school, employing teachers holding valid certificates or permits, payments based on the number of registered students at the beginning of each school year, adjusted as provided in section 15-40.1-09, as follows:

1. For one-room rural schools there shall be paid that amount of money resulting from multiplying the factor 1.30 times the educational support per pupil as provided in section 15-40.1-06 for each of the first sixteen pupils in grades one through eight in average daily membership, and for each additional pupil in grades one through eight in daily membership there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty pupils in average daily membership.
2. For elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first twenty pupils in grades one through six in average daily membership in each classroom or for each teacher and for each additional pupil in grades one through six in average daily membership in each classroom or for each teacher there shall be paid .9 times the educational support per pupil as provided in section 15-40.1-06, except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher.
3. For elementary schools having one hundred or more pupils in average daily membership, and provided the districts in which such schools are located have an average daily membership of less than one thousand elementary pupils, there shall be paid that amount of money resulting from multiplying the factor .9 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
4. For elementary schools in school districts having an average daily membership of one thousand or more elementary pupils, there shall

be paid that amount of money resulting from multiplying the factor .95 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.

5. For each of the above classes of elementary schools, except for one-room rural schools, there shall be paid that amount of money resulting from multiplying the factor 1.0 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades seven and eight in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher.
6. For elementary schools having pupils under the compulsory age for school attendance, but not less than three years of age, in a special education program approved by the director of special education, there shall be paid that amount of money resulting from multiplying the factor .49 times the educational support per pupil as provided in section 15-40.1-06 for each special education pupil under the compulsory age for school attendance in average daily membership in each classroom or for each teacher.

No school district shall receive less in foundation program per-pupil payments for any year than such district would have received in such payments based upon the average enrollment in such district ~~in~~ for the previous three school year years. Payments from the county equalization fund to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state."

On page 6 of the reengrossed bill, after line 25, insert the following sections:

"SECTION 12. REPEAL.) Subdivision b of subsection 3 of section 15-40.1-06 of the 1977 Supplement to the North Dakota Century Code is hereby repealed effective July 1, 1980.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000.00, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing aid to school districts which provide kindergartens during the 1980-81 school year and which are established pursuant to the provisions of chapter 15-45. Payments made pursuant to this section shall be made on a per-pupil basis prorated under guidelines established by the superintendent of public instruction based upon the average daily memberships for eligible kindergartens as certified by the school districts. Such certifications shall be made to the superintendent of public instruction on or before June 1, 1981, and the

superintendent of public instruction shall certify to the department of accounts and purchases the amounts to be paid to the school districts on or before June 30, 1981.

SECTION 14. APPROPRIATION.) There is hereby appropriated out of any moneys in the state tuition fund in the state treasury, not otherwise appropriated, the sum of \$16,500,000.00, or so much thereof as is or may become available, to the public schools of this state as provided in section 154 of the Constitution of the state of North Dakota and chapter 15-44, for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass.

Rep. Fleming
Rep. Mertens
Rep. Solberg

Rep. Mushik
Rep. Opedahl

Rep. James A. Peterson Chairman

the Minutes be substituted in the following manner:

The Reports of the Majority and the report of the Minority with Senate Bill

No. 2439 were placed on the 6th order of business on the calendar for the succeeding legislative day.

Report of Standing Committee

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2452, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 3, that the same

do pass. do not pass. [XX] be placed on calendar without recommendation.

be amended as follows:

Rep. James A. Peterson Chairman

Senate Bill No. 2452 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2480, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 5; Absent, 2, that the same

do pass. [XXX] do not pass. be placed on calendar without recommendation.

be amended as follows:

Rep. James A. Peterson Chairman

Senate Bill No. 2480 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Political Subdivisions

to whom was referred Senate

Bill No. 2483, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



\_\_\_\_\_ Chairman

Rep. Lang

Senate Bill No. 2483 was placed on the 14th order of business on the calendar for the succeeding legislative day.

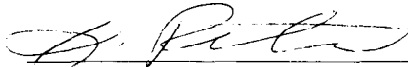
Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution

No. 4072, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:



Chairman

Rep. James A. Peterson

Senate Concurrent Resolution No. 4072 was placed on the 14th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Strinden moved that the rules be suspended, and that Senate Bill No. 2439 be placed on the Sixth Order for consideration at this time, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2439 as recommended by the Committee on Appropriations be adopted.

Rep. Fleming requested a recorded roll call vote, which request was granted.

The question was on the motion of Rep. Peterson.

ROLL CALL

The roll was called, and there were ayes, 31; nays, 63; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON	•		UNHJEM		
•			HICKLE	•		MEIERS	•		VANDER VORST	•	
•			HOFFNER	•		MELBY	•		VIG	•	
•			HOUWMANN	•		MERTENS	•		WAGNER	•	
•			HOVE	•		MEYER	•		WALD	•	
•			JACOBSEN, R	•		MURPHY	•		WALSH	•	
•			JACOBSON, I	•		MUSHK	•		WEBER	•	
•			KELLY	•		NICHOLAS	•		WENTZ	•	
•			KENNELLY	•		OLSON	•		WESSMAN	•	
•			KERMOTT	•		OPEDAHL	•		WINKLER	•	
•			KINGSBURY	•		PELTIER	•				
•			KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
•			KNUDSON	•		POMEROY	•				
•			KOSKI	•		REED	•				
•			KRETSCHMAR	•		RETZER	•				
•			KUCHERA	•		RICHARD	•				
•			LANG	•		RICHIE	•				
•			LANGLEY	•		RIEHL	•				
•			LARDY	•		RUED	•				
•			LARSON, F #24	•		SCHINDLER	•				
•			LARSON, G #28	•		SCOFIELD	•				

● GERL	LARSON, H. #7	● SOLBERG
● GORDER	LEE	● STENEHJEM
● GUNDERSON	LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIKNER	● THOMPSON
● HAUSLAND	● MARSDEN	● THORSGAARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

The motion failed.

Senate Bill No. 2439 was placed on the 14th Order of Business without amendments.

MOTION

Rep. Strinden moved that for the purpose of reconsideration over the governor's veto, House Bills Nos. 1075, 1192, 1291, 1487 and 2052 be moved to the head of the calendar, which motion prevailed.

Rep. Strinden requested a call of the house, which request was granted.

Rep. Strinden moved that the House dispense with the call of the house, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF HOUSE BILLS

**House Bill No. 1075.** — A Bill for an Act to restrict and regulate products liability actions by establishing a statute of limitations, granting limited immunity to manufacturers or sellers of products against actions based on products liability, providing tests for determining whether or not a product shall be deemed to be defective or unreasonably dangerous, establishing rebuttable presumptions of freedom from defects, and precluding certain evidence from admission in products liability actions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's Veto, the roll was called and there were ayes, 68; nays, 31; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOSON			● UNHJEM		
● BENEDECOT			● HOFFER			● MELBY			● VANDER VORST		
● BERG			● HOFFNER			● MERTENS			● WAGNER		
● BERGE			● HOLMANN			● MEYER			● WALSH		
● BERGER			● HOVE			● MURPHY			● WEBER		
● BJORNSON			● JACOBSEN, R.			● MUSHIK			● WENTZ		
● BLACK			● JACOBSON, I.			● NICHOLAS			● WESSMAN		
● BOYUM			● KELLY			● OLSON			● WINKJER		
● BROKAW			● KENNELLY			● OPEDAHL					
● CHRISTENSEN			● KEMOTT			● PELTIER			● MR. SPEAKER		
● CONNY			● KINGSBURY			● PETERSON					
● CRABTREE			● KLOUBEC			● POWEROY					
● DICK			● KNUDSON			● REED					
● DIETZ			● KOSKI			● RETZER					
● DOTENROD			● KRETSCHMAR			● RICHARD					
● DUBORD			● KUCHERA			● RICHIE					
● EAGLES			● LANG			● RIEHL					
● ERICKSON			● LANGLEY			● RUED					
● FLEMING			● LARDY			● SCHINDLER					
● FREBORG			● LARSON, F. #24			● SCOFIELD					
● GACKLE			● LARSON, G. #29			● SOLBERG					
● GERL			● LARSON, H. #7			● STENEHJEM					
● GORDER			LEE			● STRINDEN					
● GUNDERSON			● LEIBHAN			● SWONTEK					
● GUNSCH			● LIPSIEA			● THOMPSON					
● HANSON			● MAIKNER			● THORSGAARD					
● HAUSLAND			● MARSDEN			● TIMM					
● HAUSAUER, A. #49			● MARTIN			● TINJUM					
● HAUSAUER, R. #25			● MARTINSON			● TWETEN					
● HEDSTROM			● MATHENY								

So the bill passed over the Governor's veto.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF HOUSE BILLS

**House Bill No. 1192** — A Bill for an Act to create and enact a new section to chapter 20.1-10 of the North Dakota Century Code, relating to searching a building without a search warrant or permission; to amend and reenact section 20.1-02-15 of the North Dakota Century Code, relating to the police powers of the game and fish commissioner and his appointees, and prohibiting building searches without a warrant or permission; and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 62; nays, 34; absent and not voting, 4.

REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•			•		
BACKES		•	•	HERMAN		•	MATTSON		•	UNHJEM	
BENEDICT		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
• BERG		•	•	HOFFNER		•	MELBY		•	• VIG	
• BERGE		•	•	HOUMANN		•	MERTENS		•	• WAGNER	
• BERGER		•	•	HOVE		•	MEYER		•	• WALD	
• BJORNSON		•	•	JACOBSEN R		•	MURPHY		•	• WALSH	•
• BLACK		•	•	JACOBSON I		•	MUSHIK		•	• WEBER	•
• BOYUM		•	•	KELLY		•	NICHOLAS		•	• WENTZ	•
• BROKAW		•	•	KENNELLY		•	OLSON		•	• WESSMAN	•
• CHRISTENSEN		•	•	KERMOTT		•	OPEDAHL		•	• WINKJER	•
• CONNY		•	•	KINGSBURY		•	PELTIER		•		
• CRABTREE		•	•	KLOUBEC		•	PETERSON		•	• MR SPEAKER	
• DICK		•	•	• KNUDSON		•	• POMEROY		•		
• DIETZ		•	•	KOSKI		•	• REED		•		
• DOTZENROD		•	•	KRETSCHMAR		•	• RETZER		•		
• DUBOPO		•	•	KUCHERA		•	• RICHARD		•		
• EAGLES		•	•	• LANG		•	• RICHE		•		
• ERICKSON		•	•	• LANGLEY		•	• RIEHL		•		
• FLEMING		•	•	• LARDY		•	• RUED		•		
• FREBORG		•	•	• LARSON F #24		•	• SCHINDLER		•		
• GACKLE		•	•	• LARSON G #29		•	• SCOFIELD		•		
• GERL		•	•	• LARSON H #7		•	• SOLBERG		•		
• GORDER		•	•	• LEE		•	• STENEHJEM		•		
• GUNDERSON		•	•	• LEIBHAN		•	• STRINDEN		•		
• GUNSCH		•	•	• LIPSIA		•	• SWONTEK		•		
• HARSON		•	•	• MAIXNER		•	• THOMPSON		•		
• HAUGLAND		•	•	• MARSDEN		•	• THORSGARD		•		
• HAUSAUER, A #49		•	•	• MARTIN		•	• TIMM		•		
• HAUSAUER, R #25		•	•	• MARTINSON		•	• TINJUM		•		
• HEDSTROM		•	•	• WATHEVY		•	• TWETEN		•		

So the bill failed to pass over the Governor's veto.

**RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF HOUSE BILLS**

**House Bill No. 1291.** — A Bill for an Act to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to the exemption from property taxes of coal conversion facilities under construction.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 61; nays, 38; absent and not voting, 1.

REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•			•		
BACKES		•	•	HERMAN		•	MATTSON		•	UNHJEM	
BENEDICT		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
• BERG		•	•	HOFFNER		•	MELBY		•	• VIG	
• BERGE		•	•	HOUMANN		•	MERTENS		•	• WAGNER	
• BERGER		•	•	HOVE		•	MEYER		•	• WALD	
• BJORNSON		•	•	JACOBSEN R		•	MURPHY		•	• WALSH	•
• BLACK		•	•	JACOBSON I		•	MUSHIK		•	• WEBER	•
• BOYUM		•	•	KELLY		•	NICHOLAS		•	• WENTZ	•
• BROKAW		•	•	KENNELLY		•	OLSON		•	• WESSMAN	•
• CHRISTENSEN		•	•	KERMOTT		•	OPEDAHL		•	• WINKJER	•
• CONNY		•	•	KINGSBURY		•	PELTIER		•		
• CRABTREE		•	•	KLOUBEC		•	PETERSON		•	• MR SPEAKER	
• DICK		•	•	• KNUDSON		•	• POMEROY		•		



• DIETZ		• KOSKI	• REED
• DOTZENROD		• KRETSCHMAR	• RETZER
• DUBORD	•	• KUCHERA	• RICHARD
• EAGLES		• LANG	• RICHIE
• ERICKSON		• LANGLEY	• RIEHL
• FLEMING		• LARDY	• RUCO
• FREBORG	•	• LARSON F #24	• SCHINDLER
• GACKLE		• LARSON G #29	• SCOFIELD
• GERL	•	• LARSON H #7	• SOLBERG
• GORDER		• LEE	• STENHEJEM
• GUNDERSON		• LEIBHAN	• STRINDEN
• GUNSCH		• LIPSIEA	• SWONTEK
• HANSON	•	• MAIXNER	• THOMPSON
• HAUGLAND		• MARSDEN	• THORSGARD
• HAUSAUER A #49	•	• MARTIN	• TIMM
• HAUSAUER R #25		• MARTINSON	• TINJUM
• HEDSTROM		• MATHENY	• TWETEN

So the bill failed to pass over the Governor's veto.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF HOUSE BILLS

**House Bill No. 1487.** — A Bill for an Act to amend and reenact section 49-06-02 of the North Dakota Century Code, relating to value of property for ratemaking purposes.

Which has been read.

Rep. Strinden requested a call of the House, which request was granted.

Rep. Strinden moved that the House dispense with the call of the House, which motion prevailed.

Rep. Scofield requested that he be excused from voting because of a conflict of interest on House Bill No. 1487.

Rep. Kretschmar moved that Rep. Scofield be allowed to vote on House Bill No. 1487, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 60; nays, 39; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSOEN			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEIERS		•	• VANDER VORST		
• BERG		•	• HOFFNER		•	• MELBY		•	• VIG		
• BERGE		•	• HOUMANN			• WERTENS		•	• WAGNER		
• BERGER		•	• HOVE			• MEYER		•	• WALD		
• BJORNSON		•	• JACOBSEN R.			• MURPHY			• WALSH		•
• BLACK		•	• JACOBSON I.			• MUSHIK		•	• WEBER		•
• BOYUM		•	• KELLY			• NICHOLAS			• WENTZ		•
• BROKAW		•	• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN		•	• KERMOITT			• OPEDAHL			• WINKJER		
• CONMY		•	• KINGSBURY			• PELTIER					
• CRABTREE		•	• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK		•	• KNUDSON			• POMEROY		•			
• DIETZ		•	• KOSKI			• REED					
• DOTZENROD		•	• KRETSCHMAR			• RETZER					
• DUBORD		•	• KUCHERA			• RICHARD					
• EAGLES		•	• LANG			• RICHIE					
• ERICKSON		•	• LANGLEY			• RUCO					
• FLEMING		•	• LARDY			• RIEHL		•			
• FREBORG		•	• LARSON F #24			• SCHINDLER					
• GACKLE		•	• LARSON G #29			• SCOFIELD					
• GERL		•	• LARSON H #7			• SOLBERG					
• GORDER		•	• LEE			• STENHEJEM		•			
• GUNDERSON		•	• LEIBHAN			• STRINDEN					
• GUNSCH		•	• LIPSIEA			• SWONTEK		•			
• HANSON		•	• MAIXNER			• THOMPSON		•			
• HAUGLAND		•	• MARSDEN			• THORSGARD					
• HAUSAUER A #49		•	• MARTIN			• TIMM					
• HAUSAUER R #25		•	• MARTINSON			• TINJUM		•			
• HEDSTROM		•	• MATHENY			• TWETEN					

So the bill failed to pass over the Governor's veto.

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which

the House has failed to pass:

Senate Bill No. 2197

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2137

ROY GILBREATH, Chief Clerk

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2016:

Rep. Unhjem  
Rep. Kuchera  
Rep. Fleming

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which Senate Bill No. 2340 passed the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGES TO THE SENATE

Mr. President: I have the honor to return Senate Bill No. 2340 with the certification signed by the Speaker certifying the bill was passed over the Governor's veto.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2131:

Rep. Erickson  
Rep. Schindler  
Rep. Hoffner

Senate Bill No. 2249:

Rep. Rued  
Rep. Gunderson  
Rep. Richard

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3094

House Concurrent Resolution No. 3095

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit House Bill No. 1075 which the House has passed over the Governor's veto.

The vote on House Bill No. 1075 is; ayes, 68; nays, 31; absent and not voting, 1.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1067, 1095, 1138, 1197, 1242, 1252, 1306, 1357, 1397, 1475, 1559, 1657, 1669, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, On:

Senate Bill No. 2006:

Rep. Marsden  
Rep. Thorsgard  
Rep. Fleming

Senate Bill No. 2012:

Rep. Christensen  
Rep. Unhjem  
Rep. Solberg

Senate Bill No. 2015:

Rep. Kingsbury  
Rep. F. Larson  
Rep. Fleming

Senate Bill No. 2016:

Rep. Unhjem  
Rep. Kuchera  
Rep. Fleming

Senate Bill No. 2031:

Rep. Kingsbury  
Rep. Christensen  
Rep. Opedahl

Senate Bill No. 2033:

Rep. Marsden  
Rep. Thorsgard  
Rep. Solberg

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2044:

Rep. Kingsbury  
Rep. Christensen  
Rep. Opedahl

Senate Bill No. 2084:

Rep. Kermott  
Rep. Melby  
Rep. Pomeroy

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 1278.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4085

Senate Concurrent Resolution No. 4086

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1319

House Bill No. 1326

House Bill No. 1362

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Concurrent Resolution No. 3066

House Concurrent Resolution No. 3070

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 1046.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Concurrent Resolution No. 3002

House Concurrent Resolution No. 3009

House Concurrent Resolution No. 3011

House Concurrent Resolution No. 3050

House Concurrent Resolution No. 3057

House Concurrent Resolution No. 3061

House Concurrent Resolution No. 3062

House Concurrent Resolution No. 3075

House Concurrent Resolution No. 3076

House Concurrent Resolution No. 3080

House Concurrent Resolution No. 3081

House Concurrent Resolution No. 3083

House Concurrent Resolution No. 3085

House Concurrent Resolution No. 3087

House Concurrent Resolution No. 3093

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1226

House Bill No. 1347

House Bill No. 1370

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Concurrent Resolution No. 3001

House Concurrent Resolution No. 3059

House Concurrent Resolution No. 3071

House Concurrent Resolution No. 3072

LEO LEIDHOLM, Secretary

PROPOSED AMENDMENTS TO ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3001

On page 2 of the engrossed resolution, line 32, after the word "districts" insert the words "only when a single-member senatorial district includes a federal facility or federal installation, containing over three-fourths of the population of a single-member senatorial district," and after the word "and" insert the word "may"

And renumber the lines accordingly

AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 3059

On page 1, line 6, of the engrossed resolution, delete the word "agricultural" and insert in lieu thereof the following:  
"private and governmental"

And renumber the lines and pages accordingly

AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3071

On page 1, after line 15, insert the following:

"WHEREAS, there is a need to establish funding to be withheld from the energy tax revenue for the purpose of developing and funding an energy resource curriculum in the state public schools; and"

On page 2, after line 8, insert the following:

"5. Funding for an energy resource curriculum in the state public schools."

And renumber the lines and pages accordingly

AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 3072

Page 1, delete lines 5 through 14

And renumber the lines, sections and pages accordingly.

Rep. Strinden moved that the House stand recessed for one hour, which motion prevailed.

The House reconvened, with Speaker Wagner presiding, pursuant to recess taken.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF SENATE BILL

**Senate Bill No. 2052.** — A Bill for an Act to create and enact a new subsection to section 19-03.1-01 of the North Dakota Century Code, relating to the definition of hashish; and to amend and reenact subsection 14 of section 19-03.1-01, subdivisions k through u of subsection 4 of section 19-03.1-05, and section 19-03.1-23 of the North Dakota Century Code, relating to the definition of marijuana, to the inclusion of hashish as a schedule I controlled substance, and providing penalties for possession of marijuana and hashish.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 71; nays, 27; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●			●	●	MATTSON				● UNHJEM.
		●	●	HICKLE		●	WEERS				● VANDER VORST
		●	●	HOFFNER		●	WELBY				● VIG
		●	●	HOLMANN		●	MERTENS				● WAGNER
●	BERGER		●	HOVE			MEYER	●			● WALD

● BJORNSON	● JACOBSEN R.	● MURPHY	● WALSH
● BLACK	● JACOBSON, I.	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WERTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOY	● OPEDAHL	● WINKER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. #24	● SCHINDLER	
● GACKLE	● LARSON, G. #29	● SCOFIELD	
● GERI	● LARSON, H. #7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIE	● SWONTEK	
● HANSON	● MAIKNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. #49	● MARTIN	● TIMM	
● HAUSAUER, R. #25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed over the Governor's veto.

EXPLANATION OF VOTE

Rep. Wald: "Mr. Speaker

"I rise to a point of personal privilege.

"Mr. Speaker and Members of the Assembly, I voted for the original bill and the amendments and to override the Governor's veto.

"I do object to subsection 4 of Section 4, which will expunge the name of first offenders from the record. The bill, as a whole, has more good points than negative points, which is why I voted 'Yes'."

MOTIONS

Rep. Strinden moved that the House accede to the Senate's request for the return of House Bill No. 1046, which motion prevailed.

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1001, which motion prevailed.

Rep. Peterson moved that the House do not concur on Senate amendments to House Bill No. 1002, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1002:

Rep. R. Hausauer

Rep. F. Larson

Rep. Opedahl

MOTIONS

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1003, which motion prevailed.

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1025, which motion prevailed.

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1030, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1030:

Rep. Eagles

Rep. Thorsgard

Rep. Fleming

MOTIONS

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1036, which motion prevailed.

Rep. Kloubec moved that the House not concur on Senate amendments to House Bill No. 1198, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1198:

Rep. Murphy  
Rep. Winkjer  
Rep. Maixner

MOTION

Rep. Kloubec moved that the House not concur on Senate amendments to House Bill No. 1493, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1493:

Rep. Schindler  
Rep. Kermott  
Rep. Berg

MOTION

Rep. Gackle moved that the House not concur on Senate amendments to House Bill No. 1550, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1550:

Rep. A. Hausauer  
Rep. Timm  
Rep. Weber

MOTION

Rep. Erickson moved that the House not concur on Senate amendments to House Bill No. 1628, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1628:

Rep. Rued  
Rep. Gunderson  
Rep. Richard

MOTION

Rep. Erickson moved that the House not concur on Senate amendments to House Bill No. 1645, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1645:

Rep. Timm  
Rep. Scofield  
Rep. Koski

MOTION

Rep. Strinden moved that Senate Concurrent Resolution No. 4066 be moved to the foot of the calendar, which motion prevailed.

ANNOUNCEMENT

The announcement was made that an error has been made on the Committee Report on Senate Bill No. 2150, as printed on page 1878 of the House

Journal. The Committee on State and Federal Government went on record as requesting that the bill be amended, and when so amended, recommended that the same do pass, which is contrary to the report as previously printed in the Journal.

MOTION

Rep. Freborg moved that the House reconsider its action whereby Senate Concurrent Resolution No. 4030 failed to pass, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4030. — A concurrent resolution urging Congress to discontinue government assistance to striking employees.

Was read the second time.

Rep. Gerl requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 50; nays, 42; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNKJEM		
BENEDICT	●		HEKLE			MEERS			VANDER VORST		
BERG		●	HOFNER			WELBY			VIG		●
BERGE			HOLMANN			WERTENS			WAGNER		
BERGER		●	HOVE			MEYER			WALD		
BJORNSON			JACOBSEN, R.			MURPHY			WALSH		●
BLACK		●	JACOBSON, I.			MUSHIK	●		WEBER		●
BOYUM		●	KELLY			NICHOLAS			WENTZ		●
BROKAW			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN			KERMOTT			OPEDAH			WINKJER		
CONMY		●	KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON			MR. SPEAKER		
DICK			KNUDSON			POWERDY					
DIETZ			KOSKI			REED					
DOTZENROD		●	KRETSCHMAR			RETZER					
DUBORD		●	KLICHERA			RICHARD					
EAGLES		●	LANG			RICHIE	●				
ERICKSON			LANGLEY			RIEHL					
FLEMING		●	LARDY			RUED					
FREBORG			LARSON, F. #24			SCHINDLER					
GACKLE			LARSON, G. #28			SCOFIELD					
GERL		●	LARSON, H. #7			SOLBERG	●				
GORDER			LEE	●		STENEHJEM					
GUNDERSON			LEIBMAN			STRINDEN					
GUNSCH			LIPSIE			SWINTEK					
HANSON			MAXNER			THOMPSON					
HAUGLAND		●	MARSDEN			THORSGARD					
HAUSAUER A. #48			MARTIN	●		TIMM					
HAUSAUER PR. #25			MARTINSON			TINJUM					
HEDSTROM		●	MATHENY			TWETEN					

So the Senate Concurrent Resolution was declared adopted.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2026, has had the same under consideration and recommends, by a vote of Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 7, delete the numerals

"1,495,000" and insert in lieu thereof the numerals "3,400,000"



On page 1 of the engrossed bill, line 9, after the word "to" insert the word "city"

On page 1 of the engrossed bill, line 10, after the word "departments," insert the word "rural fire departments and rural fire districts"

On page 1 of the engrossed bill, line 12, delete the numerals "1,495,000" and insert in lieu thereof the numerals "3,400,000"

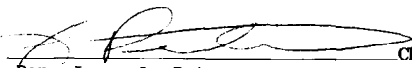
On page 1 of the engrossed bill, line 13, delete the numerals "1,495,000" and insert in lieu thereof the numerals "3,400,000"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

**Statement of the Purpose of the Amendment:**

This amendment would allow the Insurance Commissioner sufficient monies to pay the city fire departments, rural fire departments and rural fire districts monies from the insurance premium tax.

  
Chairman  
Rep. James A. Peterson

Senate Bill No. 2026 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and that Senate Bills Nos. 2002, 2026 and 2276 be considered on the Sixth Order at this time, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Peterson moved that the amendments to Senate Bill No. 2002 as recommended by the Committee on Appropriations be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2026 as recommended by the Committee on Appropriations be adopted, which motion prevailed.

Rep. Peterson moved that the amendments to Senate Bill No. 2276 as recommended by the Committee on Appropriations be adopted.

Rep. Maixner requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called and there were ayes, 62; nays, 29; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	HERMAN		●	MATTSON		●	UNHJEM	
		●	●	HICKLE		●	MEIERS		●	VANDER VORST	
		●		HOFFNER	●	●	MELBY		●	VIG	
●		●	●	HOUWMANN		●	MERTENS		●	WAGNER	
		●	●	HOVE		●	MURPHY		●	WALSH	
●			●	JACOBSEN, R.		●	MURPHY		●	WALSH	●
	●		●	JACOBSON, I.		●	MUSHIK		●	WEBER	●
	●		●	KELLY		●	NICHOLAS		●	WENTZ	●
		●	●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKJER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON	●		MR. SPEAKER	
●			●	KNUDSON		●	POMEROY		●		
●				KOSKI	●	●	REED				
●			●	KRETSCHMAR		●	RETZER				

• DUBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. #24	• SCHINDLER
• GACKLE	• LARSON, G. #26	• SCOFIELD
• GERL	• LARSON, H. #7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSON	• LIPSICA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. #48	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

The motion prevailed.

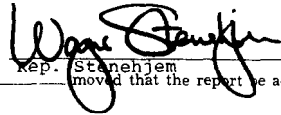
**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1138

and find the same correctly } Enrolled

 Chairman  
Rep. Stenehjem

Representative Hanson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills

recommends that HCR 3096 be introduced.

 Chairman  
Rep. Earl Strinden

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

**MESSAGES TO THE SENATE  
House Chamber**

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill Nos. 1002, 1030, 1198, 1493, 1550, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill Nos. 1002, 1030, 1198, 1493, 1550.

House Bill No. 1002:

- Rep. R. Hausauer
- Rep. F. Larson
- Rep. Opedahl

House Bill No. 1030:

- Rep. Eagles
- Rep. Thorsgard
- Rep. Fleming

House Bill No. 1198:

- Rep. Murphy
- Rep. Winkjer

Rep. Maixner  
House Bill No. 1493:  
Rep. Schindler  
Rep. Kermott  
Rep. Berg  
House Bill No. 1550:  
Rep. A. Hausauer  
Rep. Timm  
Rep. Weber

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill Nos. 1628, 1645, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill Nos. 1628, 1645.

House Bill No. 1628:  
Rep. Rued  
Rep. Gunderson  
Rep. Richard  
House Bill No. 1645:  
Rep. Timm  
Rep. Scofield  
Rep. Koski

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return House Bill No. 1046, which the Senate has requested.

ROY GILBREATH, Chief Clerk  
SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
House Bill No. 1138.

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1138.

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Sølberg to replace Senator Strand on the Senate conference committee on Senate Bill No. 2131.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1027  
House Bill No. 1033  
House Bill No. 1199.

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL No. 1027

On page 1 of the engrossed bill, line 9, delete the numerals "4,321,247" and insert in lieu thereof the numerals "4,300,270"

On page 1 of the engrossed bill, line 14, delete the numerals "624,553 and insert in lieu thereof the numerals "603,576"

One page 1, of the engrossed bill, line 21, delete the numerals "4,321,247" and insert in lieu thereof the numerals "4,300,270"

On page 2 of the engrossed bill, line 1, delete the numerals "3,899,030" and insert in lieu thereof the numerals "3,892,862"

On page 2 of the engrossed bill, line 2, delete the numerals "422,217" and insert in lieu thereof the numerals "407,408"

And renumber the lines and pages accordingly.

## STATEMENT OF PURPOSE OF AMENDMENT:

## Law Enforcement Council

Salaries and wages are reduced \$20,977, of which \$14,809 is from the general fund and \$6,168 is from federal funds, for an additional jail inspector position.

## AMENDMENTS TO HOUSE BILL NO. 1033

On page 2, of the engrossed bill, delete line 16

On page 2, line 18 of the engrossed bill delete the amount "\$9,987,340" and insert in lieu thereof the amount "\$9,807,340"

On page 2, line 20 of the engrossed bill delete the amount "\$15,704,756" and insert in lieu thereof the amount "\$15,524,756"

On page 2, line 21 of the engrossed bill delete the amount "\$15,724,956" and insert in lieu thereof the amount "\$15,544,956"

And renumber the lines and pages accordingly.

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1033

On page 2 of the engrossed bill, line 13, delete the numerals "6,162,694" and insert in lieu thereof the numerals "6,347,973"

On page 2 of the engrossed bill, line 14, delete the numerals "3,126,984" and insert in lieu thereof the numerals "3,536,848"

On page 2 of the engrossed bill, line 15, delete the numerals "117,662" and insert in lieu thereof the numerals "114,712"

On page 2 of the engrossed bill, delete line 16

On page 2 of the engrossed bill, line 18, delete the numerals "9,987,340" and insert in lieu thereof the numerals "10,399,533"

On page 2 of the engrossed bill, line 20, delete the numerals "15,704,756" and insert in lieu thereof the numerals "16,116,949"

On page 2 of the engrossed bill, line 21, delete the numerals "15,724,956" and insert in lieu thereof the numerals "16,137,149"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the Mill and Elevator Association appropriation by \$592,193 for the second year of the biennium. This amendment provides for operating funds for the new Semolina unit approved by the Industrial Commission less the operating

funds for the feed mill which has been discontinued. The amendment increases salaries and wages by \$185,279, increases fees and services by \$409,864, and decreases supplies and materials by \$2,950. It also deletes the special agricultural research fund line in the amount of \$180,000.

## AMENDMENTS TO HOUSE BILL NO. 1199

On page 2, line 14, of the engrossed bill, delete the numerals "800,000.00" and insert in lieu thereof the numerals "1,619,500.00"

And renumber the lines accordingly

On page 1, line 3 of the engrossed bill delete the the following ";and providing an appropriation"

On page 2, of the engrossed bill delete section 2

And renumber the lines and pages accordingly.

## MESSAGE TO THE SENATE

## House Chamber

Mr. President: I have the honor to return Senate Bill No. 2052 which the House has passed over the Governor's veto.

The vote on Senate Bill No. 2052 is:

71 Ayes

27 Nays

2 Absent, not voting.

ROY GILBREATH, Chief Clerk

FIRST READING OF  
HOUSE CONCURRENT RESOLUTION

Reps. Strinden and Kuchera and Senator Goodman introduced:

**House Concurrent Resolution No. 3096.** — A concurrent resolution congratulating the Barcome rink of Grand Forks on winning the World Junior Curling Championship.

Which was read the first time.

Rep. Strinden moved that the rules be suspended, that House Concurrent Resolution No. 3096 not be referred to committee, not printed as a bill but printed in the journal, not be read in its entirety, and placed on second reading and final passage, which motion prevailed.

## HOUSE CONCURRENT RESOLUTION No. 3096

Introduced by Reps. Strinden, Kuchera, Senator Goodman (Approved by Committee on Delayed Bills).

A concurrent resolution congratulating the Barcome rink of Grand Forks on winning the World Junior Curling Championship.

WHEREAS, the Barcome rink made its second appearance in the World Junior Curling Championships at Moose Jaw, Saskatchewan; and

WHEREAS, the Barcome rink earlier won the United States curling title; and

WHEREAS, the Barcome rink reached the final round in the 10-nation tourney by compiling a 7-2 record in round robin competition leading to the finals; and

WHEREAS, the Barcome rink clinched the world championship with a 6-4 victory over Scotland in the title game at the Moose Jaw Civic Center;

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

That the Forty-sixth Legislative Assembly extends its heartiest congratulations to the Barcome rink of Grand Forks, whose members are Don Barcome, Jr., Randy Darling, Bobbie Stalker, and Earl Barcome, and their coach Dr. Don Barcome, for winning the World Junior Curling Championships for the United States for the first time; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the members of the Barcome rink and their coach and to the mayor of the city of Grand Forks.

SECOND READING OF

HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3096.** — A concurrent resolution congratulating the Barcome rink of Grand Forks on winning the World Junior Curling Championship.

Was read the second time.

The question being on the final adoption of the resolution.

So the House Concurrent Resolution was declared adopted on a voice vote.

FIRST READING OF SENATE BILLS

**Senate Concurrent Resolution No. 4085.** — A concurrent resolution directing the Garrison Diversion Overview Committee to conduct a study of the Garrison Diversion Project and its present and potential effects on North Dakota, which study is to emphasize the problems concerning the acquisition of fish and wildlife mitigation and enhancement acreage and the feasibility of constructing a pipeline to deliver municipal and industrial water to users.

Which was read the first time.

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution not be referred to committee, but be printed in the Journal, be placed on second reading and final passage, and be laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4085

Introduced by Committee on Delayed Bills (At the request of Senators Hoffner and Nething and Reps. Backes and Strinden).

A concurrent resolution directing the Garrison Diversion Overview Committee to conduct a study of the Garrison Diversion Project and its present and potential effects on North Dakota, which study is to emphasize the problems concerning the acquisition of fish and wildlife mitigation and enhancement acreage and the feasibility of constructing a pipeline to deliver municipal and industrial water to users.

WHEREAS, Senate Concurrent Resolution No. 4005, as introduced in the Forty-sixth Legislative Assembly, will reauthorize the existence of the Garrison Diversion Overview Committee through April 30, 1981, upon its approval by the Forty-sixth Legislative Assembly; and

WHEREAS, Senate Concurrent Resolution No. 4005 charges the committee with the responsibility of legislative overview of the Garrison Diversion Project; and

WHEREAS, the Congress of the United States authorized the dedication of 146,530 acres of private and public land for fish and wildlife mitigation and enhancement purposes in connection with the Garrison Diversion Unit; and

WHEREAS, the authorized plan and master contract of the Garrison Diversion Unit identify the land areas proposed for fish and wildlife development; and

WHEREAS, North Dakota has dedicated approximately 84,000 acres of public land for the development of recreation areas and the mitigation

and enhancement of fish and wildlife habitat for purposes of meeting obligations toward the construction of the Garrison Diversion Unit; and

WHEREAS, the authorized plan of the Garrison Diversion Unit recognizes and credits toward the mitigation and enhancement of fish and wildlife approximately 28,000 acres of principal supply works land area; and

WHEREAS, the fish and wildlife service has failed to present to the state a formal plan for the development of these authorized and identified land areas; and

WHEREAS, North Dakota has given dearly in productive lands for Oahe and Garrison reservoirs; and

WHEREAS, North Dakota has also given dearly in easements and fee title lands for fish and wildlife acquisitions; and

WHEREAS, vague proposals and concepts publicized by the fish and wildlife service have resulted in creating uncertainty and confusion among landowners; and

WHEREAS, regulation of usage of fish and wildlife acreage is so restricted as to limit economic growth or increase governmental and private cost horrendously; and

WHEREAS, scattered tracts of wildlife habitat have very serious economic consequences to surrounding croplands due to bird depredation, weeds, and game damage; and

WHEREAS, a number of alternatives to the authorized plan have been discussed which would alter the number of acres required for fish and wildlife mitigation; and

WHEREAS, several of these plans may also affect the availability of municipal and industrial water to a number of areas;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Garrison Diversion Overview Committee, as authorized by Senate Concurrent Resolution No. 4005, is hereby directed to study the Garrison Diversion Project and its present and potential effects on North Dakota to determine what, if any, changes may be necessary in the amount of land required for mitigation and enhancement of recreation, fish and wildlife, the method used to identify the lands required, and the manner in which lands are credited toward the required acreage; and

**BE IT FURTHER RESOLVED**, that the study include the feasibility and desirability of constructing a pipeline system for the delivery of municipal, industrial, and irrigation water; and

**BE IT FURTHER RESOLVED**, that the committee provide for citizen input in a manner and to the extent it deems appropriate; and

**BE IT FURTHER RESOLVED**, that the committee report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

#### FIRST READING OF SENATE BILLS

**Senate Concurrent Resolution No. 4086.** — A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

Which was read the first time.

Rep. Strinden moved that the rules be suspended, and that Senate Concurrent Resolution No. 4086 not be printed as a bill, not be read, but be printed in the Journal, be placed on second reading and final passage, and be laid over one legislative day, which motion prevailed.

## SENATE CONCURRENT RESOLUTION No. 4086

Introduced by Committee on Delayed Bills.

A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

WHEREAS, after termination of the Forty-sixth Legislative Assembly a complete record with index of the House and Senate journals must be prepared;

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

That Roy Gilbreath, Chief Clerk of the House, and Leo Leidholm, Secretary of the Senate, are hereby authorized and employed to compare and index the journals of the Forty-sixth Legislative Assembly, and the said Roy Gilbreath and Leo Leidholm are hereby directed to arrange for and procure sufficient assistance to insure that the said work shall be completed within thirty days after the close of the session; and

BE IT FURTHER RESOLVED, that for the expenses of the said Roy Gilbreath and Leo Leidholm, as above set forth, there shall be allowed the sum of \$3,000.00 each, which shall include compensation for any assistance deemed necessary by them, all to be paid as other legislative expense, and paid when the respective claims are verified by the affidavits of the said Roy Gilbreath and Leo Leidholm showing completion of such work.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1217.** — A Bill for an Act to amend and reenact section 54-44-11 of the 1977 Supplement to the North Dakota Century Code, relating to the purchasing department operating fund.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● WATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● WEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUHMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM	●		● KELLY	●		● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT	●		● OPEDAHL			● WINKLER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR SPEAKER		
● DICK			● KUJDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES	●		● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RIUD					
● FREBORG			● LARSON F # 24			● SCHINDLER					
● GACKLE			● LARSON G # 28			● SCOFIELD					
● GERL	●		● LARSON H # 7			● SOLBERG					
● GORDER			● LEE	●		● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A # 45			● MARTIN	●		● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to.

**House Bill No. 1222.** — A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code,



relating to the powers, duties, and limitations of the director of the North Dakota parks and recreation department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 5; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNHJEM		
BENEDICT ●			HICKLE			MEIERS			VANDER VORST		
BERG ●			HOFFNER			MELBY			VIG		
BERGE ●			HOUWMANN			MERTENS			WAGNER		
BERGER ●			HOVE			MEYER			WALD		
BJORNSON ●			JACOBSEN, R			MURPHY			WALSH		
BLACK ●			JACOBSON, I			MUSHK			WEBER		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ		
BROKAW ●			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN ●			KERMOTT			OPEDAHL			WINKJER		
CONMY ●			KINGSBURY			PELTIER					
CRABTREE ●			KLOUBEC			PETERSON ●			MR. SPEAKER		
DICK ●			KNUDSON			POMEROY					
DIETZ ●			KOSKI			REED					
DOTZENROD ●			KRETSCHMARR			RETZER					
DuBORD ●			KUCHERA			RICHARD					
EAGLES ●			LANG			RICHIE					
ERICKSON ●			LANGLEY			RIEHL					
FLEMING ●			LARDY			RUED					
FREBORG ●			LARSON, F ● # 24			SCHINDLER					
GACKLE ●			LARSON, G # 29			SCOFIELD					
GERL ●			LARSON, H # 7			SOLBERG					
GORDER ●			LEE ●			STENEHJEM					
GUNDERSON ●			LEIHAN			STRINDEN					
GUNSCH ●			UPSIEA			SWONTEK					
HANSON ●			MARKER			THOMPSON					
HAUSLAND ●			MARSDEN			THORSgard					
HAUSAUER, A # 49			MARTIN ●			TIMM					
HAUSAUER, R # 25			MARTINSON			TINJUM					
HEDSTROM ●			MATHENY			TWETEN ●					

So the bill passed and the title was agreed to.

House Bill No. 1507. — A Bill for an Act to amend and reenact subsection 5 of section 57-39.2-01 and subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the circumstances under which the receipts from educational, religious, or charitable activities are exempt from the sales tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 10; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN			MATTSON			UNHJEM		
BENEDICT ●			HICKLE			MEIERS			VANDER VORST		
BERG ●			HOFFNER			MELBY			VIG		
BERGE ●			HOUWMANN			MERTENS			WAGNER		
BERGER ●			HOVE			MEYER			WALD		
BJORNSON ●			JACOBSEN, R			MURPHY			WALSH		
BLACK ●			JACOBSON, I			MUSHK			WEBER		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ		
BROKAW ●			KENNELLY			OLSON			WESSMAN		
CHRISTENSEN ●			KERMOTT			OPEDAHL			WINKJER		
CONMY ●			KINGSBURY			PELTIER					
CRABTREE ●			KLOUBEC			PETERSON ●			MR. SPEAKER		
DICK ●			KNUDSON			POMEROY					
DIETZ ●			KOSKI			REED					
DOTZENROD ●			KRETSCHMARR			RETZER					
DuBORD ●			KUCHERA			RICHARD					
EAGLES ●			LANG			RICHIE					
ERICKSON ●			LANGLEY			RIEHL					
FLEMING ●			LARDY			RUED					
FREBORG ●			LARSON, F ● # 24			SCHINDLER					
GACKLE ●			LARSON, G # 29			SCOFIELD					
GERL ●			LARSON, H # 7			SOLBERG					
GORDER ●			LEE ●			STENEHJEM					

GUNDERSON	●	LEIBHAN	●	STRINDEN	
GUNSCH	●	● LIPSIEA		● SWONTEK	
● HANSON		● MAIXNER		● THOMPSON	
● HAUGLAND		● MARSDEN		● THORSgard	
● HAUSAUER, A. #48		● MARTIN	●	● TIMM	
● HAUSAUER, R. #25		● MARTINSON		● TINJUM	
● HEDSTROM		● MATHENY	●	● TWETEN	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2018.** State Contingent Fund — A Bill for an Act making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 6; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEW		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK	●		● JACOBSON, I.		●	● MUSHIK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL		●			
● FLEMING		●	● LARDY			● RUED					
● FREBORG			● LARSON, # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL		●	● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE		●	● STENEHJEW					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSgard					
● HAUSAUER, A. #48			● MARTIN		●	● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM		●			
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2027.** State Historical Board, International Peace Garden and Heritage Commission — A Bill for an Act making an appropriation for defraying the expenses of the state historical board and international peace garden of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 13; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHJEW		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE		●	● HOUMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY		●	● WALSH		●
● BLACK	●		● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ	●	
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERWOTT			● OPEDAHL			● WINKJER		●
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					

• DIETZ	• KOSKI	• REED
• DOTZENROD	• KRETSCHMAR	• RETZER
• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHIE
• ERICKSON	• LANGLEY	• RIEHL
• FLEWING	• LARBY	• RUED
• FREBORG	• LARSON # 24	• SCHINDLER
• GACKLE	• LARSON G # 29	• SCOFELD
• GERL	• LARSON H # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEM
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A # 49	• MARTIN	• TIMM
• HAUSAUER, R # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2037.** State Revenue Sharing — A Bill for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 5; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOEN			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY		•	• VIG		
• BERGE			• HOUWMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY		•	• WALSH		•
• BLACK			• JACOBSON, I			• MUSHIK			• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		•
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERWOTT			• OPEHAHL			• WINKLER		
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEWING			• LARBY			• RUED					
• FREBORG			• LARSON, F # 24			• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFELD					
• GERL			• LARSON, H # 7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEM					
• GUNSCH			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

**MESSAGES TO THE SENATE  
House Chamber**

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3096

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1217

House Bill No. 1222

House Bill No. 1507

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 2039.** Coal Development Impact Office — A Bill for an Act making an appropriation for defraying the expenses of the coal development impact office of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 19; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	HERMAN		●	MATTSON	●	●	UNHJEM	
		●	●	HICKLE		●	MEIERS		●	VANDER VORST	
●	BERG		●	HOFFNER	●	●	MELBY		●	VIG	
●	BERGE		●	HOUWMANN		●	MERTENS	●	●	WAGNER	
●	BERGER		●	HOVE	●	●	MERYER		●	WALD	
●	BJORNSON	●	●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●	BLACK	●	●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●	BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ	●
●	BROKAW	●	●	KENNELLY		●	OLSON	●	●	WESSMAN	
●	CHRISTENSEN		●	KERMOTT		●	OPEDAH	●	●	WINKJER	
●	CONNY		●	KINGSBURY		●	PELTIER				
●	CRABTREE		●	KLOUBEC		●	PETERSON	●	●	MR. SPEAKER	
●	DICK		●	KNUDSON		●	POMEROY				
●	DIETZ		●	KOSKI	●	●	REED				
●	DOTZENROD		●	KRETSCHMAR		●	RETZER				
●	DUBORD		●	KUCHERA		●	RICHARD	●			
●	EAGLES		●	LANGS		●	RICHIE				
●	ERICKSON		●	LANGLEY	●	●	RICHL		●		
●	FLEMING	●	●	LARDY	●	●	RUED				
●	FREBORG		●	LARSON, F. # 24		●	SCHINDLER	●			
●	GACKLE		●	LARSON, G. # 29		●	SCOFIELD				
●	GERL	●	●	LARSON, H. # 7		●	SOLBERG				
●	GORDER		●	LEE	●	●	STENEHJEM				
●	GUNDERSON		●	LEIBHAN		●	STRINDEN	●			
●	GUNSC		●	LIPSIE		●	SWONTEK				
●	HANSON		●	MAXNER		●	THOMPSON				
●	HAUGLAND		●	MARSDEN		●	THORSGARD				
●	HAUSAUER, A. # 49		●	MARTIN	●	●	TIMM				
●	HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM		●		
●	HEDSTROM		●	MATHEWY		●	TWETEN				

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2056.** — A Bill for an Act to provide for the creation of multidistrict special education boards; to amend and reenact sections 15-40.1-16.1, 15-59-01, 15-59-05.1, 15-59-06, 15-59-07, and 15-59-08 of the North Dakota Century Code, relating to transportation costs, special education of exceptional children, financing and mill levies for special education; and to repeal section 15-59-09 and chapter 15-59.1 of the North Dakota Century Code, relating to county special education programs and the election to discontinue the mill levy for special education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 11; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BACKES		●	HERMAN		●	MATTSON		●	UNHJEM	
●	BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST	
●	BERG		●	HOFFNER		●	MELBY	●	●	VIG	
●	BERGE		●	HOUWMANN		●	MERTENS		●	WAGNER	
●	BERGER		●	HOVE	●	●	MERYER		●	WALD	●
●	BJORNSON		●	JACOBSEN, R.		●	MURPHY		●	WALSH	
●	BLACK	●	●	JACOBSON, I.		●	MUSHIK		●	WEBER	
●	BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ	●
●	BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN	●
●	CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER	



school for the deaf; and to repeal sections 25-06-06 and 25-07-07 of the North Dakota Century Code, relating to transportation of indigent persons to the school for the blind and the school for the deaf.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 1; absent and not voting, 18.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		WATTSON	●		UNHJEM	●	
BENEDICT	●		HICKLE	●		WEIERS	●		VANDER VORST	●	
BERG	●		HOFFNER	●		MELBY	●		VIG	●	
BERGE	●		HOUHANN	●		MERTENS	●		WAGNER	●	
BERGER	●		HOVE	●		MEYER	●		WALD	●	
BJORNSON	●		JACOBSEN R	●		MURPHY	●		WALSH	●	
BLACK	●		JACOBSON I	●		MUSHIK	●		WEBER	●	
BOYUM	●		KELLY	●		NICHOLAS	●		WENTZ	●	
BROKAW	●		KENNELLY	●		OLSON	●		WESSMAN	●	
CHRISTENSEN	●		KERMOTT	●		OPEDAHL	●		WINKJER	●	
CONNY	●		KINGSBURY	●		PELTER	●				
CRABTREE	●		KLOUBEC	●		PETERSON	●		MR. SPEAKER	●	
DICK	●		KNUDSON	●		POMEROY	●				
DIETZ	●		KOSKI	●		REED	●				
DOTZENROD	●		KRETSCHMAR	●		RETZER	●				
DUBORD	●		KUCHERA	●		RICHARD	●				
EAGLES	●		LANG	●		RICHIE	●				
ERICKSON	●		LANGLEY	●		RIEHL	●				
FLEMING	●		LARDY	●		RUED	●				
FREBORG	●		LARSON F # 24	●		SCHINDLER	●				
GACKLE	●		LARSON G # 29	●		SCOFIELD	●				
GERL	●		LARSON H # 7	●		SOLBERG	●				
GORDER	●		LEE	●		STENHJEM	●				
GUNDERSON	●		LEIBHAN	●		STRINDEN	●				
GUNSON	●		LIPSEA	●		SWONTE	●				
HANSON	●		MAXNER	●		THOMPSON	●				
HAUGLAND	●		MARSDEN	●		THORSGARD	●				
HAUSAUER A # 40	●		MARTIN	●		TIMM	●				
HAUSAUER R # 25	●		MARTINSON	●		TINJUM	●				
HEDSTROM	●		MATHENY	●		TWETEN	●				

So the bill passed and the title was agreed to.

**Senate Bill No. 2099.** — A Bill for an Act to amend and reenact section 18-04-04 and section 18-04-05 of the North Dakota Century Code, relating to distribution of insurance premium tax to cities, rural fire departments and rural fire protection districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		HERMAN	●		WATTSON	●		UNHJEM	●	
BENEDICT	●		HICKLE	●		WEIERS	●		VANDER VORST	●	
BERG	●		HOFFNER	●		MELBY	●		VIG	●	
BERGE	●		HOUHANN	●		MERTENS	●		WAGNER	●	
BERGER	●		HOVE	●		MEYER	●		WALD	●	
BJORNSON	●		JACOBSEN R	●		MURPHY	●		WALSH	●	
BLACK	●		JACOBSON I	●		MUSHIK	●		WEBER	●	
BOYUM	●		KELLY	●		NICHOLAS	●		WENTZ	●	
BROKAW	●		KENNELLY	●		OLSON	●		WESSMAN	●	
CHRISTENSEN	●		KERMOTT	●		OPEDAHL	●		WINKJER	●	
CONNY	●		KINGSBURY	●		PELTER	●				
CRABTREE	●		KLOUBEC	●		PETERSON	●		MR. SPEAKER	●	
DICK	●		KNUDSON	●		POMEROY	●				
DIETZ	●		KOSKI	●		REED	●				
DOTZENROD	●		KRETSCHMAR	●		RETZER	●				
DUBORD	●		KUCHERA	●		RICHARD	●				
EAGLES	●		LANG	●		RICHIE	●				
ERICKSON	●		LANGLEY	●		RIEHL	●				
FLEMING	●		LARDY	●		RUED	●				
FREBORG	●		LARSON F # 24	●		SCHINDLER	●				
GACKLE	●		LARSON G # 29	●		SCOFIELD	●				
GERL	●		LARSON H # 7	●		SOLBERG	●				
GORDER	●		LEE	●		STENHJEM	●				



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN		●	● MATTSON		●	● UNJEM		●
● BENEDICT			● HICKLE		●	● MEIERS		●	● VANDER VORST		●
● BERG		●	● HOFFNER		●	● MELBY		●	● VIG		●
● BERGE		●	● HOLMANN		●	● MERTENS		●	● WAGNER		●
● BERGER		●	● HOVE		●	● MEYER		●	● WALD		●
● BJORNSON		●	● JACOBSEN R		●	● MURPHY		●	● WALSH		●
● BLACK		●	● JACOBSON I		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY		●	● NICHOLAS		●	● WENTZ	●	●
● BROKAW		●	● KENNELLY		●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN		●	● KERMOITT		●	● OPEDAHM		●	● WINKER		●
● CONMY		●	● KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON		●	MR SPEAKER		●
● DICK		●	● KNUDSON		●	● POMEROY		●			
● DIETZ		●	● KOSKI		●	● REED		●			
● DOTZENROD		●	● KRETSCHMAR		●	● RETZER		●			
● DUBORD		●	● KUCHERA		●	● RICHARD		●			
● EAGLES		●	● LANG		●	● RICHIE		●			
● ERICKSON		●	● LANGLEY		●	● RIEHL		●			
● FLEMING		●	● LARDY		●	● RUED		●			
● FREBORG		●	● LARSON F # 24		●	● SCHINDLER		●			
● GACKLE		●	● LARSON G # 29		●	● SCOFIELD		●			
● GERL		●	● LARSON H # 7		●	● SOLBERG		●			
● GORDER		●	● LEE		●	● STENEHJEM		●			
● GUNDERSON		●	● LEIBHAN		●	● STRINDEN		●			
● GUNSCHE		●	● LIPSIA		●	● SWONTEK		●			
● HANSON		●	● MAXNER		●	● THOMPSON		●			
● HAUGLAND		●	● MARSDEN		●	● THORSGARD		●			
● HAUSAUER A # 49		●	● MARTIN		●	● TIMM		●			
● HAUSAUER R # 25		●	● MARTINSON		●	● TINJUM		●			
● HEDSTROM		●	● MATHENY		●	● TWETEN		●			

So the bill passed and the title was agreed to.

**Senate Bill No. 2382.** — A Bill for an Act providing for additional fees for motor vehicles to supplement the county road and bridge funds and providing for distribution of the additional fees; providing an appropriation; providing an effective date; and providing an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 59; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN		●	● MATTSON		●	● UNJEM		●
● BENEDICT			● HICKLE		●	● MEIERS		●	● VANDER VORST		●
● BERG		●	● HOFFNER		●	● MELBY		●	● VIG		●
● BERGE		●	● HOLMANN		●	● MERTENS		●	● WAGNER		●
● BERGER		●	● HOVE		●	● MEYER		●	● WALD		●
● BJORNSON		●	● JACOBSEN R		●	● MURPHY		●	● WALSH		●
● BLACK		●	● JACOBSON I		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY		●	● NICHOLAS		●	● WENTZ	●	●
● BROKAW		●	● KENNELLY		●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN		●	● KERMOITT		●	● OPEDAHM		●	● WINKER		●
● CONMY		●	● KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	● KLOUBEC		●	● PETERSON		●	MR SPEAKER		●
● DICK		●	● KNUDSON		●	● POMEROY		●			
● DIETZ		●	● KOSKI		●	● REED		●			
● DOTZENROD		●	● KRETSCHMAR		●	● RETZER		●			
● DUBORD		●	● KUCHERA		●	● RICHARD		●			
● EAGLES		●	● LANG		●	● RICHIE		●			
● ERICKSON		●	● LANGLEY		●	● RIEHL		●			
● FLEMING		●	● LARDY		●	● RUED		●			
● FREBORG		●	● LARSON F # 24		●	● SCHINDLER		●			
● GACKLE		●	● LARSON G # 29		●	● SCOFIELD		●			
● GERL		●	● LARSON H # 7		●	● SOLBERG		●			
● GORDER		●	● LEE		●	● STENEHJEM		●			
● GUNDERSON		●	● LEIBHAN		●	● STRINDEN		●			
● GUNSCHE		●	● LIPSIA		●	● SWONTEK		●			
● HANSON		●	● MAXNER		●	● THOMPSON		●			
● HAUGLAND		●	● MARSDEN		●	● THORSGARD		●			
● HAUSAUER A # 49		●	● MARTIN		●	● TIMM		●			
● HAUSAUER R # 25		●	● MARTINSON		●	● TINJUM		●			
● HEDSTROM		●	● MATHENY		●	● TWETEN		●			

So the bill lost.

**Senate Bill No. 2385.** — A Bill for an Act to establish a state policy statement in the areas of abortion and childbirth, family planning,



payment for abortions by health insurance contracts, limiting abortions in government hospitals in North Dakota, regulating payment for dilatation and curettage under insurance contracts, and directing the state health department to provide forms required by this Act; providing a penalty; and declaring an emergency.

Which has been read.

Rep. Unhjem requested that the question of the final passage of Senate Bill No. 2385 be divided to have the sections voted on separately in the following manner:

DIVISION A: Page 2, line 23 through 35, and page 3, line 1 through 27, which reads as follows:

SECTION 5. REGULATING PAYMENT IN CERTAIN INSTANCES FOR THE MEDICAL PROCEDURE KNOWN AS DILATATION AND CURETTAGE BY STATE AND FEDERAL FUNDS AND BY INSURANCE CONTRACTS, PLANS, OR POLICIES DELIVERED OR ISSUED FOR DELIVERY WITHIN NORTH DAKOTA.)

1. No funds of this state, or any agency, county, municipality, or any other subdivision thereof and no federal funds passing through the state treasury or a state agency shall be used to pay any person or entity for a dilatation and curettage procedure in which the pathological examination of the surgical specimen indicates the presence of trophoblastic or chorionic tissue unless the request for payment is accompanied by a statement signed by the attending physician indicating that the procedure does not represent an induced abortion or the termination of an uncomplicated pregnancy. The reason for the dilatation and curettage will be clearly stated and will be accompanied by a copy of the report on the pathological examination done on the dilatation and curettage surgical specimen.
2. No health insurance contract, plan, or policy delivered in this state shall provide payment for a dilatation and curettage procedure in which the pathological examination of the surgical specimen indicates the presence of trophoblastic or chorionic tissue unless:
  - a. The health insurance contract, plan, or policy meets the criteria set forth in section 3 or unless the request for payment is accompanied by

a statement signed by the attending physician indicating that the procedure does not represent an induced abortion or the termination of an uncomplicated pregnancy. The reason for the dilatation and curettage will be clearly stated and will be accompanied by a copy of the report on the pathological examination done on the dilatation and curettage surgical specimen.

SECTION 6. FORMS.) The North Dakota state department of health shall make the forms required by this Act available to the physicians and hospitals of this state.

DIVISION B: Page 2, lines 1 through 7, which reads as follows:

SECTION 2. USE OF PUBLIC FUNDS FOR FAMILY PLANNING DENYING USE FOR THE PERFORMANCE, REFERRAL, AND ENCOURAGEMENT OF ABORTION.) No funds of this state or any agency, county, municipality, or any other subdivision thereof and no federal funds passing through the state treasury or a state agency shall be used as family planning funds by any person, public or private agency which performs, refers, or encourages abortion.

DIVISION C: Page 2, lines 8 through 15, which reads as follows:

SECTION 3. PAYMENT FOR ABORTIONS BY HEALTH INSURANCE POLICIES DELIVERED OR ISSUED IN NORTH DAKOTA.) No health insurance contracts, plans, or policies delivered or issued for delivery in this state shall provide coverage for abortions except by an optional rider for which there must be paid an additional premium. Provided, however, that this section shall not apply to the performance of an abortion necessary to prevent the death of the woman.

DIVISION D: Page 1, lines 1 through 22; page 2, lines 16 through 22; page 3, lines 28 through 35; page 4, lines 1 through 8, which reads as follows:

A BILL for an Act to establish a state policy statement in the

areas of abortion and childbirth, family planning, payment for abortions by health insurance contracts, limiting abortions in government hospitals in North Dakota, regulating payment for dilatation and curettage under insurance contracts, and directing the state health department to provide forms required by this Act; providing a penalty; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. A STATE POLICY ON ABORTION AND CHILDBIRTH AND THE MEDICAL ASSISTANCE THEREOF.) Between normal childbirth and abortion, it shall be the policy of the state of North Dakota that normal childbirth is to be given preference, encouragement, and support by law and by state action, it being in the best interests of the well-being and common good of North Dakota citizens.

No funds of this state or any agency, county, municipality, or any other subdivision thereof and no federal funds passing through the state treasury or a state agency shall be used to pay for the performance, or for promoting the performance, of an abortion unless the abortion is necessary to prevent the death of the woman.

SECTION 4. LIMITATION OF ABORTION IN GOVERNMENT HOSPITALS OPERATED WITHIN NORTH DAKOTA.) No person shall authorize or perform an abortion in a hospital owned, maintained, or operated within the state by the state or any of its agencies or by any political subdivision of the state, unless the abortion is necessary to prevent the death of the woman.

SECTION 7. PENALTY.) Any person found guilty of violating this Act shall be guilty of a class B misdemeanor.

SECTION 8. SEVERABILITY.) Should any provision, section, clause, or word of this Act be construed by any court of law to be invalid, illegal, unconstitutional, or otherwise

unenforcible, such invalidity, illegality, unconstitutionality, or unenforcibility shall not extend to any other provision or provisions of this Act.

It is the express intent of this legislature to enact legislation that is constitutional. A reviewing court, therefore, is requested to set forth clearly the grounds upon which any provisions of this Act is declared invalid so that appropriate remedial legislation may be enacted.

SECTION 9. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Speaker Wagner granted the request to divide the question, and explained that the House will vote according to the division as stated in the request. Thereafter, the House will vote on the final passage of Senate Bill No. 2385, excluding that portion which did not pass on the division of the question, or including that portion which did pass on the division of the question, with the title properly amended and sub-sections properly renumbered as necessary.

The question then was on the passage of Division A of the divided question.

ROLL CALL

The roll was called, and there were ayes, 32; nays, 64; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN		•	MATTSON		•	UNHJEM		•
		•	HCKLE		•	MEIERS		•	VANDER VORST		•
		•	HOFFNER		•	MELBY		•	VIG		•
•			HOUWANN		•	MERTENS		•	WAGNER		•
		•	HOVE		•	MEYER		•	WALD		•
		•	JACOBSEN, R		•	MURPHY		•	WALSH		•
		•	JACOBSON, I		•	MUSHIK		•	WEBER		•
		•	KELLY		•	NICHOLAS		•	WENTZ		•
•		•	KENNELLY		•	OLSON		•	WESSMAN		•
		•	KERMOTT		•	OPEDAHL		•	WINKLER		•
		•	KINGSBURY		•	PELTIER		•			
•		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
		•	KNUDSON		•	POMEROY		•			
		•	KOSKI		•	REED		•			
		•	KRETSCHMAR		•	RETZER		•			
•		•	KUCHERA		•	RICHARD		•			
		•	LANG		•	RICHL		•			
•		•	LANGLEY		•	RUE		•			
		•	LARDY		•	SCHINDLER		•			
•		•	LARSON, F. # 24		•	SCOFIELD		•			
•		•	LARSON, G. # 20		•	SOLBERG		•			
		•	LARSON, H. # 7		•	STENEHJEM		•			
		•	LEE		•	STRINDEN		•			
		•	LEIBHAN		•	SWONTEK		•			
		•	LIPSIA		•	THOMPSON		•			
•		•	MAUXNER		•	THORSGARD		•			
		•	MARSDEN		•	TIMM		•			
•		•	MARTIN		•	TINJUM		•			
MAUSAUER, A. # 40		•	MARTINSON		•	TWETEN		•			
MAUSAUER, R. # 25		•	MATHENY		•						
		•									

So Division A was declared lost.

The question then was on the passage of Division B of the divided question.

ROLL CALL

The roll was called, and there were ayes, 58; nays, 39; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			WEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUHMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONNY ●			KINGSBURY ●			PELTIER ●			MR SPEAKER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●					
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F #24 ●			SCHINDLER ●					
GACKLE ●			LARSON G #29 ●			SCOFIELD ●					
GERL ●			LARSON H #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEJEM ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWIONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A #49 ●			MARTIN ●			TIMM ●					
HAUSAUER R #25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHEHY ●			TWETEN ●					

So Division B was declared passed.

The question then was on the passage of Division C of the divided question.

ROLL CALL

The roll was called, and there were ayes, 66; nays, 33; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNHJEM ●		
BENEDICT ●			HICKLE ●			WEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			MELBY ●			VIG ●		
BERGE ●			HOUHMANN ●			MERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON I ●			MUSHIK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOLAS ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAHL ●			WINKJER ●		
CONNY ●			KINGSBURY ●			PELTIER ●			MR SPEAKER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●					
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHIE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F #24 ●			SCHINDLER ●					
GACKLE ●			LARSON G #29 ●			SCOFIELD ●					
GERL ●			LARSON H #7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEJEM ●					
GUNDERSON ●			LEIBHAN ●			STRINDEN ●					
GUNSCH ●			LIPSIEA ●			SWIONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A #49 ●			MARTIN ●			TIMM ●					
HAUSAUER R #25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHEHY ●			TWETEN ●					

So Division C was declared passed.

The question then was on the passage of Division D of the divided question.

ROLL CALL

The roll was called, and there were ayes, 73; nays, 25; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●			HERMAN	●		●	MATTSON	●	UNHJEM	
●			●	HICKLE		●	WEIERS	●	VANDER VORST	
●		●	●	HOFFNER		●	MELBY		VIG	
●		●	●	HOFMANN		●	MERTENS		WAGNER	
●		●	●	HOVE		●	MEYER	●	WALD	
●		●	●	JACOBSEN, R		●	MURPHY	●	WALSH	
●		●	●	JACOBSON, I		●	MUSHIK	●	WEBER	
●		●	●	KELLY	●		●	NICHOLAS	●	WENTZ
●		●	●	KENNELLY		●	OLSON	●	WESSMAN	
●		●	●	KERMOTT		●	OPEDAHIL	●	WINKJER	
●		●	●	KINGSBURY		●	PELTIER			
●		●	●	KLOUBEC	●		●	PETERSON	●	MR. SPEAKER
●		●	●	KNUDSON		●	●	POMEROY	●	
●		●	●	KOSKI	●		●	REED	●	
●		●	●	KRETSCHMAR		●	●	RETZER	●	
●		●	●	KUCHERA		●	●	RICHARD	●	
●		●	●	LANG		●	●	RICHIE	●	
●		●	●	LANGLEY		●	●	RIEHL	●	
●		●	●	LARDY		●	●	RUED	●	
●		●	●	LARSON, F # 24		●	●	SCHINDLER	●	
●		●	●	LARSON, G # 29	●		●	SCOFIELD	●	
●		●	●	LARSON, H # 7		●	●	SOLBERG	●	
●		●	●	LEE	●		●	STENEHJEM	●	
●		●	●	LEIBHAN		●	●	STRINDEN	●	
●		●	●	LIPSIA		●	●	SWINTEK	●	
●		●	●	MAXNER		●	●	THOMPSON	●	
●		●	●	MARSDEN		●	●	THORSGARD	●	
●		●	●	MARTIN		●	●	TIMM	●	
●		●	●	MARTINSON		●	●	TINJUM	●	
●		●	●	MATHENY		●	●	TWETEN	●	

So Division D was declared passed.

The question then was on the final passage of Senate Bill No. 2385, including Divisions B, C, D, and excluding Division A.

ROLL CALL

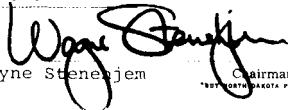
The roll was called, and there were ayes, 74; nays, 25; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●			HERMAN	●		●	MATTSON	●	UNHJEM	
●			●	HICKLE		●	WEIERS	●	VANDER VORST	
●		●	●	HOFFNER		●	MELBY		VIG	
●		●	●	HOFMANN		●	MERTENS		WAGNER	
●		●	●	HOVE		●	MEYER	●	WALD	
●		●	●	JACOBSEN, R		●	MURPHY	●	WALSH	
●		●	●	JACOBSON, I		●	MUSHIK	●	WEBER	
●		●	●	KELLY	●		●	NICHOLAS	●	WENTZ
●		●	●	KENNELLY		●	OLSON	●	WESSMAN	
●		●	●	KERMOTT		●	OPEDAHIL	●	WINKJER	
●		●	●	KINGSBURY		●	PELTIER			
●		●	●	KLOUBEC	●		●	PETERSON	●	MR. SPEAKER
●		●	●	KNUDSON		●	●	POMEROY	●	
●		●	●	KOSKI	●		●	REED	●	
●		●	●	KRETSCHMAR		●	●	RETZER	●	
●		●	●	KUCHERA		●	●	RICHARD	●	
●		●	●	LANG		●	●	RICHIE	●	
●		●	●	LANGLEY		●	●	RIEHL	●	
●		●	●	LARDY		●	●	RUED	●	
●		●	●	LARSON, F # 24		●	●	SCHINDLER	●	
●		●	●	LARSON, G # 29	●		●	SCOFIELD	●	
●		●	●	LARSON, H # 7		●	●	SOLBERG	●	
●		●	●	LEE	●		●	STENEHJEM	●	
●		●	●	LEIBHAN		●	●	STRINDEN	●	
●		●	●	LIPSIA		●	●	SWINTEK	●	
●		●	●	MAXNER		●	●	THOMPSON	●	
●		●	●	MARSDEN		●	●	THORSGARD	●	
●		●	●	MARTIN		●	●	TIMM	●	
●		●	●	MARTINSON		●	●	TINJUM	●	
●		●	●	MATHENY		●	●	TWETEN	●	

So Senate Bill No. 2385 passed, including Divisions B, C, and D, and excluding Division A.

The title is agreed to, and the emergency clause carried.



..... was delivered to the } Governor  
 } ~~Secretary of State~~ for his approval at the hour of  
 5:00 o'clock P.M. March 21, 1979  
 Rep. Wayne Stenejem  Chairman  
 "BEST NORTH CAROLINA PRODUCTS"

MOTIONS

Rep. Strinden moved that the House reconsider its action whereby it adopted all amendments to Senate Bill No. 2405, which motion prevailed.

Rep. Strinden moved that the House reconsider its action whereby it accepted committee reports on Senate Bill No. 2405, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2405 be re-referred to the Committee on Agriculture, which motion prevailed.

Rep. Strinden moved that the rules be suspended, and that the Committee on Agriculture be permitted to meet to consider Senate Bill No. 2405, which motion prevailed.

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 9:00 a.m., Thursday, March 22, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk



## FIFTY-SIXTH DAY

Bismarck, March 22, 1979

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

The prayer was offered by Rev. Orville Meth, Chaplain, Baptist Home, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Gerl, Lee, Lipsiea, and Mushik.

A quorum was declared by the Speaker.

## REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-fifth Day and finds the same to be correct.



Chairman

Rep. Pomeroy moved that the report be adopted, which motion prevailed.

## MOTION

Rep. Knudson moved that the House not concur on Senate amendments to House Bill No. 1199, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1199:

Rep. G. Larson  
Rep. Olson  
Rep. Berger

## MOTIONS

Rep. Conmy moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3001, which motion prevailed.

Rep. Nicholas moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3059, which motion prevailed.

Rep. Gackle moved that the House not concur on Senate amendments to House Concurrent Resolution No. 3071, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Concurrent Resolution No. 3071:

Rep. Gackle  
Rep. Murphy  
Rep. Backes

Rep. Martinson moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3072, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1001.** Legislative Branch — A Bill for an Act to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 2; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL					1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE	●	●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY	●	●	WIG	
●			●	HOUWANN	●	●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER	●	●	WALD	
●			●	JACOBSEN R		●	MURPHY		●	WALSH	
●			●	JACOBSON I		●	MUSHK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAH	●	●	WINKLER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON	●	●	MR. SPEAKER	
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI	●	●	REED				
●			●	KRETSCHMAR		●	RETZER	●			
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RIED				
●			●	LARSON F # 24		●	SCHINDLER				
●			●	LARSON G # 28		●	SCOFIELD				
●			●	LARSON H # 7		●	SOLBERG				
●			●	LEE	●	●	STENEHJEM				
●			●	LEIBHAN		●	STRINDEN				
●			●	LIPSIEA		●	SWONTEK				
●			●	MAIXNER		●	THOMPSON	●			
●			●	MARSDEN		●	THORSgard				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHENY		●	TWETEN				

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1003.** — A Bill for an Act making an appropriation to the legislative assembly for improvements to and renovation of the state capitol; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 12; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL					1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●	UNHJEM	
●			●	HICKLE	●	●	MEIERS		●	VANDER VORST	
●			●	HOFFNER		●	MELBY	●	●	WIG	
●			●	HOUWANN	●	●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER	●	●	WALD	
●			●	JACOBSEN R		●	MURPHY		●	WALSH	
●			●	JACOBSON I		●	MUSHK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAH	●	●	WINKLER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON	●	●	MR. SPEAKER	
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI	●	●	REED				
●			●	KRETSCHMAR		●	RETZER	●			
●			●	KUCHERA		●	RICHARD		●		
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				

● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON F # 24	● SCHINDLER
● GACKLE	● LARSON G # 29	● SCOFIELD
● GERL	● LARSON H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 1025.** Business and Industrial Development Department — A Bill for an Act making an appropriation for defraying the expenses of the business and industrial development department of the State of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 7; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN			●	MATTSON			●	UNHJEM
●			●	HICKLE			●	MEIERS	●		●	VANDER VORST
●			●	HOFFNER			●	MELBY			●	VIG
●			●	HOLMANN			●	MERTENS			●	WAGNER
●			●	HOVE			●	MEYER	●		●	WALD
●			●	JACOBSEN, R			●	MURPHY	●		●	WALSH
●			●	JACOBSON, I			●	MUSHIK			●	WEBER
●			●	KELLY			●	NICHOLAS			●	WENTZ
●			●	KENNELLY			●	OLSON			●	WESSMAN
●			●	KERMOTT			●	OPEDahl			●	WINKJER
●			●	KINGSBURY			●	PELTIER				
●			●	KLOUBEC			●	PETERSON			●	MR. SPEAKER
●			●	KNUDSON			●	POMEROY				
●			●	KOSKI			●	REED				
●			●	KRETSCHMAR			●	RETZER	●			
●			●	KUCHERA			●	RICHARD				
●			●	LANG			●	RICHIE				
●			●	LANGLEY			●	RIEHL				
●			●	LARDY			●	RUED				
●			●	LARSON, F # 24			●	SCHINDLER				
●			●	LARSON, G # 29			●	SCOFIELD				
●			●	LARSON, H # 7			●	SOLBERG				
●			●	LEE			●	STENEHJEM				
●			●	LEIBHAN			●	STRINDEN				
●			●	LIPSIEA			●	SWONTEK				
●			●	MAIXNER	●		●	THOMPSON				
●			●	MARSDEN			●	THORSgard				
●			●	MARTIN			●	TIMM				
●			●	MARTINSON			●	TINJUM				
●			●	MATHENY	●		●	TWETEN	●			

So the bill passed and the title was agreed to.

**House Bill No. 1036.** Employment Security Bureau — A Bill for an Act making an appropriation for defraying the expenses of the employment security bureau and divisions thereof of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 3; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	HERMAN			●	MATTSON			●	UNHJEM
●			●	HICKLE			●	MEIERS			●	VANDER VORST
●			●	HOFFNER			●	MELBY			●	VIG
●			●	HOLMANN			●	MERTENS			●	WAGNER
●			●	HOVE			●	MEYER	●		●	WALD
●			●	JACOBSEN, R			●	MURPHY	●		●	WALSH

• BLACK •	• JACOBSON I.	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOTT	• OPEDAH	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLOUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FLEBOBG	• LARSON, F # 24	• SCHINDLER	•
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWIONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that House Bill No. 1352 be moved to the foot of the calendar, which motion prevailed.

Rep. Strinden moved that House Bill No. 1065 and House Bill No. 1409 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1065.** — A Bill for an Act to create and enact a new section to chapter 40-57 of the North Dakota Century Code, relating to restrictions on the use of financing under the Municipal Industrial Development Act of 1955 for the construction of public vocational education facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 49; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		•	• MATTSON		•			• UNJEM
• BENEDICT		•	• HICKLE		•	• MEIERS		•	• VANDER VORST		•
• BERG		•	• HOFFNER		•	• MELBY		•	• VIG		•
• BERGE		•	• HOLMANN		•	• MERTENS		•	• WAGNER		•
• BERGER		•	• HOVE		•	• MEYER		•	• WALD		•
• BJORNSON		•	• JACOBSEN, R		•	• MURPHY		•	• WALSH		•
• BLACK		•	• JACOBSON, I		•	• MUSHK		•	• WEBER		•
• BOYUM		•	• KELLY		•	• NICHOLAS		•	• WENTZ		•
• BROKAW		•	• KENNELLY		•	• OLSON		•	• WESSMAN		•
• CHRISTENSEN		•	• KERMOTT		•	• OPEDAH		•	• WINKJER		•
• CONMY		•	• KINGSBURY		•	• PELTIER		•			
• CRABTREE		•	• KLOUBEC		•	• PETERSON		•	• MR. SPEAKER		
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ		•	• KOSKI		•	• REED		•			
• DOTZENROD		•	• KRETSCHMAR		•	• RETZER		•			
• DUBORD		•	• KUCHERA		•	• RICHARD		•			
• EAGLES		•	• LANG		•	• RICHIE		•			
• ERICKSON		•	• LANGLEY		•	• RIEHL		•			
• FLEMING		•	• LARDY		•	• RUED		•			
• FLEBOBG		•	• LARSON, F # 24		•	• SCHINDLER		•			
• GACKLE		•	• LARSON, G # 29		•	• SCOFIELD		•			
• GERL		•	• LARSON, H # 7		•	• SOLBERG		•			
• GORDER		•	• LEE		•	• STENEHJEM		•			
• GUNDERSON		•	• LEIBHAN		•	• STRINDEN		•			
• GUNSCH		•	• LIPSIEA		•	• SWIONTEK		•			
• HANSON		•	• MAIXNER		•	• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGARD		•			
• HAUSAUER, A # 49		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, R # 25		•	• MARTINSON		•	• TINJUM		•			
• HEDSTROM		•	• MATHENY		•	• TWETEN		•			

So the bill lost.

**House Bill No. 1409.** — A Bill for an Act to amend and reenact sections 40-55-06 and 40-55-07 of the North Dakota Century Code, relating to rural representation on recreation boards.



NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•		•	•		•	•		•	•
•	BACKES		•	HERMAN		•	MATTSON			•	UNHJEM
	BENEDICT	•		HICKLE		•	WEIERS			•	VANDER VORST
	BERG			HOFFNER		•	MELBY			•	VIG
•	BERGE			HOUHMANN		•	MERTENS			•	WAGNER
	BERGER			HOVE		•	MEYER	•		•	WALD
	BJORNSON			JACOBSEN, R		•	MURPHY			•	WALSH
	BLACK			JACOBSON, I		•	MUSHIK			•	WEBER
	BOYUM			KELLY		•	NICHOLAS			•	WENTZ
	BROKAW		•	KENNELLY		•	OLSON			•	WESSMAN
	CHRISTENSEN			KERMOTT		•	OPEDAHL	•		•	WINKJER
	CONNY			KINGSBURY		•	PELTIER			•	
	CRABTREE			KLOUBEC		•	PETERSON	•		•	• MR. SPEAKER
	DICK			KNUDSON		•	POWEROY				
	DIETZ			KOSKI		•	REED				
	DOTZENROD			KRETSCHMAR		•	RETZER				
	DUBORD			KUCHERA		•	RICHARD				
	EAGLES			LANG		•	RICHIE				
	ERICKSON	•		LANGLEY		•	RIEHL				
	FLEMING			LARDY		•	RUED				
•	FREBORG		•	LARSON, F # 24		•	SCHINDLER				
•	GACKLE			LARSON, G # 29		•	SCOFIELD				
	GERL			LARSON, H # 7		•	SOLBERG				
	GORFER			LEE		•	STENEHJEM				
	GUNDERSON			LEIGHAN		•	STRINDEN				
	GUNSON			LIPSIEA		•	SWONTEK				
	HANSON			MAXNER		•	THOMPSON				
	HAUGLAND			MARSDEN		•	THORSgard				
	HAUSAUER, A # 49			MARTIN		•	TIMM				
	HAUSAUER, R # 25			MARTINSON		•	TINJUM				
	HEDSTROM			MATHENY		•	TWETEN				

So the bill lost.

MOTIONS

Rep. Strinden moved that the rules be suspended, and that the House action of March 21, 1979, be messaged to the Senate immediately, which motion prevailed.

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1624, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2002.** Superintendent of Public Instruction — A Bill for an Act making an appropriation for defraying the expenses of the department of public instruction of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 5; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	•	BACKES		•	HERMAN		•	MATTSON		•	UNHJEM
	•	BENEDICT		•	HICKLE		•	WEIERS		•	VANDER VORST
	•	BERG		•	HOFFNER		•	MELBY		•	VIG
	•	BERGE		•	HOUHMANN		•	MERTENS		•	WAGNER
	•	BERGER		•	HOVE		•	MEYER		•	WALD
	•	BJORNSON		•	JACOBSEN, R		•	MURPHY		•	WALSH
	•	BLACK		•	JACOBSON, I		•	MUSHIK		•	WEBER
	•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ
	•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN
	•	CHRISTENSEN		•	KERMOTT		•	OPEDAHL		•	WINKJER
	•	CONNY		•	KINGSBURY		•	PELTIER		•	
	•	CRABTREE		•	KLOUBEC		•	PETERSON		•	• MR. SPEAKER
	•	DICK		•	KNUDSON		•	POWEROY			
	•	DIETZ		•	KOSKI		•	REED			
	•	DOTZENROD		•	KRETSCHMAR		•	RETZER			
	•	DUBORD		•	KUCHERA		•	RICHARD			
	•	EAGLES		•	LANG		•	RICHIE			
	•	ERICKSON		•	LANGLEY		•	RIEHL			
	•	FLEMING		•	LARDY		•	RUED			
	•	FREBORG		•	LARSON, F # 24		•	SCHINDLER			
	•	GACKLE		•	LARSON, G # 29		•	SCOFIELD			
	•	GERL		•	LARSON, H # 7		•	SOLBERG			
	•	GORFER		•	LEE		•	STENEHJEM			
	•	GUNDERSON		•	LEIGHAN		•	STRINDEN			
	•	GUNSON		•	LIPSIEA		•	SWONTEK			
	•	HANSON		•	MAXNER		•	THOMPSON			

● HAUGLAND	● MARSDEN	THORSGARD
● HAUSAUER A. #49	● MARTIN	● TIMM
● HAUSAUER R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**MOTION**

Rep. Nicholas moved that the House reconsider its action whereby the amendments to Senate Bill No. 2003 were adopted, which motion prevailed on a verification vote.

The question then was on the motion of Rep. Peterson that the amendments to Senate Bill No. 2003, as recommended by the Committee on Appropriations as printed on pages 1934 and 1935 of the House Journal, be adopted.

Rep. Backes requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 41; nays, 54; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDET			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOITT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBERG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. #49			● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

The motion failed, and Senate Bill No. 2003 was placed on the 14th order of business without amendments.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2026.** Insurance Tax to Fire Departments — A Bill for an Act making an appropriation for the payment of insurance premium taxes to fire departments.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON			● UNHJEM		
● BENEDET			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUWMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		

● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAH	● WINKJER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● PEROMY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETZSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 74	● SCHINDLER	
● GACKLE	● LARSON G # 79	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSON	● LIPSIE	● SWONTEK	
● HANSON	● MAINER	● THOMPSON	
● HAUGLAND	● WARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TINM	
● HAUSAUER R # 25	● MARTINSON	● TUNJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2038.** Judicial Branch — A Bill for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the State of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 13; absent and not voting, 13.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	● HERMAN		● MATTON			● UNHJEM		
			● HICKLE	●	● MEIERS			● VANDER VORST		
			● HOFFNER		● MELBY	●		● VIG		
			● HOUWMANN		● MERTENS			● WAGNER		
			● HOVE	●	● MEYER	●		● WALD	●	
			● JACOBSEN R		● MURPHY			● WALSH		
			● JACOBSON I		● MUSHIK	●		● WEBER		
			● KELLY		● NICHOLAS			● WENTZ		
		●	● KENNELLY		● OLSON			● WESSMAN		
			● KERMOTT		● OPEDAH	●		● WINKJER		
			● KINGSBURY		● PELTIER					
			● KLOUBEC		● PETERSON			● MR SPEAKER		
		●	● KNUDSON		● PEROMY					
			● KOSKI		● REED					
			● KRETZSCHMAR		● RETZER					
			● KUCHERA		● RICHARD	●				
			● LANG		● RICHIE					
			● LANGLEY		● RIEHL					
		●	● LARDY		● RUED					
			● LARSON F # 74		● SCHINDLER					
			● LARSON G # 79		● SCOFIELD					
			● LARSON H # 7		● SOLBERG					
		●	● LEE		● STENEHJEM					
			● LEIBHAN		● STRINDEN					
		●	● LIPSIE		● SWONTEK					
			● MAINER	●	● THOMPSON					
			● WARSDEN		● THORSGARD					
		●	● MARTIN		● TINM					
			● MARTINSON		● TUNJUM	●				
			● MATHENY		● TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2040.** Game and Fish Department — A Bill for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota; providing for a performance review; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 11; absent and not voting, 13.





## Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 2023, 2046, 2237, 2254, 2284, 2391, and subsequently passed the same, but refused to concur in the House amendments to Senate Bill No. 2001, 2007, 2008, 2009, 2011, 2013, and the President has appointed as a conference committee to act with a like committee from the House on Senate Bills Nos. 2001, 2007, 2008, 2009, 2011, 2013.

Senate Bill No. 2001:

Senator Melland

Senator Strinden

Senator Erdman

Senate Bill No. 2007:

Senator Thane

Senator Smykowski

Senator Walsh

Senate Bill No. 2008:

Senator Olin

Senator Vosper

Senator Tallackson

Senate Bill No. 2009:

Senator Strinden

Senator Naaden

Senator Tallackson

Senate Bill No. 2011:

Senator Thane

Senator Fritzell

Senator Tallackson

Senate Bill No. 2013:

Senator Melland

Senator Strinden

Senator Erdman

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to Senate Bill Nos. 2043, 2125, 2233, 2309, 2350, and the President has appointed as a conference committee to act with a like committee from the House on Senate Bills Nos. 2043, 2125, 2233, 2309, 2350.

Senate Bill No. 2043:

Senator Thane

Senator Naaden

Senator Walsh

Senate Bill No. 2125:

Senator Tennefos

Senator Lashkowitz

Senator Solberg

Senate Bill No. 2233:

Senator Nelson

Senator Lee

Senator Redlin

Senate Bill No. 2309:

Senator Wright

Senator Goodman

Senator Redlin









● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill lost.

**Senate Bill No. 2430.** — A Bill for an Act to create and enact a new subsection to section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city; to provide an expiration date; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 16; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	● HERMAN			● MATTSOEN			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS		●	● VANDER VORST		
● BERG			● HOFFNER			● MELBY		●	● WIG		
● BERGE			● HOUMANN			● MERTENS		●	● WAGNER		
● BERGER			● HOVE			● MEYER		●	● WALD		
● BJORNSON			● JACOBSEN, R		●	● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● MUSHIK		●	● WEBER		
● BOYUM			● KELLY			● NICHOLAS		●	● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON		●	● WESSMAN	●	
● CHRISTENSEN			● KERMOTT			● OPEDAHL	●		● WINKJER		
● CONMY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY	●				
● DIETZ			● KOSKI			● REED	●				
● DOTZENROD			● KRETSCHMAR			● RETZER	●				
● DUBORD			● KUCHERA			● RICHARD	●				
● EAGLES			● LANG			● RICHIE	●				
● ERICKSON			● LANGLEY			● RIEHL	●				
● FLEMING		●	● LARDY		●	● RUED	●				
● FREBORG			● LARSON, F # 24			● SCHINDLER	●				
● GACKLE			● LARSON, G # 29			● SCOFIELD	●				
● GERL		●	● LARSON, H # 7			● SOLBERG	●				
● GORDER			● LEE		●	● STENEHJEM	●				
● GUNDERSON			● LEIBHAN			● STRINDEN	●				
● GUNSCH		●	● LIPSIA			● SWONTEK	●				
● HANSON			● MAIXNER		●	● THOMPSON	●				
● HAUGLAND			● MARSDEN			● THORSGARD	●				
● HAUSAUER, A # 49			● MARTIN		●	● TIMM	●				
● HAUSAUER, R # 25			● MARTINSON			● TINJUM	●				
● HEDSTROM			● MATHENY			● TWETEN	●				

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**RECOGNITION**

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Robert Hartl, and Rep. Hartl was thereupon introduced to the House.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2438.** — A Bill for an Act to provide an additional fee for motorcycle safety education, to establish standards for motorcycle safety courses, to reimburse public schools and approved organizations for programs, to promote safety in the use and operation of motorcycles; and to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to motorcycle education





● BLACK	● JACOBSON I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOITT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	● MR. SPEAKER
● CRABTREE	● KUJUBEK	● PETERSON	
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KSK	● REED	
● DOTZNEROD	● KRETSCHMAR	● REITZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 29	● SCOFELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCHE	● LIPSEA	● SWINTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2486.

LEO LEIDHOLM, Secretary

FIRST READING OF SENATE BILLS

**Senate Bill No. 2486.** — A Bill for an Act to amend and reenact sections 61-02-04, and 61-02-13 of the North Dakota Century Code, relating to membership of the state water commission, employment of staff, and compensation and expenses of the commission and staff; and declaring an emergency.

Which was read the first time and referred to the Committee on Natural Resources.

MOTIONS

Rep. Strinden moved that the rules be suspended to allow the Committee on Appropriations to meet and act on Senate Bill No. 2003, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2003 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Strinden moved that the rules be suspended to allow the Committee on Natural Resources to meet and consider Senate Bill No. 2486, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2443.** — A Bill for an Act relating to recordation of mineral interests, escheat of nonrecorded mineral interests, and the sale and redemption of such interests; and providing an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 52; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●		●	●			●		●
●			●			●		●	●		●
●			●			●		●	●		●
●		●	●			●		●	●		●
●			●		●	●		●	●		●
●			●		●	●		●	●		●
●			●		●	●		●	●		●

• BJORNSON	• JACOBSEN R	• MURPHY	• WALSH
• BLACK	• JACOBSON Y	• MUSHK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKER
• CONMY	• KINGSBURY	• PELTIER	• MR. SPEAKER
• CRABTREE	• KLUUBEC	• PETERSON	
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUD	
• FRESBORG	• LARSON F # 24	• SCHINDLER	
• GACKLE	• LARSON G # 29	• SCOFIELD	
• GERL	• LARSON H # 7	• SOLBERG	
• GORDER	• LEE	• STENHEJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER A - 49	• MARTIN	• TIMM	
• HAUSAUER R - 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill lost.

### MESSAGES TO THE SENATE House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2252

Senate Concurrent Resolution No. 4015

Senate Concurrent Resolution No. 4029

ROY GILBREATH, Chief Clerk

### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2364

Senate Concurrent Resolution No. 4005

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4033

Senate Concurrent Resolution No. 4050

Senate Concurrent Resolution No. 4056

Senate Concurrent Resolution No. 4061

Senate Concurrent Resolution No. 4062

Senate Concurrent Resolution No. 4063

Senate Concurrent Resolution No. 4078

Senate Concurrent Resolution No. 4080

ROY GILBREATH, Chief Clerk

### House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1001, 1003, 1025, 1036, and subsequently passed the same, but refused to concur in the Senate amendments to House Bill No. 1199, House Concurrent Resolution No. 3071, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1199, House Concurrent Resolution No. 3071.

House Bill No. 1199:

Rep. G. Larson

Rep. Olson

Rep. Berger

House Concurrent Resolution No. 3071:

Rep. Gackle

Rep. Murphy  
Rep. Backes

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1409.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 1065 but subsequently failed to pass House Bill No. 1065.

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1493:

Senator Jacobson  
Senator Roen  
Senator Krauter  
House Bill No. 1550:  
Senator Goodman  
Senator Wright  
Senator Shablow  
House Bill No. 1628:  
Senator Jones  
Senator Sorum  
Senator Dotzenrod  
House Bill No. 1645:  
Senator Tennesos  
Senator Lashkowitz  
Senator Solberg

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1002:

Senator Melland  
Senator Lips  
Senator Walsh  
House Bill No. 1030:  
Senator Smykowski  
Senator Hanson  
Senator Walsh  
House Bill No. 1198:  
Senator Lee  
Senator Nelson  
Senator Redlin  
House Bill No. 1257:  
Senator Goodman  
Senator Farrington  
Senator Redlin  
House Bill No. 1302:

Senator Goodman  
 Senator Wright  
 Senator Shablow  
 House Bill No. 1402:  
 Senator Goodman  
 Senator Farrington  
 Senator Redlin

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:  
 House Bill No. 1404.

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:  
 House Bill No. 1066  
 House Bill No. 1071

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1007  
 House Bill No. 1028  
 House Bill No. 1029  
 House Bill No. 1056  
 House Bill No. 1168  
 House Bill No. 1221  
 House Bill No. 1228  
 House Bill No. 1405  
 House Bill No. 1581  
 House Bill No. 1588.

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1007

On page 1 of the engrossed bill, line 7, delete the numerals "4,363,488" and insert in lieu thereof the numerals "4,727,113"

On page 1 of the engrossed bill, line 12, delete the numerals "2,520,134" and insert in lieu thereof the numerals "2,730,146"

On page 1 of the engrossed bill, line 13, delete the numerals "1,039,864" and insert in lieu thereof the numerals "1,126,520"

On page 1 of the engrossed bill, line 14, delete the numerals "803,490" and insert in lieu thereof the numerals "870,447"

On page 1 of the engrossed bill, line 15, delete the numerals "4,363,488" and insert in lieu thereof the numerals "4,727,113"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases state aid to junior colleges by \$363,625 in general fund moneys. It provides an additional \$210,012 for Bismarck Junior College, \$86,656 for Lake Region Junior College, and \$66,957 for UND-Williston Center.

## AMENDMENTS TO HOUSE BILL NO. 1028

On page 1 of the engrossed bill, line 21, delete the underscore

On page 1 of the engrossed bill, after line 21, insert the following line:

"Office space - Bismarck law enforcement center 40,000"

On page 1 of the engrossed bill, line 22, delete the numerals "7,474,786" and insert in lieu thereof the numerals "7,514,786"

On page 2 of the engrossed bill, line 2, delete the numerals "2,908,937" and insert in lieu thereof the numerals "2,948,937"

On page 2 of the engrossed bill, line 12, delete the numerals "3,058,239" and insert in lieu thereof the numerals "3,098,239"

On page 2 of the engrossed bill, line 14, delete the numerals "7,861,192" and insert in lieu thereof the numerals "7,901,192"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Highway Patrol budget is increased \$40,000 by adding a new line item to allow the Highway Patrol to obtain office space in the new Bismarck Law Enforcement Center.

## AMENDMENTS TO HOUSE BILL NO. 1029

On page 2 of the engrossed bill, delete section 2

And renumber lines, sections and pages accordingly.

## AMENDMENTS TO HOUSE BILL No. 1056

On page 1 of the reengrossed bill, line 1, delete the words "set forth legislative intent covering any"

On page 1 of the reengrossed bill, delete lines 2 through 9 and insert in lieu thereof the word "amend"

On page 1 of the reengrossed bill, line 11, delete the following: "subsections 2 and 3 of section 15-40.1-06, sections"

On page 1 of the reengrossed bill, line 13, after the numerals and comma "15-40.2-10," insert the numerals and commas "15-45-01, 15-45-02,"

On page 1 of the reengrossed bill, line 14, after the numerals "15-47-16," insert the word "and" and on the same line after the numerals "15-59-06" delete the following: ", and 15-59.1-05"

On page 1 of the reengrossed bill, line 15, after the word "to" insert the following: "state support for public kindergarten programs, and to"

On page 1 of the reengrossed bill, line 16, delete the following: "; to repeal subdivision b of" and insert in lieu thereof the following: "and to the establishment, length, and funding of kindergarten programs."

On page 1 of the reengrossed bill, delete lines 17 through 19

On page 2 of the reengrossed bill, delete lines 1 through 28

- On page 6 of the reengrossed bill, line 28, strike through the following: ", and the balance shall be paid" and immediately thereafter insert a semicolon ";"
- On page 6 of the reengrossed bill, line 29, after the word "first" insert the following new language: "payments equal to one-eighth of the total payments shall be made to each respective school district; and the balance shall be paid on or before May 1"
- On page 6 of the reengrossed bill, delete lines 30 through 35
- On page 7 of the reengrossed bill, delete lines 1 through 35
- On page 8 of the reengrossed bill, delete lines 1 through 21
- On page 9 of the reengrossed bill, line 29, delete the words "average annual"
- On page 9 of the reengrossed bill, line 30, delete the strike-through over the word "~~in~~", delete the words "~~for~~" and "~~three~~", delete the strike-through over the word "~~year~~", and delete the word "years"
- On page 13 of the reengrossed bill, line 12, delete the numerals ".25" and insert in lieu thereof the numerals ".49"
- On page 13 of the reengrossed bill, line 18, after the period insert the following: "The full per-pupil payment shall be made only to those kindergarten programs providing the equivalent of ninety full days of classroom instruction during any twelve-month period. Programs providing shorter periods of instruction during the same time period shall receive a proportionately smaller per-pupil payment."
- On page 13 of the reengrossed bill, line 21, delete the word "average"
- On page 13 of the reengrossed bill, line 22, delete the word "annual", delete the strike-through over the word "~~in~~", and delete the words "for" and "three"
- On page 13 of the reengrossed bill, line 23, delete the strike-through over the word "~~year~~", and delete the word "years"
- On page 18 of the reengrossed bill, line 27, delete the word "COOPERATIVE" and insert in lieu thereof the word "CERTAIN"
- On page 18 of the reengrossed bill, line 28, after the word "EDUCATION" insert the following: "AND SPECIAL EDUCATION"
- On page 18 of the reengrossed bill, line 34, after the period insert the following new language: "Similar payments shall be paid to the school districts transporting pupils for special education programs approved by the superintendent of public instruction."
- On page 21 of the reengrossed bill, line 9, strike-through the word "shall" and immediately thereafter insert the word "may"
- On page 21 of the reengrossed bill, line 21, strike-through the word "shall" and immediately thereafter insert the word "may"
- On page 21 of the reengrossed bill, line 27, after the word "committee" insert the following: "may be appealed to the state board of public school education and the decision of the board"

On page 23 of the reengrossed bill, after line 7 insert the following:  
 "SECTION 15. AMENDMENT.) Section 15-45-01 of the 1977  
 Supplement to the North Dakota Century Code is hereby amended  
 and reenacted to read as follows:

15-45-01. ESTABLISHING KINDERGARTENS - ELECTION ON  
 MILL LEVY.) The school board of any school district may,  
 upon its own motion, establish free public kindergartens in  
 connection with the public schools of the district for the  
 instruction of resident children below school age during the regular  
 school term. A school board which establishes free kindergartens  
 may submit the question of providing for an annual levy sufficient  
 to finance such kindergartens to the electors of the school  
 district at the next annual or special school election. If a  
 majority of the votes cast on the proposal favor the mill levy,  
 the board shall levy such tax until the kindergartens are dis-  
 continued as provided in this chapter or until the board determines  
 a levy is no longer necessary. Such levy shall be over and above  
 any mill levy limitations provided by law. On a petition signed  
by electors of the school district comprising at least five percent  
of the number of persons enumerated in the school census for that

district for the most recent year such census was taken, but  
in no case less than twenty-five electors, the school board must  
submit the question of establishing a kindergarten program at the  
next annual or special school election. Whenever the question of  
establishing a kindergarten program is placed upon the ballot by  
petition, the board shall also place on that same ballot the  
question of providing for an annual levy sufficient to finance  
such program. Both proposals must be approved by a majority of the  
votes cast on each before either may take effect. After the  
kindergarten program is established, the board shall levy such tax  
until the program is discontinued as provided in this chapter or  
until the board determines a levy is no longer necessary. Such  
levy shall be over and above any mill levy limitations provided by  
law.

SECTION 16. AMENDMENT.) Section 15-45-02 of the 1977  
 Supplement to the North Dakota Century Code is hereby amended and  
 reenacted to read as follows:

15-45-02. KINDERGARTEN CURRICULUM - RULES AND REGULATIONS -  
 LENGTH OF KINDERGARTEN TERM.) The school board shall establish a  
 curriculum for kindergarten and such other rules and regulations  
 governing the kindergartens as it may deem best, and shall govern  
 them, so far as practicable, in the manner and by the officers  
 provided by law for the government of other public schools. All  
 kindergartens shall provide at least one-hundred-eighty-half-days  
six weeks of classroom instruction or but not more than the equiva-  
lent of ninety full days of classroom instruction during each school  
year any twelve-month period. The school board shall determine  
 whether kindergarten shall be provided on a half-day or a full-day  
 basis."

On page 24 of the reengrossed bill, line 17, strike-through the words  
 "one and one-half" and insert "three"

On page 24 of the reengrossed bill, line 20, strike-through the word  
 "two" and insert "four"

On page 24 of the reengrossed bill, delete lines 24 through 35

On page 25 of the reengrossed bill, delete lines 1 through 16

And renumber the lines, pages and sections accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1168

On page 1 of the engrossed bill, line 3, after the word "state" insert  
 the following: "; or, in the alternative, to amend and reenact  
 section 16.1-01-10 of the North Dakota Century Code as created by  
 section 1 of House Bill No. 1138, as approved by the forty-sixth

legislative assembly, relating to the passing of the sufficiency of petitions by the secretary of state"

- On page 1 of the engrossed bill, line 6, delete the word "Section" and insert in lieu thereof the following: "If House Bill No. 1138 is not approved by the forty-sixth legislative assembly, then section"
- On page 2 of the engrossed bill, line 12, strike the words and commas "may, in his discretion, make"
- On page 2 of the engrossed bill, strike line 13
- On page 2 of the engrossed bill, line 14, strike the words "contained in such petitions to"
- On page 2 of the engrossed bill, line 18, delete the words "aid in"
- On page 2 of the engrossed bill, line 19, delete the words "his determination of sufficiency" and insert in lieu thereof the following: "shall conduct a representative random sampling of the signatures contained in such petitions by the use of questionnaires, postcards, telephone calls, personal interviews, or other accepted information gathering techniques, or any combinations thereof, to determine the validity of the signatures. Signatures determined by the secretary of state to be invalid shall not be counted"
- On page 2 of the engrossed bill, after line 27, insert the following section

"SECTION 2. AMENDMENT.) Section 16.1-01-10 of the North Dakota Century Code as created by section 1 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, is hereby amended and reenacted to read as follows:

16.1-01-10. SECRETARY OF STATE TO PASS UPON SUFFICIENCY OF PETITIONS - METHOD - TIME LIMIT.) The secretary of state shall have a reasonable period, not to exceed thirty-five days, in which to pass upon the sufficiency of any petition mentioned in section 16.1-01-09. ~~The form and style of the verification procedure shall be determined by the secretary of state shall conduct a representative random sampling of the signatures contained in such petitions by the use of questionnaires, postcards, telephone calls, personal interviews, or other accepted information gathering techniques, or any combinations thereof, to determine the validity of the signatures.~~ Signatures determined by the secretary of state to be invalid shall not be counted, and all violations of law discovered by the secretary of state shall be reported to the attorney general for prosecution."

And renumber the lines, sections, and pages accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1221

- On page 1, line 1, delete the comma
- On page 1, line 2, delete the following: "operation, and maintenance"
- On page 1, delete lines 12 through 23 and insert in lieu thereof the following: "recreation department for the acquisition of the cross ranch state park for the biennium beginning July 1, 1979, and ending June 30, 1981.

Grants, benefits, and claims	<u>\$1,640,000.00</u>
Total all funds	\$1,640,000.00
Less estimated income	<u>535,500.00</u>
Total general fund appropriation	\$1,104,500.00"

And renumber the lines accordingly



## AMENDMENTS TO HOUSE BILL NO. 1221

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert the following in lieu thereof: "for an Act to appropriate moneys to the North Dakota parks and recreation department for the acquisition of the cross ranch and other land for designation as the veterans memorial state park, describing the park and authorizing its purchase or lease, and providing a contract review committee.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the Vietnam bonus fund, not otherwise appropriated, the sum of \$2,640,000.00, or so much thereof as may be necessary, to the North Dakota parks and recreation department for the acquisition of the cross ranch and the state land described in section 2, for designation as the veterans memorial state park for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 2.) The cross ranch and the land described as section thirty-six, township one hundred forty-four north, range eighty-two west, the land accreted to the state in section twenty-five, township one hundred forty-four north, range eighty-two west, the land accreted to the state in section thirty, township one hundred forty-four north, range eighty-one west, and the land accreted to the state in section thirty-one, township one hundred forty-four north, range eighty-one west shall be designated as the veterans memorial state park. Any lease of these lands shall terminate at the end of the lease term, and at that time the North Dakota parks and recreation department shall lease or purchase the land as a state park area, subject to legislative appropriation.

SECTION 3. CONTRACT REVIEW COMMITTEE.) The legislative council shall appoint a committee comprised of the chairman of the legislative council, the director of the state parks and recreation department, and such other members as the legislative council may determine, to review the contract for the purchase of the veterans memorial state park and make written findings concerning the interests of the state in the purchase of the land. The chairman of the legislative council shall serve as chairman of the contract review committee and the committee shall meet as necessary at the call of the chairman prior to the purchase of the veterans memorial state park. The committee shall review the purchase contract to determine if any covenants or restrictions would limit or otherwise affect the alienability of the land or the use to which the land may be put. If the committee determines the existence of covenants or restrictions on the land which would limit the alienability of the land or the use to which the land may be put, it shall not approve the contract, unless the covenant or restriction can be appropriately modified or negated. The appropriation in section 1 of this Act is contingent upon the approval of the contract by the committee. The committee shall report its findings to the budget section of the legislative council. Upon certification of the contents of the purchase contract and approval by the budget section, the parks and recreation department may purchase the lands. The legislative assembly shall have full, exclusive, and continuing authority to determine the use of all the property included in the land purchase."

And renumber the lines and pages accordingly

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1228

- On page 1 of the engrossed bill, line 1, delete the words "to create and enact a new section to chapter"
- On page 1 of the engrossed bill, delete line 2
- On page 1 of the engrossed bill, line 3, delete the words and semicolon "compensation for election officials; and"
- On page 1 of the engrossed bill, line 4, delete the commas and numerals ", 16-10-12, 16-10-12.1, 16-10-16"
- On page 1 of the engrossed bill, line 6, delete the comma and insert in lieu thereof a period
- On page 1 of the engrossed bill, delete lines 7 through 9
- On page 1 of the engrossed bill, delete lines 12 through 22
- On page 2 of the engrossed bill, delete lines 1 through 14
- On page 2 of the engrossed bill, delete line 26
- On page 2 of the engrossed bill, line 27, delete the words and period "exceed fifty dollars for each election." and insert in lieu thereof the following: "section 16.1-05-05."
- On page 2 of the engrossed bill, line 30, delete the underscore from the period
- On page 2 of the engrossed bill, delete lines 31 through 35
- On page 3 of the engrossed bill, delete lines 1 through 33
- On page 4 of the engrossed bill, delete lines 1 through 14
- On page 4 of the engrossed bill, line 27, delete the numeral and word "1 of" and insert in lieu thereof the numerals "16.1-05-05"
- On page 4 of the engrossed bill, delete line 28
- On page 4 of the engrossed bill, line 29, delete the words "dollars for each election"
- And renumber the lines, sections, and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1405

- On page 1, line 18, delete the word "to"
- And renumber the lines and sections accordingly.

## AMENDMENTS TO HOUSE BILL NO. 1581

- On page 4, of the engrossed bill, line 30, following the word "her." insert the following language: "Prior to the period of pregnancy when the fetus may reasonably be expected to have reached viability, no abortion shall be performed upon an unemancipated minor unless the attending physician certifies in writing that each of the parents of the minor requesting the abortion has been provided by the physician in person with the information provided for in Section 14-02.1-02 at least 24 hours prior to the minor's consent to the performance of abortion or unless the attending physician certifies in writing that he has caused the materials of Section 14-02.1-02 to be posted by certified mail to each of the parents of the minor separately to the last known addresses at least 48 hours prior to the minor's consent to the performance of abortion. When a parent of the minor has died or rights and interests of such parent have been legally terminated, this subsection shall apply to the"

sole remaining parent. When both parents have died or where the rights and interests of both parents have been legally terminated, this subsection shall apply to the guardian or other person standing in loco parentis."

On page 5, of the engrossed bill, line 23, delete the strike-through over the words "~~preserve-the-life-of-the~~"

On page 5, of the engrossed bill, line 24, following the word "~~metes~~" insert the word "woman" and on the same line delete the following "prevent the death of the woman"

On page 6, of the engrossed bill, delete all of lines 17 through 23

On page 6, of the engrossed bill, line 24, delete the words "in writing the reason for so choosing."

And renumber the lines and pages accordingly

#### AMENDMENTS TO HOUSE BILL NO. 1588

On page 1 of the reengrossed bill, delete lines 18 through 21

On page 2 of the reengrossed bill, delete lines 1 and 2

On page 4 of the reengrossed bill, line 28, delete the numerals "1,045,000.00" and insert in lieu thereof the numerals "1,000,000.00"

On page 4 of the reengrossed bill, line 30, delete the words "financial aid" and insert in lieu thereof the word "grants"

On page 4 of the reengrossed bill, line 31, delete the words "and for administering this Act"

On page 4 of the reengrossed bill, line 32, delete the following: "The funds appropriated"

On page 4 of the reengrossed bill, delete lines 33 through 35

On page 5 of the reengrossed bill, delete lines 1 and 2

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes \$45,000.00 which was included in House Bill No. 1588 for salaries and wages and fees and services for administering the Act. The State Library is to carry out this program within the State Library Commission appropriation.

#### ANNOUNCEMENT

Rep. Erickson requested that the record show he has been absent from the Assembly to attend a State Intermodal Transportation Team meeting.

#### MOTIONS

Rep. Strinden moved that the rules be suspended and that the following bills be messaged to the Senate immediately: Senate Bills 2002, 2026, 2038, 2040, 2109, 2410, 2411, 2413, 2415, 2418, 2430, 2438 and 2439, which motion prevailed.

Rep. Strinden moved that the rules be suspended in order for the House to receive committee reports on Senate Bills 2310, 2405 and 2452, and fur-

ther to allow Senate Concurrent Resolution No. 4070 to be considered by the Judiciary Committee, which motion prevailed.

Rep. Strinden moved that the House stand recessed for one hour, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1335 defines the word "coal" for purposes of the coal severance tax. The bill specifically excludes leonardite (natural oxidized lignite) from the definition of coal. Under current law the coal severance tax is imposed on all leonardite mined in the state.

"Leonardite" is lignite slack or oxidized lignite. It is formed by the natural weathering of lignite coal. The term "leonardite" was chosen to honor Dr. A. G. Leonard, the first director of the North Dakota Geological Survey, who took part in the initial investigations of the mineral. According to the North Dakota Geological Survey, the term "leonardite" has been used generally to designate partially oxidized lignite, although the term is seldom used outside of the state of North Dakota. In other parts of the country, the substance is known generally as "lignite slack."

Leonardite has been mined commercially in several western North Dakota counties. Commercial development of leonardite in North Dakota has been limited primarily to use for drilling mud in the oil industry. It appears that the demand for leonardite will increase as the pace quickens nationwide for oil field development. Other potential uses of leonardite include use as a stabilizer in water treatment, as a source of brown stain for wood finishing, and, because of leonardite's high humic acid content, use as a soil conditioner and fertilizer. According to Philip G. Freeman of the University of North Dakota, the leading researcher in the uses of leonardite, the humic acid properties of leonardite have little or no value for the soils of North Dakota because the soils in the state have a high humus content. Rather, if leonardite is going to be used for agricultural purposes, it would best serve those soils not located in North Dakota, such as the sandy soils of the American Southwest.

Because of the current demand for leonardite for oil-well drilling mud, processed leonardite presently sells for \$30 to \$50 a ton.

I believe that creating an exemption from the coal severance tax for leonardite is unwarranted for several reasons.

First and foremost, leonardite is, in fact, a form of lignite. Like lignite, it is severed from the earth through strip-mining. As in the case of lignite, leonardite is a non-renewable natural resource of our state. The strip-mined lands reclamation laws apply to the mining of leonardite.

The proponents of this bill have argued that leonardite should be exempt from the coal severance tax because, unlike lignite, leonardite is not used as a fuel. This argument is not persuasive since the use of the resource is not and was not the inspiration for the coal severance tax. The severance tax was enacted to tax the sale of non-renewable natural resources that are the product of strip-mining. The purpose and policy of the tax was to compensate the state for the depletion of its nonrenewable

natural resources. It was also enacted to raise revenue for impact costs.

The severance tax, as the name implies, is truly a **severance** tax, rather than a sales or use tax. In the case of leonardite, as in the case of lignite, the "severance" consists of stripping the overbearing soils to allow for the excavation of the mineral, followed by replacing the soils according to the state's reclamation laws.

I find the imposition of the severance tax on leonardite to be just and reasonable. I see no reason to exempt this natural resource from taxation.

Therefore, I veto House Bill 1335.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that House Bill No. 1335 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1335 be laid over one legislative day, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner announced the appointment of the following conference committees:

Senate Bill No. 2001:

Rep. Marsden  
Rep. Tweten  
Rep. Solberg

Senate Bill No. 2007:

Rep. Kingsbury  
Rep. R. Jacobsen  
Rep. Opedahl

Senate Bill No. 2008:

Rep. Christensen  
Rep. R. Jacobsen  
Rep. Mertens

Senate Bill No. 2009:

Rep. Kingsbury  
Rep. Thorsgard  
Rep. Fleming

Senate Bill No. 2011:

Rep. R. Hausauer  
Rep. Gunsch  
Rep. Solberg

Senate Bill No. 2013:

Rep. Unhjem  
Rep. Eagles  
Rep. Opedahl

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

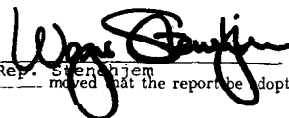
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1197

HB NO. 1278

- HB NO. 1319
- HB NO. 1326
- HB NO. 1357
- HB NO. 1362
- HB NO. 1397
- HCR NO. 3002
- HCR NO. 3009
- HCR NO. 3011
- HCR NO. 3050
- HCR NO. 3057
- HCR NO. 3061
- HCR NO. 3062
- HCR NO. 3075
- HCR NO. 3076
- HCR NO. 3080
- HCR NO. 3081
- HCR NO. 3083
- HCR NO. 3085
- HCR NO. 3087

and find the same correctly } Enrolled

 Chairman  
 Rep. Stenohjem moved that the report be adopted, which

Representative Meyer motion prevailed, and the report was adopted.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2450.** — A Bill for an Act to provide for parimutuel horse racing conducted by nonprofit charitable, fraternal, religious, and veterans' organizations, civic and service clubs, and other public-spirited organizations; definitions; the creation of a racing commission; appointment of a director of racing; racing commission powers and duties; issuance of licenses; license authorization and fees; allotment of racing days to applicants; bets and certificates; bet payoff formulas; payments to school districts; audits and investigations; reasons and procedure for license refusal, suspension and revocation; and the attorney general to represent the commission in hearings; and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 38; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN			WATTSO	●	●	UNHJEM	
	●			HICKLE	●		●	WEIERS		VANDER VORST	●
●			●	HOFFNER			●	MELBY	●	VIG	
	●		●	HOLMANN			●	MERTENS		WAGNER	
	●			HOVE	●		●	MEYER	●	WALD	
●				JACOBSEN, R.	●		●	MURPHY	●	WALSH	
	●			JACOBSON, I.	●		●	NICHOLAS	●	WEBER	
●			●	KELLY			●	OLSON		WENTZ	●
	●		●	KENNELLY					●	WESSMAN	●
●			●	KERMOTT				OPEDAL	●	WINJER	●

● CONWY	KINGSBURY	●	● PELTIER	●
● CRABTREE	● KLOUBEC	●	● PETERSON	●
● DICK	● KNUDSON	●	● POWEROY	● MR SPEAKER
● DIETZ	● KOSKI	●	● REED	●
● DOTZENROD	● KRETSCHMAR	●	● RETZER	●
● DUBORD	● KUCHERA	●	● RICHARD	●
● EAGLES	● LANG	●	● RICHIE	●
● ERICKSON	● LANGLEY	●	● RIEHL	●
● FLEMING	● LARDY	●	● RUED	●
● FREBORG	● LARSON, F. #24	●	● SCHINDLER	●
● GACKLE	● LARSON, G. #26	●	● SCOFIELD	●
● GERL	● LARSON, H. #7	●	● SOLBERG	●
● GORDER	● LEE	●	● STENEHJEM	●
● GUNDERSON	● LEIBHAN	●	● STRINDEN	●
● GUNSCH	● LIPSIEA	●	● SWONTEK	●
● HANSON	● MAIXNER	●	● THOMPSON	●
● HAUGLAND	● MARSDEN	●	● THORSGAARD	●
● HAUSAUER, A. #49	● MARTIN	●	● TIMM	●
● HAUSAUER, R. #25	● MARTINSON	●	● TINJUM	●
● HEDSTROM	● MATHENY	●	● TWETEN	●

So the bill passed and the title was agreed to.

**Senate Bill No. 2455.** — A Bill for an Act to amend and reenact sections 57-35-04, 57-35.1-01, and 57-35.2-02 of the North Dakota Century Code, relating to taxation of banks, trust companies, and savings and loan associations, and exempting from the basis of taxation interest or income on bonds issued under the Municipal Industrial Development Act; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 6; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● WATTSON			● UNHJEM		
● BENEDET			● HICKLE			● WEIBS		●	● VANDER VORST		
● BERG			● HOFFNER			● WELBY			● VIG		
● BERGE			● HOVMANN			● WERTENS			● WAGNER		
● BERGER			● HOVE		●	● MEYER			● WALD		
● BJORNSON			● JACOBSEN, R.			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I.			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN	●	
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKER	●	
● CONWY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON		●			
● DICK			● KNUDSON			● POWEROY			● MR SPEAKER		
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DUBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE	●				
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER					
● GACKLE			● LARSON, G. #26			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER			● LEE		●	● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA		●	● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGAARD					
● HAUSAUER, A. #49	●		● MARTIN			● TIMM					
● HAUSAUER, R. #25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

so the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1352 be moved to the head of the calendar for reconsideration of a vetoed measure, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF HOUSE BILLS

**House Bill No. 1352.** — A Bill for an Act to amend and reenact subsection 1 of section 39-06.1-10 of the North Dakota Century Code, providing that traffic offenses, when the assigned number of points for violation are two or less, shall not be recorded on the driving record.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 72; nays, 25; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	●		● HERMAN			● MATTON			● UNHJEM		
BENEDICT		●	● HICKLE			● MEIERS			● VANDER VORST		
BERG		●	● HOFFNER			● MELBY		●	● VIG		
● BERGE			● HOUWMAN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON		●	● JACOBSEN, R			● MURPHY			● WALSH		
● BLACK			● JACOBSON, I		●	● MUSHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		●
● BROKAW			● KENNELLY		●	● OLSON			● WESSMAN		
● CHRISTENSEN			● KERMOTT			● OPEDAHN			● WINKJER		●
● CONNY			● KINGSBURY			● PELTIER					
● CRABTREE			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● DICK			● KNUDSON		●	● POMEROY					
● DIETZ			● KOSKI		●	● REED		●			
● DOTZENROD			● KRETSCHMAR		●	● RETZER					
● DUBORD		●	● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY		●	● RUED					
● FREBORG			● LARSON, F. # 24			● SCHINDLER					
● GACKLE			● LARSON, G. # 29			● SCOFIELD					
● GERL			● LARSON, H. # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM		●			
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIA		●	● SWONTEK					
● HANSON			● MAIXNER		●	● THOMPSON					
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A. # 49		●	● MARTIN			● TIMM					
● HAUSAUER, R. # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed over the Governor's veto.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2018

Senate Bill No. 2037

Senate Concurrent Resolution No. 4030.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2382.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2027

Senate Bill No. 2039

Senate Bill No. 2056

Senate Bill No. 2057

Senate Bill No. 2058

Senate Bill No. 2099

Senate Bill No. 2367

Senate Bill No. 2379

Senate Bill No. 2404.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has ap-



pointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2233:

Rep. Kloubec  
Rep. Crabtree  
Rep. Maixner  
Senate Bill No. 2309:  
Rep. Timm  
Rep. Martin  
Rep. Kelly

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2109

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2413  
Senate Bill No. 2439

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2002  
Senate Bill No. 2026  
Senate Bill No. 2038  
Senate Bill No. 2040  
Senate Bill No. 2410  
Senate Bill No. 2411  
Senate Bill No. 2415  
Senate Bill No. 2418  
Senate Bill No. 2430  
Senate Bill No. 2438

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2001:  
Rep. Marsden  
Rep. Tweten  
Rep. Solberg  
Senate Bill No. 2007:  
Rep. Kingsbury  
Rep. R. Jacobsen  
Rep. Opedahl  
Senate Bill No. 2008:  
Rep. Christensen  
Rep. R. Jacobsen  
Rep. Mertens  
Senate Bill No. 2009:  
Rep. Kingsbury  
Rep. Thorsgard  
Rep. Fleming  
Senate Bill No. 2011:





● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN, R.	● MURPHY	● WALSH
● BLACK	● JACOBSON, I.	● MUSHK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNEL	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONNY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 29	● SCOFIELD	
● GERL	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A. # 49	● MARTIN	● TIMM	
● HAUSAUER R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2483.** — A Bill for an Act to create and enact section 54-40-02.1 of the North Dakota Century Code, relating to the joint construction and use of a public building by a city and a county; and to amend and reenact section 54-40-03 of the North Dakota Century Code, relating to the disbursement of funds under an agreement for the joint exercise of governmental powers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 3; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN	●	MATTSON	●	UNHJEM	●		
●	BENEDICT		●	HICKLE	●	MEIERS	●	VANDER VORST			
●	BERG		●	HOFNER	●	MELBY	●	VIG			
●	BERGE		●	HOUAMAN	●	MERTENS	●	WAGNER			
●	BERGER		●	HOVE	●	MEYER	●	WALD			
●	BJORNSON		●	JACOBSEN, R.	●	MURPHY	●	WALSH			
●	BLACK		●	JACOBSON, I.	●	MUSHK	●	WEBER			
●	BOYUM		●	KELLY	●	NICHOLAS	●	WENTZ			
●	BROKAW		●	KENNELLY	●	OLSON	●	WESSMAN			
●	CHRISTENSEN		●	KERMOTT	●	OPEDAHL	●	WINKJER			
●	CONNY		●	KINGSBURY	●	PELTIER					
●	CRABTREE		●	KLOUBEC	●	PETERSON	●	MR. SPEAKER			
●	DICK		●	KNUDSON	●	POMEROY					
●	DIETZ		●	KOSKI	●	REED					
●	DOTZENROD		●	KRETSCHMAR	●	RETZER					
●	DuBORD		●	KUCHERA	●	RICHARD	●				
●	EAGLES		●	LANG	●	RICHIE					
●	ERICKSON		●	LANGLEY	●	RIEL	●				
●	FLEMING		●	LARDY	●	RUED					
●	FREBORG		●	LARSON, F. # 24	●	SCHINDLER					
●	GACKLE		●	LARSON, G. # 29	●	SCOFIELD					
●	GERL		●	LARSON, H. # 7	●	SOLBERG					
●	GORDER		●	LEE	●	STENEHJEM					
●	GUNDERSON		●	LEIBHAN	●	STRINDEN					
●	GUNSCH		●	LIPSIA	●	SWONTEK					
●	HANSON		●	MAIXNER	●	THOMPSON					
●	HAUGLAND		●	MARSDEN	●	THORSGARD					
●	HAUSAUER A. # 49		●	MARTIN	●	TIMM					
●	HAUSAUER R. # 25		●	MARTINSON	●	TINJUM					
●	HEDSTROM		●	MATHENY	●	TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2484.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to itemizing of deductions; to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to the definition of the United States Internal Revenue Code of 1954, as amended, for



● GUNSCH	LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	MATHENY	● TWETEN

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that the rules be suspended, and that the following bills be messaged to the Senate immediately: Senate Bills Nos. 2450, 2455, 2460, 2461, 2463, 2483 and 2484, which motion prevailed.

Rep. Strinden moved that the following bills be placed at the head of the calendar: Senate Bills Nos. 2253, 2280, 2384 and 2417, which motion prevailed.

Rep. Conmy requested unanimous consent to amend Senate Bill No. 2253, which request was granted.

Rep. Conmy moved that engrossed Senate Bill No. 2253 be amended as follows:

On page 9, line 13, after the word "also" delete the word "proved" and insert in lieu thereof the word "approved", which motion prevailed.

Rep. Conmy then moved that the rules be suspended, and that Senate Bill No. 2253 as amended be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2253.** — A Bill for an Act to create and enact five new sections to chapter 14-09 of the North Dakota Century Code, relating to wage assignment and orders for withholding and transmitting earnings for child support enforcement purposes; procedures for dissolving, revoking or modifying such assignments or orders; duties and liabilities of employers under such assignments and orders; and the creation of a lien on property to aid in the enforcement of child support obligations.

Which has been read. **ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 47; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		●	MATTSON				UNHEM
●			HICKLE	●		●	MEIERS				VANDERVORST
●			HOFNER	●		●	MELBY				VIG
●			HOUMANN	●		●	MERTENS				WAGNER
●			HOVE	●		●	MEYER				WALD
●			JACOBSEN, R.	●		●	MURPHY				WALSH
●			JACOBSON, I.	●		●	MUSHK				WEBER
●			KELL	●		●	NICHOLAS				WENTZ
●			KENNELLY	●		●	OLSON				WESSMAN
●			KERMOTT	●		●	OPEDAHL				WINKJER
●			KINGSBURY	●		●	PELTIER				
●			KLOUBEC	●		●	PETERSOY				MR. SPEAKER
●			KNUDSON	●		●	POMEROY				
●			KOSKI	●		●	REED				
●			KRETSCHMAR	●		●	RETZER				
●			KUCHERA	●		●	RICHARD				
●			LANG	●		●	RICHIE				
●			LANGLEY	●		●	RIEHL				
●			LARDY	●		●	RUED				
●			LARSON, F. #24	●		●	SCHINDLER				
●			LARSON, G. #29	●		●	SCOFIELD				
●			LARSON, H. #7	●		●	SOBERG				
●			LEE	●		●	STENHEJEM				
●			LEIBMAN	●		●	STRINDEN				
●			LIPSIA	●		●	SWONTEK				
●			MAIXNER	●		●	THOMPSON				
●			MARSDEN	●		●	THORSGARD				
●			MARTIN	●		●	TIMM				
●			MARTINSON	●		●	TINJUM				
●			MATHENY	●		●	TWETEN				

So the bill lost.

## MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1197  
 House Bill No. 1278  
 House Bill No. 1319  
 House Bill No. 1326  
 House Bill No. 1357  
 House Bill No. 1362  
 House Bill No. 1397  
 House Concurrent Resolution No. 3002  
 House Concurrent Resolution No. 3009  
 House Concurrent Resolution No. 3011  
 House Concurrent Resolution No. 3050  
 House Concurrent Resolution No. 3057  
 House Concurrent Resolution No. 3061  
 House Concurrent Resolution No. 3062  
 House Concurrent Resolution No. 3075  
 House Concurrent Resolution No. 3076  
 House Concurrent Resolution No. 3080  
 House Concurrent Resolution No. 3081  
 House Concurrent Resolution No. 3083  
 House Concurrent Resolution No. 3085  
 House Concurrent Resolution No. 3087

The Speaker signed the same in the presence of the House of Representatives.

## MESSAGE TO THE SENATE

## House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1197  
 House Bill No. 1278  
 House Bill No. 1319  
 House Bill No. 1326  
 House Bill No. 1357  
 House Bill No. 1362  
 House Bill No. 1397  
 House Concurrent Resolution No. 3002  
 House Concurrent Resolution No. 3009  
 House Concurrent Resolution No. 3011  
 House Concurrent Resolution No. 3050  
 House Concurrent Resolution No. 3057  
 House Concurrent Resolution No. 3061  
 House Concurrent Resolution No. 3062  
 House Concurrent Resolution No. 3075  
 House Concurrent Resolution No. 3076  
 House Concurrent Resolution No. 3080  
 House Concurrent Resolution No. 3081  
 House Concurrent Resolution No. 3083  
 House Concurrent Resolution No. 3085  
 House Concurrent Resolution No. 3087

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2010

Senate Bill No. 2035

Senate Bill No. 2036

Senate Bill No. 2070

Senate Bill No. 2076

Senate Bill No. 2085

Senate Bill No. 2160

Senate Bill No. 2186

Senate Bill No. 2206

Senate Bill No. 2357

Senate Concurrent Resolution No. 4058.

The Speaker signed the same in the presence of the House of Representatives.

## MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2010

Senate Bill No. 2035

Senate Bill No. 2036

Senate Bill No. 2070

Senate Bill No. 2076

Senate Bill No. 2085

Senate Bill No. 2160

Senate Bill No. 2186

Senate Bill No. 2206

Senate Bill No. 2357

Senate Concurrent Resolution No. 4058.

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit House Bill No. 1352 which the House has passed over the Governor's veto.

The vote on House Bill No. 1352 is:

72 Ayes

25 Nays

3 Absent, not voting.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

## MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1021

House Bill No. 1300.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1004

House Bill No. 1005

House Bill No. 1009

House Bill No. 1010

House Bill No. 1011

House Bill No. 1024



House Bill No. 1048  
House Bill No. 1621

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1004

- On page 1 of the reengrossed bill, line 17, delete the numerals "589,794" and insert in lieu thereof the numerals "665,516"
- On page 1 of the reengrossed bill, line 18, delete the numerals "117,668" and insert in lieu thereof the numerals "130,579"
- On page 1 of the reengrossed bill, after line 18, insert the following line:
- |                  |         |
|------------------|---------|
| "Data processing | 13,388" |
|------------------|---------|
- On page 1 of the reengrossed bill, line 19, delete the numerals "3,125" and insert in lieu thereof the numerals "4,450"
- On page 1 of the reengrossed bill, after line 19, insert the following lines:
- |   |          |
|---|----------|
| "Land, structures, and major improvements | 543,300  |
| Grants, benefits, and claims              | 910,000" |
- On page 1 of the reengrossed bill, after line 22, insert the following lines:
- |                       |                 |
|-----------------------|-----------------|
| "Total all funds      | \$4,177,324     |
| Less estimated income | <u>969,300"</u> |
- On page 2 of the reengrossed bill, line 1, delete the numerals "2,620,678" and insert in lieu thereof the numerals "3,208,024"
- On page 2 of the reengrossed bill, delete lines 2 through 11
- On page 2 of the reengrossed bill, line 18, delete the numerals "2,389,200" and insert in lieu thereof the numerals "2,684,414"
- On page 2 of the reengrossed bill, line 19, delete the numerals "2,389,200" and insert in lieu thereof the numerals "2,684,414"
- On page 2 of the reengrossed bill, line 20, delete the numerals "6,447,224" and insert in lieu thereof the numerals "6,742,438"
- On page 2 of the reengrossed bill, line 21, delete the numerals "426,000" and insert in lieu thereof the numerals "969,300"
- On page 2 of the reengrossed bill, line 22, delete the numerals "6,873,224" and insert in lieu thereof the numerals "7,711,738"
- On page 2 of the reengrossed bill, after line 22, insert the following section:

"SECTION 2. VIETNAM BONUS FUND - TRANSFER.) The state treasurer and the director of the department of accounts and purchases upon the request of the board of higher education during the biennium beginning July 1, 1979, and ending June 30, 1981, shall transfer \$543,300.00 from the Vietnam bonus fund in the state treasury, or so much thereof as may be necessary, to the board of higher education for projects to make buildings and other structures more accessible to the handicapped at the institutions under its control. This \$543,300.00 is specifically appropriated in the land, structures, and major improvements line item."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds \$543,300 to the Board of Higher Education appropriation in the land, structures, and major improvements line item for building improvements to provide for handicapped accessibility at the state colleges and universities. These funds were previously included in House Bill No. 1005 of which \$443,300 was in the UND appropriation and \$100,000 in the North Dakota State School of Science appropriation.

This amendment increases the reciprocal agreements line by \$295,214. It also incorporates the moneys appropriated for the student financial assistance agency within the line items of the Board of Higher Education appropriation.

AMENDMENTS TO HOUSE BILL NO. 1005

- On page 1 of the engrossed bill, line 16, delete the numerals "38,035,773" and insert in lieu thereof the numerals "38,006,773"
- On page 1 of the engrossed bill, line 17, delete the numerals "10,089,042" and insert in lieu thereof the numerals "10,053,042"
- On page 1 of the engrossed bill, line 19, delete the numerals "49,207,472" and insert in lieu thereof the numerals "49,142,472"
- On page 1 of the engrossed bill, line 20, delete the numerals "11,053,499" and insert in lieu thereof the numerals "10,610,199"
- On page 1 of the engrossed bill, line 21, delete the numerals "38,153,973" and insert in lieu thereof the numerals "38,532,273"
- On page 1 of the engrossed bill, line 22, delete the numerals "2,726,800" and insert in lieu thereof the numerals "2,033,500"
- On page 2 of the engrossed bill, line 1, delete the numerals "40,880,773" and insert in lieu thereof the numerals "40,565,773"
- On page 2 of the engrossed bill, line 19, delete the numerals "1,388,837" and insert in lieu thereof the numerals "1,633,655"
- On page 2 of the engrossed bill, line 20, delete the numerals "36,228,723" and insert in lieu thereof the numerals "36,473,541"
- On page 2 of the engrossed bill, line 26, delete the numerals "3,692,193" and insert in lieu thereof the numerals "3,592,193"
- On page 2 of the engrossed bill, line 27, delete the numerals "13,806,000" and insert in lieu thereof the numerals "13,906,000"
- On page 2 of the engrossed bill, line 28, delete the numerals "1,178,955" and insert in lieu thereof the numerals "1,078,955"
- On page 3 of the engrossed bill, line 18, delete the numerals "3,355,179" and insert in lieu thereof the numerals "3,055,179"
- On page 3 of the engrossed bill, line 19, delete the numerals "9,197,892" and insert in lieu thereof the numerals "9,497,892"
- On page 3 of the engrossed bill, delete line 20
- On page 4 of the engrossed bill, line 28, delete the numerals "135,672,859" and insert in lieu thereof the numerals "135,602,677"
- On page 4 of the engrossed bill, line 29, delete the numerals "63,435,692" and insert in lieu thereof the numerals "62,592,392"
- On page 4 of the engrossed bill, line 30, delete the numerals "199,108,551" and insert in lieu thereof the numerals "198,195,069"
- On page 5 of the engrossed bill, delete lines 32 through 35
- On page 6 of the engrossed bill, delete lines 1 through 7
- On page 6 of the engrossed bill, delete line 10

On page 6 of the engrossed bill, line 11, delete the words "Minot state college"

On page 6 of the engrossed bill, line 13, after the word "the" insert the words "physical education activities"

On page 6 of the engrossed bill, delete lines 15 through 28

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

This amendment deletes \$29,000 in salaries and wages and \$36,000 in fees and services relating to the central legal research program.

The amendment also decreases land, structures, and major improvements and estimated income moneys by \$443,300 for building improvement for handicapped accessibility. It also decreases land, structures and major improvements by \$100,000 in general fund moneys for restoration of the Oxford House and by \$150,000 in general fund moneys for land acquisitions. The moneys for handicapped accessibility projects have been added to the Board of Higher Education appropriation in House Bill No. 1004. Section 8 of the engrossed bill relating to the transfer of Vietnam bonus funds to the institutions of higher education for the handicapped accessibility projects is deleted by this amendment.

North Dakota State University

The land, structures, and major improvements line item is increased by \$244,818 as follows:

\$109,518	- Complete phase I of Morrill Hall remodeling
35,300	- Phase III of the old fieldhouse remodeling
100,000	- Central control system to monitor heating system
\$244,818	- Total

State School of Science

This amendment reduces land, structures, and major improvements and estimated income by \$100,000 for handicapped accessibility projects since amounts for handicapped accessibility projects is appropriated to the Board of Higher Education in House Bill No. 1004.

Minot State College

This amendment deletes the \$300,000 appropriation from the Vietnam bonus fund, decreasing the estimated income line by \$300,000, for seating in the physical education activities center. This amendment deletes Section 6 of the engrossed bill relating to the \$300,000 appropriation from the Vietnam bonus fund.

AMENDMENTS TO HOUSE BILL NO. 1009

On page 1 of the engrossed bill, line 18, delete the numerals "10,734,594" and insert in lieu thereof the numerals "10,818,484"

On page 1 of the engrossed bill, line 19, delete the numerals "2,172,164" and insert in lieu thereof the numerals "2,182,864"

On page 1 of the engrossed bill, line 20, delete the numerals "328,389" and insert in lieu thereof the numerals "334,389"

On page 1 of the engrossed bill, line 21, delete the numerals "13,235,147" and insert in lieu thereof the numerals "13,335,737"

On page 2 of the engrossed bill, line 1, delete the numerals "4,942,687" and insert in lieu thereof the numerals "5,043,277"

- On page 2 of the engrossed bill, line 9, delete the numerals "14,942,838" and insert in lieu thereof the numerals "14,991,450"
- On page 2 of the engrossed bill, line 12, delete the numerals "19,695,467" and insert in lieu thereof the numerals "19,744,079"
- On page 2 of the engrossed bill, line 14, delete the numerals "11,595,554" and insert in lieu thereof the numerals "11,644,166"
- On page 2 of the engrossed bill, line 16, delete the numerals "12,520,554" and insert in lieu thereof the numerals "12,569,166"
- On page 3 of the engrossed bill, line 24, delete the numerals "378,762" and insert in lieu thereof the numerals "405,059"
- On page 3 of the engrossed bill, line 27, delete the numerals "687,385" and insert in lieu thereof the numerals "713,682"
- On page 3 of the engrossed bill, line 29, delete the numerals "467,385" and insert in lieu thereof the numerals "493,682"
- On page 4 of the engrossed bill, after line 1, insert the following line:
- |            |           |
|------------|-----------|
| "Equipment | \$24,000" |
|------------|-----------|
- On page 4 of the engrossed bill, line 2, delete the dollar sign
- On page 4 of the engrossed bill, line 3, delete the numerals "937,033" and insert in lieu thereof the numerals "961,033"
- On page 4 of the engrossed bill, line 4, delete the numerals "20,534,831" and insert in lieu thereof the numerals "20,734,330"
- On page 4 of the engrossed bill, line 6, delete the numerals "38,767,564" and insert in lieu thereof the numerals "38,967,063"
- On page 5 of the engrossed bill, delete lines 33 through 35
- On page 6 of the engrossed bill, delete lines 1 through 4
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages of the Extension Division by \$83,890 from the general fund to provide funds for two additional positions in the home economic program: 1 FTE associate professor (\$51,560) and 1 FTE technician (\$32,330). Also increase operating expenses \$10,700 and equipment \$6,000 from the general fund to provide for expenses related to the new positions.

Increase salaries and wages of the Main Experiment Station by \$48,612 from the general fund to provide funds for one professor in the insect control program. This position was deleted by the House.

Increase salaries and wages of the Carrington Experiment Station by \$26,297 from the general fund to provide funds for one clerk position which was deleted by the House.

Increase the Central Grasslands appropriation by \$24,000 from the general fund by adding an equipment line item to provide for the purchase of equipment.

AMENDMENTS TO HOUSE BILL NO. 1010

- On page 1 of the engrossed bill, before line 1, after the word "HEALTH" insert the words "AND HUMAN SERVICE CENTERS"
- On page 1 of the engrossed bill, line 2, after the word "health" insert the following: ", and the human service centers"

- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the following: "; and to repeal section 19-01-02.1 of the North Dakota Century Code, relating to the consumer affairs division of the state laboratories department"
- On page 1 of the engrossed bill, line 17, delete the numerals "9,022,672" and insert in lieu thereof the numerals "8,471,486"
- On page 1 of the engrossed bill, line 18, delete the numerals "2,418,143" and insert in lieu thereof the numerals "2,351,328"
- On page 1 of the engrossed bill, line 21, delete the numerals "3,660,089" and insert in lieu thereof the numerals "3,643,364"
- On page 1 of the engrossed bill, line 22, delete the numerals "310,076" and insert in lieu thereof the numerals "282,983"
- On page 2 of the engrossed bill, line 1, delete the numerals "5,908,044" and insert in lieu thereof the numerals "6,041,723"
- On page 2 of the engrossed bill, line 2, delete the numerals "21,910,784" and insert in lieu thereof the numerals "21,382,644"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,696,966" and insert in lieu thereof the numerals "16,202,690"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,213,818" and insert in lieu thereof the numerals "5,179,954"
- On page 2 of the engrossed bill, after line 4, insert the following subdivision:

Subdivision 2.

STATE LABORATORIES DIVISION

Salaries and wages	\$1,261,819
(Includes salary of director not to exceed \$45,400 for the biennium)	
Fees and services	235,570
Data processing	52,812
Supplies and materials	61,780
Equipment	64,133
Total general fund appropriation	<u>\$1,676,114</u>

- On page 2 of the engrossed bill, line 9, delete the numerals "9,259,636" and insert in lieu thereof the numerals "10,901,886"
- On page 2 of the engrossed bill, line 10, after the numeral "2" insert the following: "and section 3"
- On page 2 of the engrossed bill, line 11, delete the numerals "24,968,969" and insert in lieu thereof the numerals "28,565,824"
- On page 2 of the engrossed bill, line 12, delete the numerals "34,228,605" and insert in lieu thereof the numerals "39,467,710"
- On page 2 of the engrossed bill, line 15, delete the numerals "3,520,818" and insert in lieu thereof the numerals "2,764,032"
- On page 2 of the engrossed bill, line 19, delete the words "and human"
- On page 2 of the engrossed bill, line 20, delete the words "service centers"
- On page 2 of the engrossed bill, line 21, insert a period after the numerals "1981", and delete the words and colon "as follows:"
- On page 2 of the engrossed bill, delete lines 22 through 26

On page 2 of the engrossed bill, line 28, delete the words "and human service centers"

On page 4 of the engrossed bill, delete line 5

On page 4 of the engrossed bill, after line 5, insert the following sections:

"SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	<u>2,025,558</u>
Less estimated income	1,705,748
Total general fund appropriation	\$ <u>319,810</u>

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,291,695
Fees and services	240,500
Supplies and materials	21,900
Equipment	4,400
Total all funds	<u>\$1,558,495</u>
Less estimated income	<u>1,307,840</u>
Total general fund appropriation	\$ <u>250,655</u>

LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 841,006
Fees and services	224,543
Supplies and materials	5,115
Equipment	10,200
Total all funds	<u>\$1,080,864</u>
Less estimated income	<u>894,543</u>
Total general fund appropriation	\$ <u>186,321</u>

SECTION 4. APPROPRIATION.) There is hereby appropriated out of any funds collected through the issuance of permits or registration certificates for air contaminant sources, the sum of \$183,000.00, or so much as may be necessary, but not to exceed the total amount of funds collected for such permits and certificates, to the department of health of the state of North Dakota, for the purpose of defraying costs of the air pollution control program, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 5. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

South central mental health and retardation center, Jamestown	\$ 12,857
Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	<u>\$114,061"</u>

On page 5 of the engrossed bill, delete lines 6 through 20

On page 5 of the engrossed bill, after line 20, insert the following section:

"SECTION 9. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible."

On page 6 of the engrossed bill, after line 16, insert the following section:

"SECTION 14. REPEAL.) Section 19-01-02.1 of the 1977 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and Wages

The net change to the salary line item of the State Health Department is a decrease of \$551,186, which includes a decrease in federal funds of \$535,675 and a decrease in general fund moneys of \$15,511. The changes included in the amendments for salaries are as follows:

1. Includes an increase of \$63,753 in federal funds for two employees approved by the Emergency Commission for the child health improvement project.
2. Includes an increase in general fund moneys of \$87,397 to provide adequate fringe benefits for all employees of the State Health Department.
3. Includes a decrease in federal funds of \$175,469 and a decrease in general fund moneys of \$67,397 relating to new positions allowed in the Governor's budget but deleted by the Senate Appropriations Committee.
4. Includes a decrease in federal funds of \$397,051 and a decrease in general fund moneys of \$41,629 relating to Emergency Commission approved positions allowed in the Governor's budget but deleted by Senate Appropriations.

The new positions and the Emergency Commission positions approved by the Senate Appropriations Committee are as follows:

Emergency Commission Approved Positions

<u>Position</u>	<u>Amount</u>	<u>Program</u>
Lab Technician II	\$ 24,197	Dairy Testing
Secretary III	21,905	Robert Wood Johnson
Human Services Program Administrator V	58,979	Robert Wood Johnson
P.H. Nurse Consultant II	46,658	Robert Wood Johnson
Health Educator	57,865	Robert Wood Johnson
P.H. Nurse III and Human Service Program Specialist	63,753	Improved Child Health
Total	\$273,357	

<u>New Positions</u>	<u>Amount</u>	<u>Program</u>
Chief Environmental Control	\$ 61,738	Environmental Control
4 Environmental Engineers I	129,484	Construction Grant Program
Administrator Officer	<u>27,070</u>	Construction Grant Program
<b>Total</b>	<b>\$ 88,808</b>	

Positions included in engrossed House Bill No. 1010 but deleted by the Senate Appropriations Committee are as follows:

<u>Position</u>	<u>Amount Deleted</u>	<u>Program</u>
<u>Emergency Commission Approved Positions:</u>		
Health Planner III	\$ 54,562	Health Planning
Data Analyst	72,909	Health Planning
Environmental Quality Specialist II	35,996	Environmental Engineering
Environmental Quality Specialist II	35,996	Environmental Engineering
Environmental Engineer II	36,470	Environmental Engineering
Account Technician	28,945	Fiscal Office
Planner II	38,867	Land Pollution Control
Chemist I	37,029	Land Pollution Control
Secretary III	26,315	Land Pollution Control
Environmental Quality Specialist I	35,795	Water Supply & Pollution Control
Environmental Quality Specialist I	35,796	Water Supply & Pollution Control
<b>Total</b>	<b>\$438,680</b>	

New Positions

Engineer I	\$ 31,501	Environmental Engineering
Research Analyst I	28,578	Environmental Engineering
Environmental Engineer I	42,845	Water Supply & Pollution Control
Environmental Quality Specialist I	30,933	Water Supply & Pollution Control
Environmental Quality Specialist I	30,932	Water Supply & Pollution Control
Secretary II	17,539	Water Supply & Pollution Control
Account Technician II	23,511	Water Supply & Pollution Control
Clerk-Typist	16,704	Water Supply & Pollution Control
Account Technician	<u>20,323</u>	Laboratories
<b>Total</b>	<b>\$242,866</b>	

Fees and Services

This amendment incorporates the following changes to the fees and services line item of the Health Department:

1. It includes an increase of \$76,700 in federal funds for the child health improvement program.
2. It includes a decrease of \$88,379 in federal funds and \$5,002 in general fund moneys for Emergency Commission approved positions denied by Senate Appropriations.
3. It includes a decrease of \$42,242 in federal funds and a decrease of \$7,892 in general fund moneys for new positions allowed in the Governor's budget but denied by Senate Appropriations.

The net change to the fees and services line item in these amendments is a decrease of \$53,921 in federal funds and a decrease of \$12,894 in state general fund moneys.



Supplies and Materials

This amendment incorporates the following changes to the supplies and materials line item of the Health Department:

1. This amendment includes an increase in federal funds of \$2,400 for the child health improvement project.
2. It includes a decrease of \$5,625 in federal funds and a decrease of \$500 in general fund moneys for Emergency Commission approved positions denied by the Senate Appropriations Committee.
3. It includes a decrease in federal funds of \$13,000 relating to new positions allowed in the Governor's budget but denied by the Senate Appropriations Committee.

The total change to the supplies line item is a decrease in federal funds of \$16,225 and a decrease in general fund moneys of \$500.

Equipment

The changes incorporated by this amendment to the equipment line item of the Health Department are as follows:

1. It includes a decrease in federal funds of \$14,371 and a decrease in general fund moneys of \$1,277 relating to the Emergency Commission approved positions denied by the Senate Appropriations Committee.
2. It includes a decrease in federal funds of \$7,763 and a decrease in general fund moneys of \$3,682 for new positions allowed in the Governor's budget but denied by the Senate Appropriations Committee.

The net change to the equipment line item is a decrease in federal funds of \$22,134 and a decrease in state general fund moneys of \$4,959.

Grants, Benefits, and Claims

The grants, benefits, and claims line item is increased by \$133,679 in federal funds for the child health improvement project.

State Laboratories Division

The appropriation for the State Laboratories Division is included by this amendment as a subdivision of the State Health Department appropriation. The amounts included in the amendment for the State Laboratories Division are those in engrossed House Bill No. 1021 except that:

1. Salaries and wages are increased by \$37,250 to provide adequate fringe benefits and 6.5 percent salary increases per year for State Laboratories Division employees.
2. Line items are decreased to reflect the deletion of the Consumer Affairs Division, as provided in the Governor's budget, as follows:

Salaries and wages	\$51,824
Fees and services	6,711
Data processing	7,299
Supplies and materials	646
Equipment	<u>1,600</u>

Total \$68,080

Human Service Centers

This amendment includes the line item appropriations for the three human service centers. Included in the estimated income line item

for each of the human service centers are the state general fund and federal moneys included in the State Social Service Board appropriation as follows:

	Estimated Income		
	General Fund Moneys In Social Service Board Appro- priation	Federal Funds in Social Service Board Appropriation	Total
Badlands Human Service Center	\$312,578	\$1,227,576	\$1,540,154
Northwest Human Resource Center	244,981	962,117	1,207,098
Lake Region Human Service Center	182,099	681,920	864,019
<b>Total</b>	<b>\$739,658</b>	<b>\$2,871,613</b>	<b>\$3,611,271</b>

#### Other Amendments

This amendment deletes Section 6 of engrossed House Bill No. 1010 relating to general fund moneys included for new positions. It also deletes Section 7 of engrossed House Bill No. 1010 since the earmarking of \$200,000 for the early childhood identification program would not be consistent with amendments to House Bill No. 1624 which delete the early childhood identification program. The \$750,000 for the developmental disabilities program referred to in Section 7 remains in the grants line item of the Health Department appropriation.

The \$750,000 is to be available for matching up to \$1,000,000 of Title XX moneys if the additional allocation of \$2,100,000 currently proposed by the President becomes available to the Social Service Board of North Dakota.

This amendment also includes an appropriation of \$183,000 of funds to be collected by the Health Department through the issuance of permits for registration certificates for air contaminant sources to defray the costs of the air pollution control program. The amendment includes a section addressing the need for funds for the collocation of mental health and retardation centers and area social service centers during the 1979-81 biennium and includes a new section authorizing the Emergency Commission to approve special projects including the construction grants program to be administered by the Health Department.

#### AMENDMENTS TO HOUSE BILL NO. 1011

On page 1 of the engrossed bill, line 9, delete the following: "sum of \$213,640,079" and insert in lieu thereof the following: "sums hereinafter provided"

On page 3 of the engrossed bill, line 9, delete the numerals "60,460,366" and insert in lieu thereof the numerals "60,560,366"

On page 3 of the engrossed bill, line 11, delete the numerals "220,112,242" and insert in lieu thereof the numerals "220,212,242"

On page 4 of the engrossed bill, after line 9, insert the following section:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000.00, or so much thereof as may be necessary, for the biennium beginning July 1, 1979, and ending June 30, 1981, for the purpose of establishing a pilot program for home care and deinstitutionalization aid for the care, custody, and control of developmentally disabled

persons who are retained in the home, deinstitutionalized, or may be deinstitutionalized. Under such program, the board shall, in the case of persons for whom the head of the institution has determined deinstitutionalization or continued noninstitutionalization to be appropriate, provide financial assistance to the natural parents, adoptive parents, or foster parents applying for aid under this section and qualifying under rules and regulations established by the board. Within the limits of legislative appropriation, qualifying applicants certified eligible shall receive an amount of fifty dollars, or so much thereof as may be necessary, for the basic care and training of such developmentally disabled persons for a seven-day or weekly period. Such program shall begin on January 1, 1980, after the board has developed guidelines and provided adequate time for the receipt of applications."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The special section appropriating \$100,000 in general fund moneys is to provide a parent deinstitutionalization aid program.

In regard to the grants, benefits, and claims line item of \$155,710,304, the committee recommends that the following programs be at the following levels:

	<u>Recommended</u>	<u>Executive Budget</u>
AFDC	\$ 29,866,400	\$ 31,003,001
Intermediate care	19,623,766	19,216,918
Nursing home care	35,227,940	34,498,187

These amounts reflect a reduction in the amount recommended by the Governor for AFDC and an increase in the amounts recommended by the Governor for intermediate care and nursing care. This change arises because of an update of estimates in these areas by the Social Service Board. The amount available for AFDC will make it possible for the Social Service Board to continue at rates recommended by the Governor; however, the caseloads at this time appear to be less than those anticipated. The amounts projected for intermediate care and nursing home care are set at 6.8 percent per year increases which are less than those recommended by the Governor. The Governor's budget included a 13 percent per year inflationary cost increase for both nursing care and intermediate care; however, because of cost increases since the Governor made his recommendation, the budget, even though it includes additional funds transferred from the AFDC program, is only adequate to provide for 6.8 percent per year increases for the next biennium.

AMENDMENTS TO HOUSE BILL NO. 1024

- On page 1 of the engrossed bill, line 1, after the word "the" insert the word "premium"
- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the following: "; and to amend section 4-02.1-18 of the North Dakota Century Code, relating to audits of the state fair association"
- On page 1 of the engrossed bill, line 8, delete the following: "and from special funds derived from"
- On page 1 of the engrossed bill, line 9, delete the words and comma "federal funds and/or other income," and delete the numerals "1,893,900" and insert in lieu thereof the numerals "150,000"
- On page 1 of the engrossed bill, line 11, after the third word "the" insert the word "premium"
- On page 1 of the engrossed bill, line 13, after the numerals "1981" insert a period and delete the following: ", as follows:"
- On page 1 of the engrossed bill, delete lines 14 through 21

On page 2 of the engrossed bill, delete lines 1 through 7

On page 2 of the engrossed bill, after line 15, insert the following section:

"SECTION 2. AMENDMENT.) Section 4-02.1-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-02.1-18. STATE AUDITOR TO EXAMINE RECORDS AND ACCOUNTS PREMIUMS - CERTIFIED AUDIT OF STATE FAIR ASSOCIATION.) It shall be the duty of the state auditor to ~~annually-examine-the-records-and-account~~ of biennially audit the general fund moneys appropriated to the North Dakota State Fair Association and to report thereon to the governor and to the legislative audit and fiscal review committee. The State Fair Association shall submit annually to the governor and the legislative audit and fiscal review committee an audit report prepared by a certified public accountant based upon an audit of all records and accounts of the association."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes the special fund moneys from the State Fair Association appropriation and appropriates only general fund moneys for premiums in the amount of \$150,000. It also amends the North Dakota Century Code relating to the audits required of the State Fair Association.

AMENDMENTS TO HOUSE BILL NO. 1048

Delete the Senate amendments to reengrossed House Bill No. 1048 as printed on page 1291 of the Senate Journal and amend the reengrossed bill as follows:

On page 1 of the reengrossed bill, line 7, after the word "fund" insert the words and semicolon "; and to provide an appropriation"

On page 3 of the reengrossed bill, after line 26, insert the following section:

"SECTION 5. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000.00, or so much thereof as may be necessary, to the drug enforcement unit of the office of the attorney general for the purpose of enforcing the controlled substances laws of this state as specified in this Act, for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The new section appropriates funds to the drug enforcement unit of the office of the Attorney General for the purpose of enforcing the controlled substances laws of this state.

AMENDMENTS TO HOUSE BILL NO. 1621

On page 1, of the engrossed bill line 16 delete the first comma and insert in lieu thereof the word "or" and on the same line delete ",or"

On page 1, of the engrossed bill line 17 delete "cohabiting adult"

On page 4, of the engrossed bill line 34 delete "a county judge"

On page 4, of the engrossed bill delete all of line 35

On page 5, of the engrossed bill line 1 delete "unavailable,"

On page 5, of the engrossed bill line 2 after the comma insert the following language: "as defined by subsection 3 of section 29-01-14,"

On page 5, of the engrossed bill after line 15 insert the following new section:

"SECTION 9.) A new subsection 4 of section 29-01-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

4. Grant temporary protection orders under the particular circumstances and for the limited duration set forth in section 8 of this Act."

And renumber the lines accordingly

**MESSAGES TO THE SENATE**  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2450  
Senate Bill No. 2455  
Senate Bill No. 2460  
Senate Bill No. 2461  
Senate Bill No. 2463  
Senate Bill No. 2484

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2125:  
Rep. Erickson  
Rep. Timm  
Rep. Hanson  
Senate Bill No. 2350:  
Rep. Erickson  
Rep. Timm  
Rep. Hanson

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return to you Senate Bill No. 2385, on which the House divided the question as shown by the attached motion, with the Divisions B, C, and D passing the House and Division A failing to pass, and thereafter the House voted on Senate Bill No. 2385 excluding Division A but including Divisions B, C and D, and was passed.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2483.

ROY GILBREATH, Chief Clerk

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2280.** — A Bill for an Act to create and enact five new



On page 2 of the engrossed bill, line 23, delete the numerals "8,423,745" and insert in lieu thereof the numerals "8,463,467"

On page 2 of the engrossed bill, line 24, delete the numerals "10,545,646" and insert in lieu thereof the numerals "10,585,368"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages of Central Data Processing by \$39,722 to provide for 6.5 percent average annual salary increases and to provide for adequate fringe benefits including full family medical coverage.

And when so amended, recommends the same do pass.



Chairman

Rep. James A. Peterson

Senate

Bill No. 2003

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Finance and Taxation

to whom was referred Senate

Bill No. 2310, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create the west river water supply district in order to coordinate and facilitate the development and implementation of a plan for the supplementation of the water resources of Dickinson and other North Dakota counties and governmental entities with water from the Missouri River; and providing an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. FINDINGS AND DECLARATION OF POLICY.)

It is hereby found and declared by the legislative assembly that many areas and localities do not enjoy safe drinking water, and that in many such areas and localities the water contains iron, sulfates, alkali, salt, nitrates, and other hazardous and discoloring substances, and that other areas and localities do not have sufficient quantities of water to ensure a dependable, long-term supply. It is further found and declared that supplementation of the water resources of the city of Dickinson and other governmental entities with water supplies from the Missouri River, utilizing a pipeline transmission and delivery system, is a potentially feasible approach to provide the city of Dickinson and other governmental entities with a safe and dependable source of water. It is therefore declared to be in the best interest of the people of the city of Dickinson and other governmental entities to exercise the sovereign power of the state by providing a means for the establishment of the west river water supply district to further investigate and develop a pipeline transmission and delivery system for purposes including, but not limited to, domestic, rural water districts, municipal,

## JOURNAL OF THE HOUSE

livestock, irrigation, light industrial, mining, recreational, fish and wildlife, and pollution abatement uses which will result in the best use of such waters and related land resources, with primary emphasis on domestic, rural water district, and municipal uses.

SECTION 2. DEFINITIONS.) In this chapter, unless the context or subject matter requires otherwise:

1. "Board" means the board of directors of the west river water supply district.
2. "District" means the west river water supply district.
3. "Works" shall include:
  - a. All property rights, easements, and franchises relating thereto and deemed necessary or convenient for their operation.
  - b. All water rights acquired and exercised by the district in connection with such works.
  - c. All means of delivering and distributing water through the utilization of a pipeline transmission and delivery system.
4. "Person" includes any state agency, natural person, municipality, political subdivision, public or private corporation, partnership, or association.
5. "Governmental entity" means any city, county, portion of any county, organized township, or other political subdivision.

SECTION 3. CREATION OF DISTRICT BY ELECTION - SECRETARY OF STATE TO CERTIFY RESULT - DISTRICT TO BE CORPORATE AGENCY OF STATE.) A vote upon the question of the creation of the district and authorization of a mill levy may be held in the first election in the city of Dickinson and any other governmental entity, following the effective date of this Act. The election results shall be determined in the manner provided by section 40-21-12, and shall also be certified to the secretary of state. The secretary of state shall receive, record, and maintain the certification of the result of the election in the manner provided by section 16-13-26. The district shall be established by a sixty percent majority of the votes cast in each governmental entity in favor of the creation of the district. Upon the determination of the secretary of state that the district has been created in accordance with law, he shall certify that fact to the governmental entities within the district. If so created, the district shall be a corporate agency of this state, a body politic and corporate with the authority to exercise the powers specified in this Act, including the power to certify a mill levy as provided by section 8 of this Act, and an administrative agency within the meaning of chapter 28-32.

Laws applicable to elections generally and not inconsistent with this section shall govern the elections required by this section.

SECTION 4. BOARD OF DIRECTORS - OFFICERS - MEETINGS - COMPENSATION.) The district shall be governed by a board of directors who shall be chosen in accordance with the provisions of this Act. The board shall elect annually from its membership a chairman, vice chairman,



and secretary. A majority of the members shall constitute a quorum for the purpose of conducting the business of the board. The board shall meet at the time and place designated by the secretary. Board members shall receive compensation in the amount provided for by subsection 1 of section 54-35-10, and shall be reimbursed for their mileage and expenses in the amount provided for by sections 44-08-04 and 54-06-09.

SECTION 5. APPOINTMENT OF DIRECTORS - TERM OF OFFICE.) Within thirty days of the creation of the district, the governing bodies of the governmental entities within the district shall each appoint a director who shall be a resident and elector of the governmental entity from which he is appointed. Each governmental entity shall be represented by one director, provided that in no case shall any county within the district have more than one representative on the board of directors of the district, except for Stark County whose representation shall include two directors from the city of Dickinson and one director representing Stark County, provided that Dickinson and Stark County are members of the district. An appointee from the state water commission shall serve as a board member temporarily until the time that the board shall be comprised of no less than three directors as defined in section 5 of this Act. The first governmental entity of any county within the district electing to be a part of the district shall be entitled to a representative on the board of directors until such time as the county elects to become a part of the district. If a county elects to become a part of the district, the other governmental entity representative of that county shall serve until the end of that term as director, at which time the county shall be entitled to elect a single member on the board of directors to represent that county and all governmental entities within that county which are members of the district, except that Stark County shall be represented as set out above. Directors so appointed shall serve in the manner provided by section 3 of this Act and shall hold office until a successor has been duly elected and qualified.

SECTION 6. ELECTION OF DIRECTORS - TERM OF OFFICE - VACANCY.) In 1980, and thereafter, a director of the district shall be nominated and elected in each governmental entity within the district in the same manner as city or county officers are nominated and elected.

One-half of the members of the board of directors elected in 1980 shall hold office for a term of two years, and one-half of the members of the board of directors elected in 1980 shall hold office for a term of four years.

Directors elected after 1980 shall each serve for a term of four years. In the event the office of any district director shall become vacant by reason of removal from a governmental entity, death, resignation, or otherwise, the vacancy shall be filled by appointment of the governing body of the governmental entity in which the vacancy occurs. A director so appointed shall be an elector and a resident of the governmental entity from which he is appointed and shall serve only for the unexpired term.

SECTION 7. POWERS AND DUTIES OF THE BOARD.) The district board of directors may exercise the following powers and shall have the following duties:

1. To sue and be sued in the name of the district.

## JOURNAL OF THE HOUSE

2. To accept funds, property, and services or other assistance, financial or otherwise, from federal, state, and other public or private sources for the purpose of aiding and promoting the construction, maintenance, and operation of the west river water supply district, or any part thereof.
3. To cooperate and contract with the state of North Dakota, its agencies and political subdivisions, and any agency of the United States, in investigation and the establishment, construction, development, of operation of the west river water supply district, or any part thereof.
4. To construct either separately or in cooperation with agencies of the United States, the state of North Dakota or any agency thereof, and equip, maintain, and operate an office and principal place of business for the district and other buildings and facilities necessary to carry out activities authorized by this Act, and to acquire and dispose of any interest in real and personal property.
5. To appoint and, within the limits of legislative appropriations, fix the compensation of, such employees as the board shall deem necessary to conduct the business and affairs of the district.
6. To contract for supplies of water from the United States, any department or agency thereof, the state of North Dakota, any department or agency thereof, or any rural water association; and to sell, lease, and otherwise to furnish any such water for beneficial use.
7. To levy a tax, in 1980 and thereafter, of not to exceed one mill annually on each dollar of taxable property in those governmental entities creating a district pursuant to section 3 of this Act, for the payment of the expenses of the district, including but not limited to per diem, mileage, and other expenses of directors; technical, administrative, clerical, operating, and other expenses of the district office, and for the cumulation of a continuing fund through such levy for the performance of obligations entered into with the United States of America, the state of North Dakota, or any political subdivision or other person. All moneys collected pursuant to such levy shall be deposited in the Bank of North Dakota to the credit of the district and shall be disbursed only as provided herein.
8. To exercise all powers for, or incidental to, the achievement of the purposes and objectives of this Act.

SECTION 8. DISTRICT BUDGET - CERTIFICATION OF MILL LEVY - LIMITATIONS.) The board of directors of the district shall, upon the organization of the board in 1980, and in July of each year thereafter, estimate the expenses and obligations of the district, including, but not limited to, expenses of the directors, expenses of operating and maintaining the offices of the district, and other administrative expenses. The board of directors may include in the budget estimates of funds deemed necessary to create a reserve fund to meet future

payments of obligations incurred by the district. Upon the completion and adoption of the budget, the board shall determine a mill levy for each governmental entity within the district in an amount sufficient to meet the expenses of the budget. The mill levy may be in differing amounts for each governmental entity and shall be based upon the benefit to be gained by such governmental entities from the project for which the assessment is made, but in no event shall the mill levy for any governmental entity exceed one mill. The determination of the mill levy shall be in the form of a resolution adopted by a majority vote of the members of the board.

SECTION 9. BOARD TO CERTIFY MILL LEVY TO CITY AUDITORS, COUNTY AUDITORS, AND STATE TAX COMMISSIONER.) Upon the adoption of the annual mill levy by the board of directors, but no later than October first, the secretary of the board shall send one certified copy of the appropriate mill levy to the city auditor of every member city within the district, and shall send to the county auditor one copy of the mill levy for each governmental entity within the county which is a member of the district. Copies of all such documents shall be sent to the state tax commissioner.

SECTION 10. CITY AUDITORS AND COUNTY AUDITORS TO EXTEND TAX LEVY.) The city auditor of each member city and county auditor of each county within the district, to whom a mill levy is certified in accordance with this chapter, shall extend the levy upon the tax lists for the current year against each description of real property and all personal property within the governmental entities, as defined for the purposes of this Act, in the same manner and with the same effect as other taxes are extended.

SECTION 11. COUNTY OR CITY TREASURER TO COLLECT AND REMIT DISTRICT TAXES - DISTRICT FUND ESTABLISHED - NONREVERTER - DISBURSEMENTS.) The treasurer of each city or county within the district to which a mill levy has been certified shall collect the district taxes, together with interest and penalty thereon, if any, in the same manner as the general taxes are collected, and shall pay over to the treasurer of the district, on demand, all taxes, interest, and penalties so collected, and shall forthwith notify the secretary of the district of such payment. Expenditures shall be made by the board of directors upon vouchers signed by the chairman of the board.

SECTION 12. PROCEEDINGS TO CONFIRM CONTRACT.) The board of directors of the district, after entering into a contract with the United States government, the state of North Dakota, or with any public corporation of the state of North Dakota, may commence a special proceeding in and by which the proceedings of the board and the making of such contract, or contracts, shall be judicially examined, approved, and confirmed, or disapproved and disaffirmed. Such proceeding shall comply as nearly as possible with the procedure required in the case of irrigation districts under the laws of North Dakota.

SECTION 13. TERMINATION OF DISTRICT.) Upon the vote of a majority of the directors of the board, the district shall cease to exist from and after the thirty-first day of December following the vote, subject to the payment of any obligations entered into prior to such vote. After all obligations of the district have been paid, the board of directors shall certify such fact to the city or county auditor of each of the cities or counties within the district and shall proceed to liquidate the assets of the district in such a manner as

the board shall deem in the best interests of the district. Following liquidation, the board shall return to each governmental entity its pro rata share of any moneys remaining in the district treasury. The pro rata share shall be equal to the proportion that such governmental entity's total contribution to the district bears to the total contribution of all governmental entities to the district.

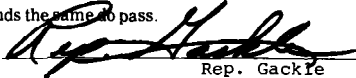
SECTION 14. ADDITION OF OTHER GOVERNMENTAL ENTITY TO DISTRICT.) Upon filing with the county commission a petition containing the signatures of ten percent of the eligible electors residing in the governmental entity, voters within that governmental entity may join the district upon a favorable vote of sixty percent majority of the eligible electors residing therein, exclusive of any cities within the entity, provided that the governing body's application for membership be approved by the board of directors of the district. The county auditor of each county shall certify the results of the election to the secretary of state in the manner provided by section 16-13-24. The board of directors, as a condition of approval of such application, may require the levy of such taxes within said governmental entity as may be equitable to equalize the burden of such governmental entity with the obligations paid or assumed by the other governmental entities in the district. Such governmental entity is hereby authorized to levy such taxes as may be necessary to carry out its part of the agreement for becoming a part of the district, which levy shall be in addition to the amount which may otherwise be legally levied by that governmental entity.

SECTION 15. LIMITATIONS.) The provisions of this Act shall not be construed to limit the rights, powers, or duties of any state department or agency, or of any political subdivision. Nor shall any of the provisions of this Act be construed as limiting or in any way affecting the laws of this state relating to organization and maintenance of water management districts, park districts, or irrigation districts, or any other legal entity found wholly or partly within the boundaries of the west river water supply district.

SECTION 16. APPROPRIATION.) There is hereby appropriated out of any moneys in the lands and mineral trust fund in the state treasury, not otherwise appropriated, the sum of \$40,000.00, or so much thereof as may be necessary, to the state water commission for the purpose of assisting the west river water supply district in carrying out the provisions of the Act for the biennium beginning July 1, 1979, and ending June 30, 1981. Such moneys shall be available only in the event that the district is created."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Gackie

Senate Bill No. 2310 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Agriculture

to whom was referred Senate

Bill No. 2405, has had the same under consideration and recommends. by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

On page 1, line 4 delete the word "and" and also on line 4 after the word "sheep" insert the following: ", and horses"

On page 2, line 15 delete the word "and"

On page 2, line 16 after the word "sheep" insert the following: ", and horses"

On page 2, line 17 delete the word "and" also on line 17 after the word "sheep" insert the following: ", and horses" also on line 17 after the word "from" insert the words "sickness or" and after the word "disease" insert the following: "at the time the sale is consummated, conditioned upon reasonable showing by the seller that all state and federal regulations pertaining to animal health were complied with"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman  
Rep. Nicholas

Senate Bill No. 2405 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2452, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 9; Absent, 0, that the same

do pass.  do not pass.  be placed on calendar without recommendation.

be amended as follows:

 Chairman  
Rep. James A. Peterson

Senate Bill No. 2452 was placed on the 14th order of business on the calendar for the succeeding legislative day.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1197
- House Bill No. 1278
- House Bill No. 1319
- House Bill No. 1326
- House Bill No. 1357
- House Bill No. 1362
- House Bill No. 1397
- House Concurrent Resolution No. 3002
- House Concurrent Resolution No. 3009
- House Concurrent Resolution No. 3011
- House Concurrent Resolution No. 3050
- House Concurrent Resolution No. 3057
- House Concurrent Resolution No. 3061
- House Concurrent Resolution No. 3062
- House Concurrent Resolution No. 3075
- House Concurrent Resolution No. 3076
- House Concurrent Resolution No. 3080
- House Concurrent Resolution No. 3081

House Concurrent Resolution No. 3083  
House Concurrent Resolution No. 3085  
House Concurrent Resolution No. 3087.  
Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1025 \_\_\_\_\_
- HB NO. 1095 \_\_\_\_\_
- HB NO. 1242 \_\_\_\_\_
- HB NO. 1252 \_\_\_\_\_
- HB NO. 1559 \_\_\_\_\_
- HB NO. 1657 \_\_\_\_\_
- HB NO. 1669 \_\_\_\_\_
- HCR NO. 3093 \_\_\_\_\_

and find the same correctly } Enrolled

*Wayne Stenehjem*  
Rep. Stenehjem

Chairman

Representative Hanson moved that the report be adopted, which motion prevailed, and the report was adopted.

The committee on Enrollment and Engrossment respectfully reports that:

- H. B. No. 1197 \_\_\_\_\_
- H. B. No. 1278 \_\_\_\_\_
- H. B. No. 1319 \_\_\_\_\_
- H. B. No. 1326 \_\_\_\_\_
- H. B. No. 1357 \_\_\_\_\_
- H. B. No. 1362 \_\_\_\_\_
- H. B. No. 1397 \_\_\_\_\_

were delivered to the } Governor  
Secretary of State for his approval at the hour of  
4:30 o'clock P.M., March 22, 1979

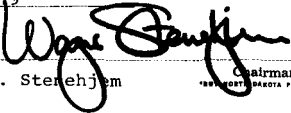
*Wayne Stenehjem*  
Rep. Stenehjem Chairman  
"LET THERE BE LIGHT"

The committee on Enrollment and Engrossment respectfully reports that:

- H.C.R. No. 3002 \_\_\_\_\_
- H.C.R. No. 3009 \_\_\_\_\_

- H.C.R. No. 3011
- H.C.R. No. 3050
- H.C.R. No. 3057
- H.C.R. No. 3061
- H.C.R. No. 3062
- H.C.R. No. 3075
- H.C.R. No. 3076
- H.C.R. No. 3080
- H.C.R. No. 3081
- H.C.R. No. 3083
- H.C.R. No. 3085
- H.C.R. No. 3087

..... were delivered to the <sup>SECRETOR</sup> Secretary of State ~~SECRETOR~~ at the hour of  
 4:30 o'clock P.M., March 22, 1979

  
 Rep. Stenehjem Chairman.  
"REPRODUCED BY XEROX PRODUCTS"

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 9:00 a.m., Friday, March 23, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FIFTY-SEVENTH DAY

Bismarck, March 23, 1979

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

The prayer was offered by Rev. Charles Ostlie, Christian Mission Alliance Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Berge, Crabtree, Kretschmar, Lardy, Lee, Martin, Matheny, and Mattson.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-sixth Day and finds the same to be correct.

Handwritten signature of Rep. Swigart

Rep. Swigart Chairman

Rep. Houmann moved that the report be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that the House request the return of Senate Bill No. 2385, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1306

HB NO. 1475

and find the same correctly } Enrolled

Handwritten signature of Rep. Stone

Rep. Stone Chairman

Representative Meyer moved that the report be adopted, which motion prevailed, and the report was adopted.

State of North Dakota EXECUTIVE OFFICE BISMARCK

The Honorable Vernon Wagner Speaker of the House House Chambers Bismarck, North Dakota 58505



Dear Mr. Speaker:

This letter is to inform you that on March 21, 1979, I signed the following House Bills:

- House Bill No. 1076
- House Bill No. 1241
- House Bill No. 1301
- House Bill No. 1388
- House Bill No. 1471
- House Bill No. 1671

House Bill 1648 was forwarded without signature on March 22, 1979.

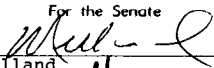
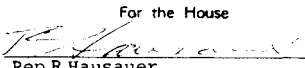
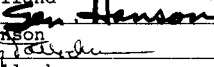
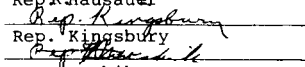
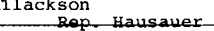
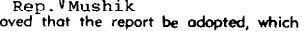
Sincerely yours,  
ARTHUR A. LINK  
Governor

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1006 has had the same under

consideration and recommends:

The House accede to Senate amendments.

For the Senate	For the House
	
Sen. Meiland	Rep. R. Hausauer
	
Sen. Hanson	Rep. Kingsbury
	
Sen. Tallackson	Rep. Mushik

Rep. Hausauer moved that the report be adopted, which motion prevailed.



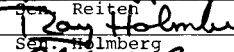
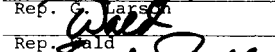
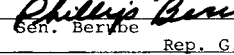

House Bill No. 1006 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1489 has had the same under

consideration and recommends:

That the Senate recede from its amendments.

For the Senate	For the House
	
Sen. Reiten	Rep. G. Larson
	
Sen. Holmberg	Rep. Wald
	
Sen. Berube	Rep. Riehl

Rep. G. Larson moved that the report be adopted, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Peterson moved that the amendments to Senate Bill No. 2003 as recommended by the Committee on Appropriations as printed on pages 2052 and 2053 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to Senate Bill No. 2310 as recommended by the Committee on Finance and Taxation as printed on pages 2053, 2054, 2055, 2056, 2057, and 2058 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to Senate Bill No. 2405 as recommended by the Committee on Agriculture as printed on pages 2058 and 2059 of the House Journal be adopted, which motion prevailed.

## MOTIONS

Rep. Strinden moved that the rules be suspended and that Senate Bills No. 2003, 2310 and 2405 be placed on the 14th Order of Business for second reading and final passage, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1048.

Rep. Strinden moved a substitute motion that the House delay action on House Bill No. 1048 on the Twelfth Order until the Appropriations Committee has made a study of the Senate amendments and then advise the Assembly whether the House should or should not concur in the Senate amendments to House Bill No. 1048, which motion prevailed.

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1007, which motion prevailed.

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1028, which motion prevailed.

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1029, which motion prevailed.

Rep. Knudson moved that the House not concur on Senate amendments to House Bill No. 1056, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1056:

Rep. Knudson  
Rep. Schindler  
Rep. Tinjum

## MOTIONS

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1168, which motion prevailed.

Rep. R. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1221.

Rep. Strinden moved a substitute motion, that action on House Bill No. 1221 be delayed until the House has had an opportunity to be assured they know the exact content of the Senate amendments, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1228, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1405, which motion prevailed.

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1581, which motion prevailed.

Rep. Unhjem moved that the House do concur in the Senate amendments to House Bill No. 1588, which motion prevailed.

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1621, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1624.** — A Bill for an Act to provide for payment of room and board on behalf of handicapped students in out-of-state placements, and the development of implementation of interagency agreements for the provision of related services to handicapped students.



• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSON	• LIPSIE	• SWINTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER A. #49	• MARTIN	• TIMM
• HAUSAUER R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3059.** A concurrent resolution directing the Legislative Council to study alternative methods of providing equitable and effective means of financing eradication and control of leafy spurge, Canada thistle, and other noxious weeds.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON	•		• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHK			• WEBER		
• BOYUM	•		• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONWAY			• KINGSBURY			• PELLER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE	•				
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #29			• SCOFIELD					
• GEHL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE	•		• STENEHJEM					
• GUNDERSON			• LEIBMAN			• STRINDEN					
• GUNSON			• LIPSIE			• SWINTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A. #49			• MARTIN			• TIMM					
• HAUSAUER R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN					

So the House Concurrent Resolution was declared adopted.

**House Concurrent Resolution No. 3072.** — A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees and the personnel policies currently governing state employees.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSOON	•		• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE			• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHK			• WEBER		

● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERWITT	● OPEDAHN	● WINKLER
● CONMY	● KINGSGURY	● PELTIER	
● CRABTREE	● KLUBBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GEAL	● LARSON, H # 7	● SOBERG	
● GORDER	● LEE	● STENCHUEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSIE	● SWIONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the House Concurrent Resolution was declared adopted.

#### MOTIONS

Rep. Strinden moved that House Bill No. 1335 be moved to the foot of the calendar, which motion prevailed.

Rep. Strinden moved that House Bill No. 1221 be considered on the 12th Order of Business at this time, which motion prevailed.

Rep. R. Hausauer moved that the House do concur on the Senate amendments to House Bill No. 1221, which motion prevailed.

#### MOTION

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1004, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1004:

Rep. R. Hausauer  
Rep. Peterson  
Rep. Opedahl

#### MOTION

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1005, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1005:

Rep. R. Hausauer  
Rep. Peterson  
Rep. Opedahl

#### MOTION

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1010, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1010:

Rep. Marsden  
Rep. Christensen  
Rep. Fleming

#### MOTION

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1024, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.





REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● MATSON			● UNHJEM		
● BACKES	●		● HICKLE			● MEIERS			● VANDER VORST		
● BENEDICT			● HOFFNER			● MELBY			● VIG		
● BERG			● HOLMANN			● WERTENS			● WAGNER		
● BERGE	●		● HOVE			● WEYER			● WALD		
● BERGER			● JACOBSEN, R.			● MURPHY			● WALSH		
● BJORNSON			● JACOBSON, I.			● MUSHK			● WEBER		
● BLACK			● KELLY			● NICHOLAS			● WENTZ		
● BOYUM			● KENNELLY			● OLSON			● WESSMAN		
● BROKAW			● KERMOITT			● OPEDAHL			● WINKJER		
● CHRISTENSEN			● KINGSBURY			● PELTIER					
● CONMY			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● CRABTREE	●		● KNUDSON			● POMEROY					
● DICK			● KOSKI			● REED					
● DIETZ			● KRITSCHMAR			● RETZER					
● DOTZENROD			● KUCHERA			● RICHARD					
● DUBORD			● LANG			● RICHE					
● EAGLES			● LANGLEY			● RIEHL	●				
● ERICKSON			● LARDY	●		● RUED					
● FLEMING			● LARSON, F. #24			● SCHINDLER					
● FREBORG	●		● LARSON, G. #29			● SCOFIELD					
● GACKLE			● LARSON, H. #7			● SOLBERG					
● GERL			● LEE	●		● STENEHJEM					
● GORDER			● LEIBHAN			● STRINDEN					
● GUNDERSON			● LIPSIEA			● SWONTEK					
● GUNSCHE			● MAXNER			● THOMPSON					
● HANSON			● MARSDEN			● THORSGAARD					
● HAUGLAND			● MARTIN			● THM					
● HAUSAUER, A. #48			● MARTINSON			● TINJUM					
● HAUSAUER, R. #25			● MATHENY			● TWETEN					
● HEDSTROM											

So the bill passed and the title was agreed to.

**Senate Bill No. 2405.** — A Bill for an Act to amend and reenact subsection 3 of section 41-02-33 of the North Dakota Century Code, relating to the applicability of implied warranties in the sale of cattle, hogs, sheep, and horses.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 65; nays, 29; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● MATSON			● UNHJEM		
● BACKES	●		● HICKLE			● MEIERS			● VANDER VORST		
● BENEDICT			● HOFFNER			● MELBY			● VIG		
● BERG			● HOLMANN			● WERTENS			● WAGNER		
● BERGE	●		● HOVE			● WEYER			● WALD		
● BERGER			● JACOBSEN, R.			● MURPHY			● WALSH		
● BJORNSON			● JACOBSON, I.			● MUSHK			● WEBER		
● BLACK			● KELLY			● NICHOLAS			● WENTZ		
● BOYUM			● KENNELLY			● OLSON			● WESSMAN		
● BROKAW			● KERMOITT			● OPEDAHL			● WINKJER		
● CHRISTENSEN			● KINGSBURY			● PELTIER					
● CONMY			● KLOUBEC			● PETERSON			● MR. SPEAKER		
● CRABTREE	●		● KNUDSON			● POMEROY					
● DICK			● KOSKI			● REED					
● DIETZ			● KRITSCHMAR			● RETZER					
● DOTZENROD			● KUCHERA			● RICHARD					
● DUBORD			● LANG			● RICHE					
● EAGLES			● LANGLEY			● RIEHL	●				
● ERICKSON			● LARDY	●		● RUED					
● FLEMING			● LARSON, F. #24			● SCHINDLER					
● FREBORG	●		● LARSON, G. #29			● SCOFIELD					
● GACKLE			● LARSON, H. #7			● SOLBERG					
● GERL			● LEE	●		● STENEHJEM					
● GORDER			● LEIBHAN			● STRINDEN					
● GUNDERSON			● LIPSIEA			● SWONTEK					
● GUNSCHE			● MAXNER			● THOMPSON					
● HANSON			● MARSDEN			● THORSGAARD					
● HAUGLAND			● MARTIN			● THM					
● HAUSAUER, A. #48			● MARTINSON			● TINJUM					
● HAUSAUER, R. #25			● MATHENY			● TWETEN					
● HEDSTROM											

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that Senate Bill No. 2452 be placed on the calendar



immediately following Senate Bill no. 2384, which motion prevailed.

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1025

House Bill No. 1095

House Bill No. 1242

House Bill No. 1252

House Bill No. 1559

House Bill No. 1657

House Bill No. 1669

House Concurrent Resolution No. 3093

The Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1025

House Bill No. 1095

House Bill No. 1242

House Bill No. 1252

House Bill No. 1559

House Bill No. 1657

House Bill No. 1669

House Concurrent Resolution No. 3093

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1306

House Bill No. 1475

The Speaker signed the same in the presence of the House of Representatives.

**MESSAGES TO THE SENATE**

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1306

House Bill No. 1475

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House respectfully requests the return of Senate Bill No. 2385.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1199:

Senator Goodman

Senator Farrington

Senator Redlin

House Concurrent Resolution No. 3071:

Senator Peterson

Senator Nelson  
Senator Dotzenrod

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2455, 2484, and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2455, 2484.

Senate Bill No. 2455:  
Senator Farrington  
Senator Goodman  
Senator Redlin

Senate Bill No. 2484:  
Senator Farrington  
Senator Goodman  
Senator Redlin

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
House Bill No. 1306  
House Bill No. 1475  
Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1306

H. B. No. 1475

were delivered to the { Governor  
Secretary of State for his approval at the hour of  
9:30 o'clock a.m., March 23, 1979

Rep. Wayne Stenehjem Chairman  
"100% NORTH DAKOTA PRODUCTS"

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 1624, House Concurrent Resolution No. 3001, House Concurrent Resolution No. 3059, House Concurrent Resolution No. 3072, and subsequently passed the same, but refused to concur in the Senate amendment to House Bill No. 1056, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1056.

House Bill No. 1056:  
Rep. Knudson  
Rep. Schindler  
Rep. Tinjum

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following on

which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2110  
Senate Bill No. 2113  
Senate Bill No. 2432

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

House Bill No. 1042  
House Bill No. 1217  
House Bill No. 1222  
House Bill No. 1507

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
Senate Bill No. 2385 as requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return to you Senate Bill No. 2385 which the House has amended by dividing the question as shown by the attached motion, with the Divisions B, C, and D passing the House and Division A failing to pass, and thereafter the House voted on Senate Bill No. 2385 excluding Division A but including Divisions B, C, and D, and was passed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1360

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1360

On page 1, of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to the North Dakota Century Code, relating to prohibiting discrimination in employment practices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE  
OF NORTH DAKOTA:

SECTION 1.) A new section to the North Dakota Century Code is hereby created and enacted to read as follows:

DECLARATION OF POLICY.) It is the policy of North Dakota to prohibit discrimination because of race, color, religion, sex, or national origin in all employment practices including hiring, firing, promotion, compensation and other terms, privileges and conditions of employment. This policy will be enforced by the department of labor."

And renumber the lines and pages accordingly

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the House has refus-

ed to concur in the Senate amendments to House Bill Nos. 1004, 1005, 1010, 1024, 1027, 1033, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill Nos. 1004, 1005, 1010, 1024, 1027, 1033.

House Bill No. 1004:

Rep. R. Hausauer

Rep. Peterson

Rep. Opedahl

House Bill No. 1005:

Rep. R. Hausauer

Rep. Peterson

Rep. Opedahl

House Bill No. 1010:

Rep. Marsden

Rep. Christensen

Rep. Fleming

House Bill No. 1024:

Rep. Peterson

Rep. R. Hausauer

Rep. Opedahl

House Bill No. 1027:

Rep. F. Larson

R. Jacobsen

Rep. Fleming

House Bill No. 1033:

Rep. R. Hausauer

Rep. Thorsgard

Rep. Mertens

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1489

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1025

House Bill No. 1095

House Bill No. 1242

House Bill No. 1252

House Bill No. 1559

House Bill No. 1657

House Bill No. 1669

House Concurrent Resolution No. 3093

Which the President has signed.

LEO LEIDHOLM, Secretary

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2487

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:  
House Bill No. 1044

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1044

On page 1, line 21 of the engrossed bill, delete the word "and" and also delete the period and insert in lieu thereof the following: "; and to provide an effective date."

On page 3, line 20 of the engrossed bill, delete the word "forty-eight" and insert in lieu thereof the word "ninety-six"

On page 3, line 20 of the engrossed bill, delete the word "forty-eight" and insert in lieu thereof the word "ninety-six" and also delete the following: ", exclusive of weekends"

On page 3, line 21 of the engrossed bill, delete the following: "and holidays"

On page 6 of the engrossed bill, delete all of lines 8 through 18

On page 6 of the engrossed bill, after line 27, insert the following:  
"4. Designated exits shall permit prompt evacuation of inmates and jail staff in an emergency."

On page 16 of the engrossed bill, after line 7, insert the following new section:  
"SECTION 31. EFFECTIVE DATE.) The provisions of this Act shall become effective July 1, 1980."

And renumber the lines, sections and pages accordingly

## AMENDMENT TO HOUSE BILL 1044

On page 3, line 20 of the amended engrossed bill, delete the words "ninety-six" and insert in lieu thereof the word "ninety"

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1044

On page 3 of the engrossed bill, line 10, delete the word "law"

On page 3 of the engrossed bill, line 11, delete "enforcement council" and insert in lieu thereof the words "attorney general"

On page 6 of the engrossed bill, line 2, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"

On page 6 of the engrossed bill, line 5, delete the words "director of the law enforcement council" and insert in lieu thereof the words "attorney general", and delete the word "law"

On page 6 of the engrossed bill, line 6, delete the words "enforcement council" and insert in lieu thereof the words "attorney general"

On page 10 of the engrossed bill, line 27, delete the word "law"

On page 10 of the engrossed bill, line 28, delete the words "enforcement council" and insert in lieu thereof the words "attorney general"

- On page 11 of the engrossed bill, line 25, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 1, delete the words "law enforcement"
- On page 12 of the engrossed bill, line 2, delete the word "council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 5, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 9, delete the word "council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 14, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 17, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 22, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 23, delete the word "council" and insert in lieu thereof the words "attorney general"
- On page 12 of the engrossed bill, line 29, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 13 of the engrossed bill, line 5, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 13 of the engrossed bill, line 21, delete the words "law enforcement"
- On page 13 of the engrossed bill, line 22, delete the words "council's" and insert in lieu thereof the words "attorney general's"
- On page 13 of the engrossed bill, line 35, delete the words "law enforcement council" and insert in lieu thereof the words "attorney general"
- On page 14 of the engrossed bill, line 11, delete the word "law"
- On page 14 of the engrossed bill, line 12, delete the words "enforcement council" and insert in lieu thereof the words "attorney general"
- On page 14 of the engrossed bill, line 13, delete the word "law"
- On page 14 of the engrossed bill, line 14, delete the words "enforcement council" and insert in lieu thereof the words "attorney general"
- And renumber the lines accordingly

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2384.** — A Bill for an Act to provide a new subsection to section 15-38.1-14 of the North Dakota Century Code, pertaining to executive sessions under the Teachers' Representation and Negotiation Act.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 49; absent and not voting, 4.







Rep. Gackle  
Rep. Riehl

MOTION

Rep. Haugland moved that the House not concur on Senate amendments to House Bill No. 1360, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1360:

Rep. Martinson  
Rep. Stenehjem  
Rep. Meiers

MOTIONS

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1011, which motion prevailed.

Rep. Strinden moved that the House stand recessed for one hour, which motion prevailed.

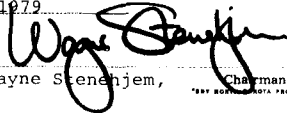
The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

- House Bill No. 1025
- House Bill No. 1095
- House Bill No. 1242
- House Bill No. 1252
- House Bill No. 1559
- House Bill No. 1657
- House Bill No. 1669

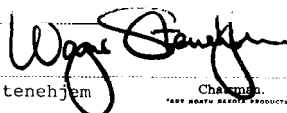
were delivered to the } Governor  
Secretary of State for his approval at the hour of  
11:15 o'clock .AM., March 23, 1979

  
Rep. Wayne Stenehjem, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3093

was delivered to the } Governor  
Secretary of State for his approval at the hour of  
11:20 o'clock A.M., March 23, 1979

  
Rep. Stenehjem, Chairman.

## MESSAGES FROM THE SENATE

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2023

Senate Bill No. 2137

Senate Bill No. 2237

Senate Bill No. 2391

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1215

House Bill No. 1639

LEO LEIDHOLM, Secretary

## AMENDMENT TO HOUSE BILL 1215

On page 11, line 6, delete the words "The maximum limit per  
wager"

On page 11, line 7, delete the words "shall be five dollars."

And renumber the lines accordingly

on page 1 of the engrossed bill, line 4, after the word "jars,"  
insert the word "and" and after the word "punchboards"  
delete the comma and the word "paddle wheel,"

on page 1 of the engrossed bill, line 5, delete the words  
"twenty-one, and sports pools"

on page 5 of the engrossed bill, line 29, after the word  
"organization" insert a semi-colon and the words  
"; however, none of the net proceeds may be used for  
capital improvements or the purchase of furnishings"

on page 5 of the engrossed bill, line 29, after the period,  
insert the following "For purposes of this section,  
a capital improvement is defined as the construction,  
renovation, remodeling or repair of a building which  
tends to enhance its value, beauty or utility or to  
adapt it for further purposes. For purposes of this  
section, a furnishing is defined as furniture, draperies,  
or equipment."

on page 7 of the engrossed bill, delete all of lines 27  
through 34

on page 8 of the engrossed bill, delete all of lines 1 through 20

on page 9 of the engrossed bill, line 24, delete the words  
"one year" and insert in lieu thereof the words  
"three months"

- on page 9 of the engrossed bill, line 26, delete the comma and the words ", other than"
- on page 9 of the engrossed bill, delete all of line 27
- on page 9 of the engrossed bill, line 28, delete the words "own use,"
- on page 9 of the engrossed bill, line 29, delete the words "one year" and insert in lieu thereof the words "three months"
- on page 10 of the engrossed bill, line 16, after the second comma, insert the word "and" and delete the comma and the words "paddle wheel, twenty--"
- on page 10 of the engrossed bill, line 17, delete the words "one, and sports pools for professional sports only"
- on page 10 of the engrossed bill, line 20, after the word "punchboards" delete the comma and the words "paddle wheel, and"
- on page 10 of the engrossed bill, line 21, delete the words "sport pools for professional sports only"
- on page 10 of the engrossed bill, delete all of lines 22 and 23
- on page 10 of the engrossed bill, delete all of lines 31 through 34
- on page 11 of the engrossed bill, delete all of lines 1 through 30
- on page 13 of the engrossed bill, line 15, delete the word "before" and insert in lieu thereof the words "on a quarterly basis"
- on page 13 of the engrossed bill, line 16, delete the words "April first of each year for the preceding calendar year"
- on page 14 of the engrossed bill, line 18, delete the words "or retailer"
- on page 15 of the engrossed bill, line 19, delete the word "may" and insert in lieu thereof the word "shall"
- on page 15 of the engrossed bill, line 20, after the word "to" insert the following words "but not limited to"
- on page 15 of the engrossed bill, line 32, after "Act;" insert the following "to define capital improvements and furnishings;"
- and renumber the lines, sections and pages accordingly

## AMENDMENTS TO HOUSE BILL NO. 1639

- Page 1, line 9, of the engrossed bill after the word "plan," delete the words "shall receive a" and insert in lieu thereof the words "who is receiving \$9,200 base pay annually or less shall receive a permanent increase of fifty dollars per month"
- Page 1, of the engrossed bill, delete line 10
- Page 1, line 11, of the engrossed bill delete the word "month"
- And renumber the lines and pages accordingly.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2003
- Senate Bill No. 2253
- Senate Bill No. 2310
- Senate Bill No. 2405
- Senate Bill No. 2452

ROY GILBREATH, Chief Clerk  
MOTIONS

Rep. Peterson moved that the House do concur in the Senate amendments to House Bill No. 1009.

Rep. Strinden moved that action on House Bill No. 1009 be delayed, which motion prevailed.

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1048, which motion prevailed.

Rep. Winkjer moved that the House not concur on Senate amendments to House Bill No. 1215, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The Speaker announced the appointment of the following conference committee on House Bill No. 1215:

- Rep. Kretschmar
- Rep. Stenehjem
- Rep. Dotzenrod

MOTIONS

Rep. Winkjer moved that the House do concur in the Senate amendments to House Bill No. 1044, which motion prevailed.

REPORT OF STANDING COMMITTEE

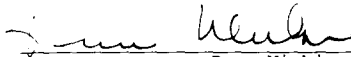
Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate Concurrent Resolution

No. 4070, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

- do pass.       do not pass.       be placed on calendar without recommendation.



Chairman

Rep. Winkjer

Senate Concurrent Resolution No. 4070 was placed on the 14th order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2150.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide an exemption for coal used for space heating purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 42; absent and not voting, 5.



RECOGNITION

Speaker Wagner announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Robert Wells, and Rep. Wells was thereupon introduced to the House.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1019 has had the same under consideration and recommends:

The Senate recede from their amendments.

For the Senate: Sen. Fritzell (Refused to sign), Sen. Olin, Sen. Erdman. For the House: Rep. Tweten, Rep. Jacobson, Rep. Mertens. Rep. Tweten moved that the report be adopted, which motion prevailed.

MOTION

Rep. A. Hausauer moved that the Conference Committee on House Bill No. 1302 be placed at the foot of the Seventh Order of Business, which motion prevailed.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1519 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1519 be amended as follows:

On page 2 of the engrossed bill, delete all of lines 21 and 22 And renumber the lines, pages and subsections accordingly

For the Senate: Sen. Reiten, Sen. Mutch, Sen. Kfauter. For the House: Rep. Kloubec, Rep. Peltier (Refused to sign.), Rep. Langley. Rep. Kloubec moved that the report be adopted, which motion prevailed.

House Bill No. 1519 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1628 has had the same under consideration and recommends:

That the Senate recede from its amendments and that HB 1628 be amended as follows:

On page 1, line 18 after the word "fee" delete the word "in" and insert in lieu thereof the following: "of not less than ten dollars nor more than"

On page 1, line 19 delete the following: "the amount of"

On page 2, strike all of line 7

On page 3, line 3 after the word "sunrise" insert the following: ", and every farm tractor upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise,"

On page 3, line 6 after the words "distance of" strike the words "five hundred" and insert in lieu thereof the words "one thousand"

And renumber the lines and pages accordingly

For the Senate	For the House
 Sen. Jones	 Rep. Rued
 Sen. Brown	 Rep. Anderson
 Sen. Dotzenrod	 Rep. Richard

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1628 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2110 has had the same under consideration and recommends:

That the House recede from its amendments and SB 2110 be amended as follows:

On page 1, line 3, following the word "to", insert the following: "participate with subsidiary corporations, to"

On page 1, line 4, following the word "paper" insert the following: ", and to increase maximum loan value of farmland from one-half to sixty-five percent"

On page 1, line 10, delete the word "Centurty" and insert in lieu thereof the word "Century"

On page 1, line 22, after the first comma, insert the following: "subsidiary corporations of state banking associations approved by the state banking board pursuant to section 6-03-38,"

On page 2, line 25, delete the word "one-half" and insert in lieu thereof the words "sixty-five percent of"

And renumber the lines, pages and sections accordingly

For the Senate

For the House

Senator Mitch  
Senator Lodoen  
Senator Orange  
Rep. Vandervorst

Rep. Vandervorst  
Rep. Ward  
Rep. Langley

moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2110 was placed on the Sixth

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2113 has had the same under consideration and recommends:

Mr. President: Your conference committee to whom was referred Senate Bill No. 2113 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 2113 be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for responsibility of inpatient and outpatient care to persons afflicted or suspected of being afflicted with tuberculosis; to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to biennial reports and assistant superintendent at the San Haven state hospital; to amend and reenact subsection 5 of section 25-01-01 and sections 25-04-01 and 25-04-03 of the North Dakota Century Code, concerning the Grafton state school, and the San Haven state hospital and the powers and duties of the assistant superintendent; to repeal subsection 6 of section 25-01-01 and chapter 25-05 of the North Dakota Century Code, relating to the state sanatorium and to the care of tubercular persons.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION OF LEGISLATIVE INTENT.) It is hereby declared that it is the intent of the legislative assembly, as follows: It is the policy of the state of North Dakota to treat persons having tuberculosis in a communicable and contagious stage as dangerous to the health and welfare of the citizens of the state. It is also the policy of the state to declare that all cases of tuberculosis in a communicable or contagious stage should be treated in a licensed hospital, or at home if such home treatment is approved by the state health officer under the guidelines of the state health council. To this end, it is declared that isolation provisions to achieve treatment of such communicable or contagious tuberculous persons should be accomplished to the fullest extent regardless of such person's ability to pay. It is further declared that such persons with communicable or contagious tuberculosis shall be given full opportunity to enter treatment voluntarily. In order to prevent effectively the spread of this disease it is necessary that the state:



## JOURNAL OF THE HOUSE

1. Further the discovery, care, supervision and treatment of persons having tuberculosis in a communicable or contagious stage.
2. Encourage the use of all available public and private facilities to that end.
3. Regard this tuberculosis program as one of public health and one to be dealt with according to public health requirements rather than those of indigency.

SECTION 2. CARE AND TREATMENT OF TUBERCULOSIS PATIENTS OR SUSPECTS PROVIDED WITHOUT CHARGE BY STATE.) Care and treatment provided by the state of North Dakota for persons suffering from tuberculosis, including diagnosis, tests, studies, and analyses for the discovery of tuberculosis shall be available without cost or charge to anyone who is suffering from tuberculosis or is suspected of having tuberculosis. Any such person who volunteers to assume and pay for the cost of such care and treatment or for the cost of such diagnosis, test, studies or analyses shall be permitted to do so; but no state, county or other public official shall request or require such payment or make or cause to be made any inquiry or investigation for the purpose of determining the ability of such person or of his legally responsible relatives to pay therefor. This section shall in no way bar freedom of the individual to seek treatment from a physician or in an institution of his choice at his own expense.

SECTION 3. STATE HAS PRIOR CLAIM ON PATIENT BENEFITS.) Notwithstanding any provision in this chapter contained, the state of North Dakota shall have prior claim on benefits accruing to patients for care and treatment of tuberculosis including diagnosis, tests, studies, and analyses under entitlement by the federal government, medical or hospital insurance contracts, workmen's compensation or the medical care and disability provisions of programs under the supervision of the social service board of North Dakota.

SECTION 4. STATE HEALTH OFFICER - DESIGNEE - RESPONSIBILITY.) The state health officer or his designee, under the guidelines of the state health council, is responsible for the inpatient and outpatient care of persons afflicted or suspected of being afflicted with tuberculosis. If the state health officer determines that suspected or actual tuberculous patients may be adequately cared for on an inpatient basis by contract basis with general hospitals, authority for contracting with such hospitals is granted to the state health officer. In addition, the state health officer is authorized to establish and maintain the necessary outpatient clinics for diagnostic workup and evaluation on all suspected or actual tuberculous patients in the state. The state health officer shall pay the contract fee to general hospitals and provide funds to the outpatient evaluation clinics from funds to be appropriated for this purpose by the legislative assembly. The state's claim on patient benefits as provided in section 3 shall apply insofar as applicable to tuberculous patients in general hospitals and for services rendered in outpatient clinics. The state health officer or his designee, under the guidelines of the state health council, shall have the power to:

1. Do any act necessary and proper in the performance of the functions imposed upon the state health officer by the provisions of this chapter.
2. Issue orders and compel obedience thereto.

3. Administer oaths.

SECTION 5. REPORT, CUSTODY, OF PERSONS.) Upon report to, or receipt of information by the state health officer or any physician in the state that any person is afflicted with tuberculosis and, as a source of infection endangers other persons, such report shall be made to the state health officer. Upon receipt of such information by the state health officer it shall be investigated and, if convinced that an active case of infectious tuberculosis endangering other persons exists, the state health officer shall request such person voluntarily to seek appropriate care and treatment. If such person refuses to accept voluntary care and treatment, the state health officer, under the guidelines of the state health council, is authorized to issue an order for care and treatment as is determined by the state health officer. If the state health officer's order is ignored, the state health officer, under the guidelines of the state health council, may issue an order to be served by the sheriff or any constable of the county where the alleged tubercular person resides to compel the attendance of the alleged tubercular person and may provide for suitable housing and care of such person until the alleged tubercular person is further investigated. The state health officer or his designee, under the guidelines of the state health council, shall hear all relevant testimony for or against the order and the examination and hearing on the order shall be in the presence of the alleged tubercular person. Any citizen of this state and any relative of the alleged tubercular person may appeal and resist the order and the parties may be represented by counsel.

SECTION 6. PHYSICIAN'S EXAMINATION - FINDINGS - ORDER.) The state health officer, under the guidelines of the state health council, may appoint a practicing physician to make a personal examination of the alleged tubercular person and to make such thorough investigation of his condition as will enable the state health officer to determine whether or not such person has active, infectious tuberculosis and is dangerous to the public health. As soon as practical after the return of the physician's statement to the state health officer, the state health officer shall conclude his investigation and make his determination. If the state health officer finds that the alleged tubercular person does not have active, infectious tuberculosis and is not dangerous to public health he shall make an order dismissing the case. If the state health officer, under the guidelines of the state health council, finds that the person does have active, infectious tuberculosis and is dangerous to public health he shall issue his order which shall:

1. State his findings that such person does have active, infectious tuberculosis and is dangerous to public health; and shall
2. Authorize the medical facility specified in the order to receive and keep such person in its facility for necessary and appropriate care, treatment, quarantine, and isolation.

SECTION 7. SHERIFF'S EXECUTION OF STATE HEALTH OFFICER'S ORDER.) The order of the state health officer, in duplicate, together with the findings of the physician and the findings of the state health officer shall be delivered to the sheriff who shall execute the same by conveying the person named therein to the medical facility specified in the order and delivering him together with the findings of the physician and the state health officer's findings and the duplicate of the order to the person in charge of such medical facility. The person in charge, over his official signature, shall

acknowledge the delivery on the original order and the sheriff shall return the order to the state health officer. Return to the state health officer may be by certified mail. The sheriff shall be allowed reasonable travel expenses, paid by the county, in the same manner and at the same rate as the expenses of other county officials are paid.

SECTION 8. APPEAL TO DISTRICT COURT - HABEAS CORPUS - HEARING.) An appeal from an order of the state health officer authorizing a specified medical facility to receive a person in his custody for care, treatment, quarantine and isolation may be taken to the district court of the county in the manner provided in chapter 28-32. In such a proceeding, the state's attorney of the county wherein the appeal is taken, without additional compensation, shall represent the state health officer. The clerk of court of the county in which the appeal is taken shall notify the state's attorney of the filing of such appeal. All persons placed in the custody of the state health officer under the provisions of this chapter for care, treatment, quarantine and isolation shall be entitled to the benefit of the writ of habeas corpus and a determination as to whether a person in such custody has active, infectious tuberculosis and is dangerous to public health shall be made at the hearing. If the court shall decide that the person does have active, infectious tuberculosis and is dangerous to public health, such decision shall not preclude a subsequent application for a writ or the issuing of a writ upon a subsequent application, if it shall be alleged that such person shall have been restored to health.

SECTION 9. DISCHARGE - RELEASE.) All orders of the state health officer authorizing the reception and retention in custody for care, treatment, quarantine and isolation of persons having active and infectious tuberculosis endangering public health shall be effective only during the continuation of such condition and any person who is cured shall be discharged immediately from custody. Such discharge shall be made by the state health officer or his designee, under the guidelines of the state health council. The person in charge of a medical facility may also release any person admitted to the medical facility under the provisions of this chapter at such times and under such conditions as deemed advisable after consultation with the state health officer or his designee.

SECTION 10. LIABILITY OF OFFICERS.) The order of the state health officer authorizing the admission of any person to the custody of a medical facility and the reception and detention of such person at such medical facility as a patient, accompanied by the state health officer's findings as provided in this chapter shall protect the state health officer or his designee and the other personnel of the medical facility from all liability, civil or criminal, on account of the reception and detention of such person therein. Such detention, however, shall be in accordance with the laws and bylaws regulating the management of the medical facility.

SECTION 11. EXCEPTION - QUARANTINE.) Any person who shall observe quarantine regulations as established by the state health officer, under the guidelines of the state health council, shall not be subject to confinement under the provisions of this chapter.

SECTION 12. TUBERCULAR INDIAN JURISDICTION.) Nothing in this chapter shall require the admission of an enrolled Indian, resident on any reservation in this state, to any off-reservation institution except upon written request and authorization of the superintendent of the reservation on which said Indian is enrolled.

However, in the public interest and with the objective of eradication of tuberculosis in the state of North Dakota, an Indian with active infectious tuberculosis off any reservation shall be subject to this chapter. It shall be the responsibility of the Indian Affairs Commission pursuant to the commission's powers and duties, stated in section 54-36-03, to work closely with the tribal councils and other reservation officials to adopt any agreements found necessary in assisting the state health officer in carrying out his responsibilities under this chapter so that all residents of this state will benefit, and eradication of tuberculosis in North Dakota can be achieved.

SECTION 13. CARE OF TUBERCULAR PATIENTS - ACCEPTANCE OF FEDERAL FUNDS - GENERAL HOSPITAL.) The state health officer, or his designee, under the guidelines of the state health council, is hereby authorized to contract with public or private agencies for the care of tubercular patients. The state health officer is hereby authorized to accept any federal funds or to enter into any federal programs on behalf of tubercular patients in North Dakota. The state health officer may, under the guidelines of the state health council, also utilize general hospitals in the placement of recalcitrant tuberculous patients.

SECTION 14.) A new section to chapter 25-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

BIENNIAL REPORT - ASSISTANT SUPERINTENDENT.) The assistant superintendent of San Haven shall submit to the superintendent a biennial report including the number and type of resident being served and the conditions and needs of the institution and any other information which the director of institutions may require. The superintendent upon his review of the report will submit it to the director of institutions who shall include it in his required biennial report. The director may authorize the printing of copies of the separate report of such institution not exceeding one thousand in number. The charges for the printing of such separate copies shall be paid in the same manner as payment is made for printing reports of the various departments of the state.

SECTION 15. AMENDMENT.) Subsection 5 of section 25-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. "State school" shall mean the Grafton state school and ~~such portion of the state institution at San Haven that is designated for the care of the mentally deficient~~ San Haven.

SECTION 16. AMENDMENT.) Section 25-04-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-04-01. STATE SCHOOL - MAINTAINED - NAME.) An institution for the mentally deficient shall be maintained at or near the city of Grafton in the county of Walsh. Such institution shall be known and designated as Grafton state school. There shall be maintained near Dunseith, in the county of Rolette, a division of the Grafton state school which shall be known as San Haven.

SECTION 17. AMENDMENT.) Section 25-04-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-04-03. QUALIFICATIONS OF SUPERINTENDENT.) The superintendent of Grafton state school shall be a skilled

administrator with professional training and experience relating to the needs of the mentally retarded. The superintendent shall designate a qualified and duly licensed physician as chief of medical staff and such chief of staff shall have the power, with advice and consent of the superintendent, to employ and discharge additional physicians, nurses, and professional assistants and shall be responsible for defining their qualifications and duties. All other employees shall be appointed and removed by the superintendent or a personnel director to be named by him. The salaries of all employees shall be fixed by the director within the limits of the legislative appropriations made for such purpose. The superintendent of the Grafton state school shall also serve as the superintendent of San Haven. The superintendent shall appoint an assistant superintendent who shall be the chief administrative officer of San Haven. The superintendent shall designate a qualified and duly licensed physician as chief of medical staff who will with the advice and consent of the superintendent employ the necessary physicians. All other employees shall be appointed by the assistant superintendent with the advice and consent of the superintendent. The assistant superintendent shall make certain that records on each resident be maintained as required by the director of institutions and the superintendent. The assistant superintendent, with the advice and consent of the superintendent and the director of institutions, shall determine the salaries of all employees at San Haven within the limits of legislative appropriations.

SECTION 18. REPEAL.) Subsection 6 of section 25-01-01 and chapter 25-05 of the North Dakota Century Code are hereby repealed.

And renumber the lines and pages accordingly

For the Senate	For the House
<i>Roer</i> _____ Senator Roer	<i>Kermott</i> _____ Representative Kermott
<i>Albers</i> _____ Senator Albers	<i>Herman</i> _____ Representative Herman
<i>Wagner</i> _____ Senator Wagner	<i>Brokaw</i> _____ Representative Brokaw
Representative Kermott	moved that the report be adopted, which motion

failed.

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2432 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2432 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the word "twenty-four" and insert in lieu thereof the word "twenty-seven"

And renumber the lines and pages accordingly

For the Senate

For the House

Shirley W. Lee  
Senator Lee  
Shirley Wright  
Senator Wright  
Barth  
Senator Barth  
Rep. Matheny

Gordon Matheny  
Rep. Matheny  
Ken  
Rep. Kennedy  
Richard  
Rep. Richard

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2432 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red House Bill No. 1493 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that HB 1493 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the strike through over the semicolon and after the semicolon insert the following: "however, if the commission promulgates regulations for the sale of water, the regulations shall apply only to those waters which the commission has itself appropriated and reserved by the construction, operation, and control of works undertaken by the commission, and which has made available to water users; and the extent of the charges for water use authorized by those regulations shall be limited to the costs of making those waters available through storage and delivery works"

And renumber the lines and pages accordingly

For the Senate

For the House

Sen. Jacobson  
Sen. Roen  
Sen. Krauter  
Rep. Schindler

Rep. Schindler  
Rep. Kermott  
Rep. Berg

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

House Bill No. 1493 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red House Bill No. 1302 has had the same under

consideration and recommends:

That the House accede to the Senate amendments.

For the Senate

For the House

Sen. Goodman  
Sen. Shablow  
Sen. Wright  
Representative Hausauer

Rep. A. Hausauer  
Rep. Timm  
Rep. Weber

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

House Bill No. 1302 was placed on the 6th order of business on the calendar for the succeeding legislative day.

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of your Committee on Natural Resources to whom was referred Senate Bill No. 2486, has had the same under consideration and recommends that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 1 of the engrossed bill, line 15 delete "the advise and" On page 1 of the engrossed bill, line 1 after "61-02-04" insert ",61-02-07" And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Rep. Kloubec Rep. Schindler O. Schindler Rep. Murphy Jack Murphy Rep. Vig E. Vig Rep. Crabtree J. Crabtree Rep. Wessman Rep. Hausauer Rep. Winkjer Rep. Kermott M. Kermott Rep. Kloubec Chairman

DIVIDED REPORT OF STANDING COMMITTEE

Mr. Speaker: A Minority of your Committee on Natural Resources to whom was referred Senate Bill No. 2486, has had the same under consideration and recommends that the same

- do pass. do not pass. be placed on calendar without recommendation. be amended as follows:

On page 1 of the engrossed bill, line 12 delete "SENATE" and insert in lieu thereof "HOUSE" On page 1 of the engrossed bill, line 1 after "61-02-04" insert "61-02-07" On page 1 of the engrossed bill, line 15 delete "the advise and" On page 1 of the engrossed bill, line 16 delete "senate" and insert in lieu thereof "house"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Gordon Berg Rep. Berg





## JOURNAL OF THE HOUSE

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2023  
Senate Bill No. 2137  
Senate Bill No. 2237  
Senate Bill No. 2391  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
Senate Bill No. 2439 as requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:  
Senate Bill No. 2439

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1001

HB NO. 1003

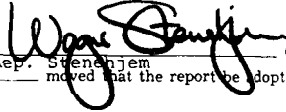
HB NO. 1036

HB NO. 1404

and find the same correctly

} Enrolled

Representative Meyer  
motion prevailed, and the report was adopted.

  
Rep. Stenjem Chairman  
moved that the report be adopted, which

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:  
House Bill No. 1001  
House Bill No. 1003  
House Bill No. 1036  
House Bill No. 1404  
And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1001  
House Bill No. 1003  
House Bill No. 1036  
House Bill No. 1404  
Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on:

House Bill No. 1056:

Senator Nelson  
Senator Sandness  
Senator Dotzenrod

House Bill No. 1360:

Senator Christensen  
Senator Cussions  
Senator Miller

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bills Nos. 1192, 1291, 1487 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

## REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker:

The committee on Enrollment and Engrossment respectfully reports that:

House Bills Nos. 1192, 1291 and 1487 which have failed to pass the House of Representatives over the Governor's veto also a copy of the Governor's objections as well as the certificate of the presiding officers of the House of Representatives as to the final action of that body with reference to the passage of these bills.

were delivered to the ~~Governor~~ Secretary of State ~~at the hour of~~

3:00 o'clock P.M., March 23, 1979

Rep. Stenehjem

Chairman.

"BET BOTTLE & BOTA PRODUCTS"

## MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on:

House Bill No. 1004:

Senator Lips  
Senator Olin  
Senator Erdman

House Bill No. 1005:

Senator Lips  
Senator Thane  
Senator Erdman

**House Bill No. 1010:**

Senator Melland  
 Senator Fritzell  
 Senator Walsh

**House Bill No. 1024:**

Senator Thane  
 Senator Naaden  
 Senator Walsh

**House Bill No. 1027:**

Senator Smykowski  
 Senator Vosper  
 Senator Walsh

**House Bill No. 1033:**

Senator Strinden  
 Senator Naaden  
 Senator Tallackson

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 2040, 2099, 2227, 2269, 2313, 2316, 2379, 2404, 2410, 2411, 2415, 2418, 2461, and subsequently passed the same, but refused to concur in the House amendment to Senate Bills Nos. 2002, 2026, 2027, 2038, 2039, 2430, 2438.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bills Nos. 2002, 2026, 2027, 2038, 2039, 2430, 2438.

**Senate Bill No. 2002:**

Senator Lips  
 Senator Melland  
 Senator Tallackson

**Senate Bill No. 2026:**

Senator Thane  
 Senator Naaden  
 Senator Walsh

**Senate Bill No. 2027:**

Senator Naaden  
 Senator Vosper  
 Senator Erdman

**Senate Bill No. 2038:**

Senator Lips  
 Senator Olin  
 Senator Tallackson

**Senate Bill No. 2039:**

Senator Strinden  
 Senator Thane  
 Senator Erdman

**Senate Bill No. 2430:**

Senator Holmberg  
 Senator Reiten  
 Senator Shablow

**Senate Bill No. 2438:**

Senator Tennefos  
 Senator Solberg  
 Senator Lashkowitz

LEO LEIDHOLM, Secretary

## MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 1019.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2280  
Senate Bill No. 2485

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2423  
Senate Bill No. 2443  
Senate Bill No. 2480

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on:

House Bill No. 1215:  
Senator Sands  
Senator Holmberg  
Senator Lashkowitz

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bills Nos. 2367, 2450.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bills Nos. 2367, 2450.

Senate Bill No. 2367:  
Senator Albers  
Senator Cussons  
Senator Rait  
Senate Bill No. 2450:  
Senator Cussons  
Senator Roen  
Senator Rait

LEO LEIDHOLM, Secretary

## APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner announced the appointment of the following conference committees:

Senate Bill No. 2367:  
Rep. Melby  
Rep. Gorder  
Rep. Hanson  
Senate Bill No. 2430:  
Rep. Kretschmar  
Rep. Conmy  
Rep. Kelly  
Senate Bill No. 2450:  
Rep. Hanson  
Rep. Peterson  
Rep. Fleming

## MOTION

Rep. Strinden moved that the Conference Committee on Senate Bill No. 2113 be dissolved, and a new conference committee be appointed, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of the following to a conference committee on Senate Bill No. 2113:

Rep. Kermott  
Rep. Herman  
Rep. Brokaw

## APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2438:

Rep. Erickson  
Rep. Timm  
Rep. Koski

## MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on Senate Bill No. 2113.

And the Speaker has appointed as a new conference committee on: Senate Bill No. 2113:

Rep. Kermott  
Rep. Herman  
Rep. Brokaw

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2043:

Rep. Richie  
Rep. Leibhan  
Rep. Meyer

Senate Bill No. 2430:

Rep. Kretschmar  
Rep. Conmy  
Rep. Kelly

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2367:

Rep. Melby  
Rep. Gorder  
Rep. Hanson

Senate Bill No. 2438:

Rep. Erickson  
Rep. Timm  
Rep. Koski

Senate Bill No. 2450:

Rep. Hanson  
Rep. Peterson  
Rep. Fleming

ROY GILBREATH, Chief Clerk

## MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1385

LEO LEIDHOLM, Secretary

## AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1385

On page 1 of the engrossed bill, line 1, after the word "to" insert the following: "provide a state matching program for county and city senior citizen programs and activities; to"

On page 1 of the engrossed bill, line 4, after the semicolon insert the following: "providing an appropriation;"

On page 1 of the engrossed bill, after line 6, insert the following section:

"SECTION 1. STATE MATCHING PROGRAM FOR SENIOR CITIZEN PROGRAMS AND ACTIVITIES.) The social service board shall match funds levied by counties and cities for senior citizen programs and activities operated pursuant to the provisions of section 57-15-56. The grants shall be made on or before March first of each year and shall be equal to the amount levied for the previous taxable year by each county or city within the limitations of legislative appropriations."

On page 5 of the engrossed bill, after line 4, insert the following section:

"SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000.00, or so much thereof as may be necessary, to the social service board for the purpose of making matching grants to counties and cities for senior citizen programs and activities as provided in section 1 of this Act for the biennium beginning July 1, 1979, and ending June 30, 1981. If the moneys appropriated in this Act are not sufficient to make grants as provided in section 1, the available funds shall be prorated in the same proportion as such funds would have been had the appropriation been sufficient."

On page 5 of the engrossed bill, line 5, after the word "of" insert the words "section 2 of"

And renumber the lines, sections, and pages accordingly

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Mutch to replace Senator Strand on Senate Conference Committee on Senate Bill No. 2249; Senator Cussons to replace Senator Strand on Senate Conference Committee on Senate Bill No. 2297.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Smykowski to replace Senator Thane on Senate Conference Committee on Senate Bill No. 2011.

LEO LEIDHOLM, Secretary

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House stand adjourned until 9:00 a.m., Monday, March 26, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FIFTY-EIGHTH DAY

Bismarck, March 26, 1979

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

The prayer was offered by Rev. Stanley Sticka, Corpus Christi Church, Bismarck, North Dakota.

The roll was called, and all members were present except Reps. Kingsbury, Lee, Leibhan, Peterson, Thorsgard and Tinjum.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-seventh Day

and recommends that the same be corrected as follows:

On page 2069, line 25, following the numeral "1033" insert:

"Reps. R. Hausauer, Thorsgard and Mertens."

And when so corrected recommends that the same be approved.

Handwritten signature of Rep. Swiontek, Chairman

Rep. Reed moved that the report be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. R. Hausauer moved that the amendments to House Bill No. 1006 as recommended by the Conference Committee as printed on pages 1421, 1422, and 1423 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1302 as recommended by the Conference Committee as printed on pages 1846 and 1847 of the Senate Journal be adopted, which motion prevailed.

Rep. Schindler moved that the amendments to House Bill No. 1493 as recommended by the Conference Committee as printed on page 2093 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1519 as recommended by the Conference Committee as printed on page 2085 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1628 as

recommended by the Conference Committee as printed on pages 2085 and 2086 of the House Journal be adopted, which motion prevailed.

Rep. Vander Vorst moved that the amendments to Senate Bill No. 2110 as recommended by the Conference Committee as printed on pages 2086 and 2087 of the House Journal be adopted, which motion prevailed.

Rep. Matheny moved that the amendments to Senate Bill No. 2432 as recommended by the Conference Committee as printed on page 2092 of the House Journal be adopted, which motion prevailed.

### MESSAGES FROM THE SENATE

#### Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1001

House Bill No. 1003

House Bill No. 1036

House Bill No. 1404

Which the President has signed.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2018

Senate Bill No. 2037

Senate Bill No. 2046

Senate Bill No. 2109

Senate Bill No. 2254

Senate Bill No. 2284

Senate Bill No. 2364

Senate Bill No. 2413

Senate Bill No. 2483

Senate Concurrent Resolution No. 4005

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4030

Senate Concurrent Resolution No. 4033

Senate Concurrent Resolution No. 4050

Senate Concurrent Resolution No. 4056

Senate Concurrent Resolution No. 4061

Senate Concurrent Resolution No. 4062

Senate Concurrent Resolution No. 4063

Senate Concurrent Resolution No. 4076

Senate Concurrent Resolution No. 4078

Senate Concurrent Resolution No. 4080

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2310, 2405.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2310, 2405.

Senate Bill No. 2310:

Senator Olin

Senator Hanson

Senator Tallackson



Senate Bill No. 2405:  
Senator Albers  
Senator Iszler  
Senator Barth

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Concurrent Resolution No. 4029, and subsequently passed the same, but refused to concur in the House amendment to Senate Bills Nos. 2056, 2057, 2058, 2460, 2463.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bills Nos. 2056, 2057, 2058, 2460, 2463.

Senate Bill No. 2056:  
Senator Sandness  
Senator Nelson  
Senator Berube

Senate Bill No. 2057:  
Senator Sandness  
Senator Nelson  
Senator Berube

Senate Bill No. 2058:  
Senator Sandness  
Senator Nelson  
Senator Berube

Senate Bill No. 2460:  
Senator Melland  
Senator Hanson  
Senator Erdman

Senate Bill No. 2463:  
Senator Solberg  
Senator Peterson  
Senator Dotzenrod

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2084  
Senate Bill No. 2249

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Thane to replace Senator Olin on the Senate Conference Committee on House Bill No. 1004.

And the President has appointed as a new conference committee on:

Senate Bill No. 2113:  
Senator Roen  
Senator Albers  
Senator Hoffner

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1384  
House Bill No. 1399  
House Bill No. 1447  
House Bill No. 1605

House Bill No. 1614  
 House Bill No. 1631  
 House Bill No. 1694  
 House Bill No. 1695  
 House Concurrent Resolution No. 3090  
 House Concurrent Resolution No. 3092  
 House Concurrent Resolution No. 3094  
 House Concurrent Resolution No. 3095  
 House Concurrent Resolution No. 3096

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1565

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE BILL NO. 1565

On page 2, line 28 of the engrossed bill, delete the word "RETIRED"

On page 2, line 30 of the engrossed bill, delete the numerals "1981" and insert in lieu thereof the numerals "1980"

On page 2, line 33 of the engrossed bill, delete the hyphen and the word "-annuitant"

On page 4, line 3 of the engrossed bill, after the period add the following new language: "The election authorized in Section 2 shall not be available once the appropriation authorized in this section has been expended."

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1413

House Bill No. 1465

House Bill No. 1496

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Winkjer moved that the House reconsider its action whereby House Bill No. 1067 passed, which motion prevailed.

Rep. Winkjer moved that the House reconsider the action whereby the House concurred in the Senate amendments to House Bill No. 1067, which motion prevailed.

Rep. Winkjer moved that the House not concur on the Senate amendments to House Bill No. 1067, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following conference committee on House Bill No. 1067:

Rep. Winkjer

Rep. Richie

Rep. Lardy

MOTION

Rep. Peterson moved that the House not concur on Senate amendments to House Bill No. 1009, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.



● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE ●	● KLOUBEC	● PETERSON	● MR SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD ●	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING ●	● LARDY ●	● RUED	
● FREBRG ●	● LARSON F # 24	● SCHINDLER	
● GACKLE ●	● LARSON G # 26	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER ●	● LEE ●	● STENEHEJEM	
● GUNDERSON	● LEIBHAN ●	● STRINDEN	
● GUNSON ●	● LIPSIE	● SWINTEK	
● HANSON	● MAXNER	● THOMPSON	●
● HAUSLAND	● MARSDEN ●	● THORSgard	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM ●	
● HEDSTROM	● MATHENY	● TWETEN ●	

So the bill passed and the title was agreed to.

MOTIONS

Rep. Martinson moved that the House reconsider its action whereby it did not concur in the Senate Amendments to House Bill No. 1360, and that the House do concur in the Senate amendments to House Bill No. 1360, and that the Conference Committee on House Bill No. 1360 be dissolved, which motion prevailed.

Rep. Strinden moved that the House request the return of House Concurrent Resolution No. 3005 from the Office of the Secretary of State, which motion prevailed.

Rep. Knudson moved that the House reconsider its action whereby it did not concur in the Senate amendments to House Bill No. 1199, and that the House do concur in the Senate amendments to House Bill No. 1199, and that the Conference Committee on House Bill No. 1199 be dissolved, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner announced the appointment of the following conference committees:

On Senate Bill No. 2310:

- Rep. R. Hausauer
- Rep. Peterson
- Rep. Opedahl

Senate Bill No. 2405:

- Rep. Nicholas
- Rep. Vander Vorst
- Rep. Meyer

SECOND READING OF HOUSE BILLS

**House Bill No. 1011.** Social Service Board — A Bill for an Act making an appropriation for defraying the expenses of the social service board of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
● BACKES			● HERMAN			● MATTONSON			● UNHEJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER			● WALD		
● BJORNSON			● JACOBSEN R			● MURPHY ●			● WALSH		
● BLACK			● JACOBSON I			● MUSHIK			● WEBER		
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		

● CHRISTENSEN	● KERMOFF	● OPEDAHL	● WINKLER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON F # 24	● SCHINDLER	
● GACKLE	● LARSON G # 20	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LIPSICA	● SWONTEK	
● HANSON	● MAUXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER A # 49	● MARTIN	● TIMM	
● HAUSAUER R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1221 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1221.** — A Bill for an Act to appropriate moneys to the North Dakota parks and recreation department for the acquisition of the cross ranch and other land for designation as the veterans memorial state park, describing the park and authorizing its purchase or lease, and providing a contract review committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 34; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		●	MATTSON		●	UNHJEM	
●			HICKLE	●		●	MEERS		●	VANDER VORST	●
●			●	HOFFNER		●	MELBY	●	●	WIG	
●		●	MOUMANN	●		●	MERTENS		●	WAGNER	
●			HOVE	●		●	MEYER		●	WALD	
●			JACOBSEN R	●		●	MURPHY	●	●	WALSH	
●			●	JACOBSON I		●	MUSHIK		●	WEBER	
●		●	KELLY	●		●	NICHOLAS	●	●	WENTZ	
●			●	KENNELLY		●	OLSON	●	●	WESSMAN	
●			●	KERMOTT		●	OPEDAHL		●	WINKLER	●
●			●	KINGSBURY	●	●	PELTIER				
●		●	●	KLOUBEC		●	PETERSON		●	MR. SPEAKER	
●		●	●	KNUDSON	●	●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER	●			
●			●	KUCHERA		●	RICHARD				
●			●	LANG	●	●	RICHIE				
●		●	●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON F # 24	●	●	SCHINDLER	●			
●		●	●	LARSON G # 20		●	SCOFIELD	●			
●			●	LARSON H # 7	●	●	SOLBERG				
●			●	LEE	●	●	STENEHJEM				
●			●	LEIBMAN	●	●	STRINDEN				
●		●	●	LIPSICA		●	SWONTEK				
●			●	MAUXNER	●	●	THOMPSON				
●			●	MARSDEN	●	●	THORSGARD				
●			●	MARTIN	●	●	TIMM				
●			●	MARTINSON		●	TINJUM	●			
●			●	MATHENY		●	TWETEN	●			

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEES

Speaker Wagner announced the appointment of the following conference committees:

Senate Bill No. 2056:

- Rep. G. Larson
- Rep. Olson

Rep. Hoffner  
 Senate Bill No. 2057:  
 Rep. G. Larson  
 Rep. Olson  
 Rep. Hoffner  
 Senate Bill No. 2058:  
 Rep. G. Larson  
 Rep. Olson  
 Rep. Hoffner  
 Senate Bill No. 2463:  
 Rep. Erickson  
 Rep. Olson  
 Rep. Meyer

#### ANNOUNCEMENT

Speaker Wagner announced that Reps. Richie, Leibhan and Meyer be replaced by Reps. Christensen, R. Hausauer and Mertens on Senate Bill No. 2043.

#### MOTION

Rep. Strinden moved that the House stand recessed for one hour, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

#### MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2310:  
 Rep. R. Hausauer  
 Rep. Peterson  
 Rep. Opedahl  
 Senate Bill No. 2405:  
 Rep. Nicholas  
 Rep. Vander Vorst  
 Rep. Meyer

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1009.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1009.

House Bill No. 1009:  
 Rep. Kingsbury  
 Rep. R. Jacobsen  
 Rep. Opedahl

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2002:  
 Rep. Marsden  
 Rep. Freborg  
 Rep. Mushik  
 Senate Bill No. 2026:  
 Rep. R. Hausauer  
 Rep. Tweten  
 Rep. Mertens

Senate Bill No. 2027:  
 Rep. Peterson  
 Rep. R. Jacobsen  
 Rep. Solberg  
 Senate Bill No. 2038:  
 Rep. Unhjem  
 Rep. Kuchera  
 Rep. Mushik  
 Senate Bill No. 2039:  
 Rep. Freborg  
 Rep. Gunsch  
 Rep. Fleming

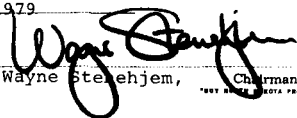
ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- House Bill No. 1001
- House Bill No. 1003
- House Bill No. 1036
- House Bill No. 1404

was delivered to the } Governor } for his approval at the hour of  
~~Secretary of State~~  
10:10 o'clock A.M., March 26, 1979

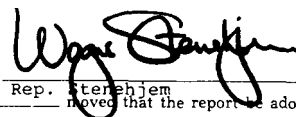
  
 Rep. Wayne Steehjem, Chairman  
\*\*\* BAKER'S COPY PRODUCTS \*\*\*

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1042
- HB NO. 1217
- HB NO. 1222
- HB NO. 1507
- HB NO. 1624
- HCR NO. 3001
- HCR NO. 3059
- HCR NO. 3072

and find the same correctly } Enrolled

Representative Lipsiea  Chairman  
 Rep. Steehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

## MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1007, 1011, 1221, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on:

Senate Bill No. 2056:

Rep. G. Larson

Rep. Olson

Rep. Hoffner

Senate Bill No. 2057:

Rep. G. Larson

Rep. Olson

Rep. Hoffner

Senate Bill No. 2058:

Rep. G. Larson

Rep. Olson

Rep. Hoffner

Senate Bill No. 2463:

Rep. Erickson

Rep. Olson

Rep. Meyer

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2018

Senate Bill No. 2037

Senate Bill No. 2046

Senate Bill No. 2109

Senate Bill No. 2254

Senate Bill No. 2284

Senate Bill No. 2364

Senate Bill No. 2413

Senate Bill No. 2483

Senate Concurrent Resolution No. 4005

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4030

Senate Concurrent Resolution No. 4033

Senate Concurrent Resolution No. 4050

Senate Concurrent Resolution No. 4056

Senate Concurrent Resolution No. 4061

Senate Concurrent Resolution No. 4062

Senate Concurrent Resolution No. 4063

Senate Concurrent Resolution No. 4076

Senate Concurrent Resolution No. 4078

Senate Concurrent Resolution No. 4080

and the Speaker signed the same in the presence of the House of Representatives.

## MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:



Senate Bill No. 2018  
Senate Bill No. 2037  
Senate Bill No. 2046  
Senate Bill No. 2109  
Senate Bill No. 2254  
Senate Bill No. 2284  
Senate Bill No. 2364  
Senate Bill No. 2413  
Senate Bill No. 2483  
Senate Concurrent Resolution No. 4005  
Senate Concurrent Resolution No. 4006  
Senate Concurrent Resolution No. 4021  
Senate Concurrent Resolution No. 4030  
Senate Concurrent Resolution No. 4033  
Senate Concurrent Resolution No. 4050  
Senate Concurrent Resolution No. 4056  
Senate Concurrent Resolution No. 4061  
Senate Concurrent Resolution No. 4062  
Senate Concurrent Resolution No. 4063  
Senate Concurrent Resolution No. 4076  
Senate Concurrent Resolution No. 4078  
Senate Concurrent Resolution No. 4080  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SECRETARY OF STATE

Mr. Secretary of State:

I have the honor to inform you that the House requests the return of House Concurrent Resolution No. 3005.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has reconsidered its action whereby it passed House Bill No. 1067 and concurring in the Senate amendments thereto, and subsequently did not concur in the Senate amendments, and appointed as a conference committee to act with a like committee from the Senate:

Rep. Winkjer  
Rep. Richie  
Rep. Lardy

And, Mr. President, the following have been substituted for the Conference Committee previously appointed on Senate Bill No. 2043:

Rep. Christensen  
Rep. R. Hausauer  
Rep. Mertens

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1042  
House Bill No. 1217  
House Bill No. 1222  
House Bill No. 1507  
House Bill No. 1624  
House Concurrent Resolution No. 3001  
House Concurrent Resolution No. 3059  
House Concurrent Resolution No. 3072

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1042

House Bill No. 1217

House Bill No. 1222

House Bill No. 1507

House Bill No. 1624

House Concurrent Resolution No. 3001

House Concurrent Resolution No. 3059

House Concurrent Resolution No. 3072

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
CONSIDERATION OF PETITIONS AND COMMUNICATIONS  
State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 23, 1979, I signed House Bill 1130.

Sincerely yours,  
ARTHUR A. LINK  
Governor

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1138, known as the "election reform" bill, revises the election laws of North Dakota.

There are good features contained in this bill. House Bill 1138 places the responsibility for the conduct of elections squarely in the hands of the Secretary of State and charges him and county auditors with responsibility for developing training manuals and providing training for all members of election boards. Our present laws do not have clear-cut placement of responsibility for the conduct of elections and are weak in the area of training. Another step toward election reform in the bill is the increased compensation for election day workers.

However, I cannot give my support of this bill, which, taken as a whole, has lost its status as an election reform bill. To reform means to improve. This bill changes existing law, but not for the better.

As one who has watched the progress of this lengthy bill through committees, I am aware of a proposed section of the bill that did constitute true reform, the "Minnesota Ballot" provision. The Minnesota Ballot has been eliminated from the bill; a ballot form which would have given no

particular advantage to either political party. Instead, the proponents of this bill have submitted a proposal for rotating party columns, a ballot reform that the Democratic Party has advocated for years. But this so-called reform is not sincere, for the provision does not become effective until 1981, after the next general election. This postponed effective date for rotating party columns is so obviously politically motivated as to be ludicrous.

In my last two State of the State Messages to the Legislative Assembly, I spelled out my recommendation for true election reform:

"(1) Insure the right to vote by absentee ballot to every person who will not have the opportunity to vote on election day so that no confusion exists as to the validity of such absentee ballots and votes."

"(2) Restructuring party columns in both voting machines and paper ballots and apportioning voting machines according to population.

"(3) Requiring qualified election officials who are given adequate compensation, proper instruction and easily understood election manuals to have specific duties in assisting voters at the polls.

"(4) Creating an independent advisory commission on elections that would attempt to establish standards of uniformity for the election process."

The Legislature has not seen fit to implement these protections of the right to vote, with the exception of improving the remuneration and training of election officials. Instead, they have passed House Bill 1138, which will tend to disenfranchise voters.

It is my firm conviction that election reform should make it easier for a person to vote. There is, in effect, a form of voter registration contained in House Bill 1138. The county auditors would be required to return completed poll books to the precincts. Essentially, if the voter's name did not appear in the poll books from previous elections, he or she could be required to sign an affidavit. This requirement is unduly restrictive.

The affidavit which the voter must sign uses intimidating language such as "under penalty of criminal prosecution". Several unsuccessful attempts were made to amend this threatening language out of the bill. Similar intimidating language is used in the application for absent voters ballots. We may disenfranchise voters who would resist this affidavit approach.

Under present law, North Dakota citizens may register at the polls on the day of the election. This is a simple procedure that our voters are familiar and comfortable with.

An effort was also made in committee to amend the bill to allow voters to use the paper ballot if they choose to do so. Many of our elderly citizens resist going to the polls because they are not at ease with the electronic voting machines. The paper ballot option would speed up the voting process when there are long lines at the polls and it is nearing closing time. As it is now, some voters become discouraged and leave. Again, the process does not accommodate the voter.

The use of an agent in securing absent voters ballots is not a part of this bill. Present law provides for the use of agents, a provision which is considered an important aid in assisting people who would not otherwise be able to vote. Attempts were made to amend this agency method into the bill and they were rejected. I contend we will again disenfranchise voters.

The recount procedures set forth in House Bill No. 1138 are confusing and could place the handling of a recount entirely in the hands of elected officials representing one political viewpoint. Under present law, a district judge presides over the recount process and is charged by law

with ruling on all challenged ballots. House Bill 1138 places these functions in the hands of the county auditor, the states attorney, the clerk of district court, and the chairman of the board of county commissioners. Since the present recount procedure has worked well in the past, I see no reason for this change in the law.

Proponents of this bill made the argument that we must "tighten up" our election laws to eliminate fraud. There has been no evidence of fraud in recent elections in this state. Rather, problems we have encountered in recent elections have been the result of errors of election officials. I strongly object to the provisions of this bill which continue the practice of disenfranchising voters if the election officials fail to properly stamp and initial ballots.

Because I believe this legislation will make it more difficult for North Dakota citizens to vote rather than easier, I veto House Bill 1138.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Kretschmar moved that House Bill No. 1138 be placed on the calendar for the purpose of its reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Kretschmar moved that House Bill No. 1138 be placed at the foot of the calendar, which motion prevailed.

#### Report of Conference Committees

Mr. Speaker \_\_\_\_\_: Your Conference Committee to whom was referred House \_\_\_\_\_ Bill No. 1198 \_\_\_\_\_ has had the same under

consideration and recommends:

That the Senate recede from its amendments and that HB 1198 be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for the award of damages for harm caused by activities associated with the exploration for, the development, and production of oil and gas.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE FINDINGS.) The legislative assembly finds the following:

1. It is necessary to exercise the police power of the state to protect the public welfare of North Dakota which is largely dependent on agriculture, and to protect the economic well-being of individuals engaged in agricultural production.
2. Exploration for and development of oil and gas reserves in this state interferes with the use, agricultural or otherwise, of the surface of certain land.
3. Owners of the surface estate and other persons should be justly compensated for injury to their persons or property and interference with the use of their property occasioned by oil and gas development.

SECTION 2. PURPOSE AND INTERPRETATION.) It is the purpose of this Act to provide the maximum amount of constitutionally permissible protection to surface owners and other persons from the undesirable effects of development of minerals. This Act is to be interpreted in light of the legislative intent expressed herein. Sections 4 and 5 of this Act shall be interpreted to benefit surface owners, regardless of whether the mineral estate was separated from the surface estate and regardless of who executed the document which gave the mineral developer the right to conduct drilling operations on the land. Sections 6 through 10 of this Act shall be interpreted to benefit all persons.

SECTION 3. DEFINITIONS.) In this Act, unless the context or subject matter otherwise requires:

1. "Agricultural production" means the production of any growing grass or crop attached to the surface of the land, whether or not the grass or crop is to be sold commercially, and the production of any farm animals, whether or not the animals are to be sold commercially.
2. "Drilling operations" means the exploration for or drilling of an oil and gas well which requires entry upon the surface estate and was commenced subsequent to June 30, 1979, and the production operations ensuing therefrom.
3. "Mineral developer" means the person who acquires the mineral estate or lease for the purpose of extracting or using the minerals for nonagricultural purposes.
4. "Mineral estate" means an estate in or ownership of all or part of the minerals underlying a specified tract of land.
5. "Minerals" means oil and gas.
6. "Surface estate" means an estate in or ownership of the surface of a particular tract of land.
7. "Surface owner" means the person who has possession of the surface of the land either as an owner or as a tenant.

SECTION 4. SURFACE DAMAGE AND DISRUPTION PAYMENTS.) The mineral developer shall pay the surface owner a sum of money equal to the amount of damages sustained by the surface owner for loss of agricultural production and income, lost land value, and lost value of improvements caused by drilling operations. The amount of damages may be determined by any formula mutually agreeable between the surface owner and the mineral developer. When determining damages, consideration shall be given to the period of time during which the loss occurs and the surface owner may elect to be paid damages in annual installments over a period of time; except that the surface owner shall be compensated for harm caused by exploration only by a single sum payment. The payments contemplated by this section shall only cover land directly affected by drilling operations. Payments under this section are intended to compensate the actual surface owner for damage and disruption; any reservation or assignment of such compensation apart from the surface estate except to a tenant of the surface estate is prohibited.

SECTION 5. NOTICE OF DRILLING OPERATIONS.) Except for exploration activities governed by chapter 38-08.1, the mineral developer shall give the surface owner written notice of the drilling operations contemplated. This notice shall be given to the record surface owner at his address as shown by the records of the county register of deeds at the time the notice is given. This notice shall sufficiently disclose the plan of work and operations to enable the surface owner to evaluate the effect of drilling operations on the surface owner's use of the property. Included with this notice shall be a form

prepared by the state geologist advising the surface owner of his rights and options under the act.

SECTION 6. OTHER RESPONSIBILITIES OF MINERAL DEVELOPER.) The mineral developer shall be responsible for all damages to person or property, real or personal, resulting from the lack of ordinary care by the mineral developer. The mineral developer shall also be responsible for all damages to person or property, real or personal, resulting from a nuisance caused by drilling operations.

SECTION 7. NOTIFICATION OF INJURY.) Any person, to receive compensation under Sections 8 and 9, shall notify the mineral developer of the damages sustained by the person within two years after the injury occurs or would become apparent to a reasonable man.

SECTION 8. AGREEMENT - OFFER OF SETTLEMENT.) Unless both parties provide otherwise by written agreement, within sixty days after the mineral developer receives notice of damages the mineral developer shall make a written offer of settlement to the person seeking compensation for the damages. The person seeking compensation may accept or reject any offer so made.

SECTION 9. REJECTION - LEGAL ACTION - FEES AND COSTS.) If the person seeking compensation receives a written rejection, rejects the offer of the mineral developer, or receives no reply, that person may bring an action for compensation in the court of proper jurisdiction. If the amount of compensation awarded by the court is greater than that which had been offered by the mineral developer, the court shall award the person seeking compensation reasonable attorney fees and any costs assessed by the court.

SECTION 10. APPLICATION OF ACT.) The remedies provided by this Act shall not preclude any person from seeking other remedies allowed by law. This act does not apply to the operation, maintenance, or use of a motor vehicle upon the highways of this state as these terms are defined in section 39-01-01.

And renumber the lines and pages accordingly.

For the Senate	For the House
Sen. Lee <u>S. Lee</u>	Rep. Murphy <u>Murphy</u>
Sen. Redlin <u>Redlin</u>	Rep. Maixner <u>Maixner</u>
Sen. Nelson <u>Nelson</u>	Rep. Winkler <u>Winkler</u>
Rep. Murphy <u>Murphy</u>	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1198 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1209 has had the same under consideration and recommends:

That the House accede to the Senate amendments

For the Senate	For the House
Senator Wright <u>Wright</u>	Rep. Nicholas <u>Nicholas</u>
Senator Alder <u>Alder</u>	Rep. Lipsiea <u>Lipsiea</u>
Senator Doerfer <u>Doerfer</u>	Rep. Meyer <u>Meyer</u>
Rep. Nicholas	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1209 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1645 has had the same under consideration and recommends:

That the Senate recede from its amendments and that HB 1645 be amended as follows:

On page 1, line 1, delete the words and numerals "sections 57-54-14 and" and insert in lieu thereof the word and numerals "section 39-24-03"

On page 1, line 2, delete the numerals "57-54-19"

On page 1, delete line 3

On page 1, line 4, delete the words "state snowmobile fund" and insert in lieu thereof the words "fees for snowmobile registration and assessment of a snowmobile trail tax"

On page 1, line 7, delete the numerals "57-54-14" and insert in lieu thereof the numerals "39-24-03" and after the word "the" insert the words and numerals "1977 Supplement to the"

On page 1, delete lines 10 through 21 and insert in lieu thereof the following:

"39-24-03. REGISTRATION - APPLICATION - ISSUANCE - FEES - RENEWAL.) Application for registration shall be made to the registrar in such a form as the registrar shall prescribe and furnish, and shall state the name and address of every owner of the snowmobile and be signed by at least one owner. A copy of such the application shall serve as evidence of registration for a period of not more than thirty days from the date of application. Upon receipt of the application and the appropriate fee as hereinafter provided, such the snowmobile shall be registered and a registration number and a certificate of registration assigned. Such The registration number shall be:

1. At least two inches in height and of a reflectorized material; and
2. Securely affixed on each side of the forward half of the snowmobile in such a position as to provide clear legibility for identification. Such The certificate of registration shall include information regarding the manufacturer, model, year, and serial number, if such the information is available; the address of the owner; and the address of the former owner or the dealer, as the case may be.

The fee for registration of each snowmobile shall be ~~four~~ two dollars for a registration period of two years beginning July first of each biennium. The fee for initial registration of each snowmobile registered on and after July first of the second year of the biennium shall also be ~~four~~ two dollars. The fee for a duplicate or replacement registration number or registration card which shall be lost, mutilated, or shall become illegible shall not exceed two dollars. In addition, in each year that fees are collected for the unsatisfied judgment fund there shall be assessed a fee of one dollar per year for each snowmobile registered, which shall

be placed in the unsatisfied judgment fund. For each snowmobile registered under the provisions of this chapter, there shall be assessed a snowmobile trail tax in the amount of two four dollars.


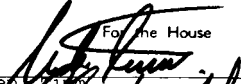
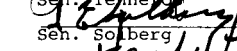
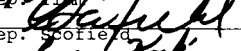
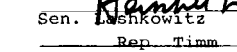
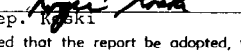
Every owner of a snowmobile shall renew his the registration in such a manner as the registrar shall prescribe, upon payment of the same registration fees provided in this section.

Upon application for registration as prescribed in this section, any snowmobile dealer as defined in section 39-24-01 shall be issued registration numbers distinctively marked as dealer's registration numbers upon payment of the appropriate fee as prescribed in this section. Such The dealer's registration numbers shall be used only on snowmobiles owned by the dealership."

On page 2, delete lines 1 through 15

On page 2, line 19, delete the numerals "320,000.00 and insert in lieu thereof the numerals "120,000.00"

And renumber the lines, sections, and pages accordingly

For the Senate	For the House
	
Sen. Tennessee	Rep. Timm
	
Sen. Solberg	Rep. Scoville
	
Sen. Lashkowitz	Rep. Kiski
Rep. Timm	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1645 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

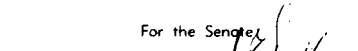
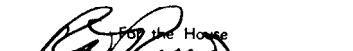
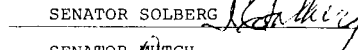
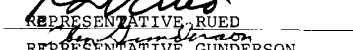
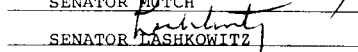
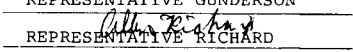
MOTION

Rep. Backes moved that the House delay action of the Conference Committee Report on Senate Bill No. 2084, which motion prevailed.

Report of Conference Committees

Mr. SPEAKER: Your Conference Committee to whom was referred SENATE Bill No. 2249 has had the same under consideration and recommends:

That the House recede from its amendments

For the Senate	For the House
	
SENATOR SOLBERG	REPRESENTATIVE RUED
	
SENATOR HUTCH	REPRESENTATIVE GUNDERSON
	
SENATOR LASHKOWITZ	REPRESENTATIVE RICHARD
Representative Rued	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.



Senate Bill No. 2249 was placed on the Sixth

order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Knudson moved that the House do concur in the Senate amendments to House Bill No. 1565, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate

Bill No. 2487, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 4; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, delete lines 8 through 21 and insert in lieu thereof the following section:

"SECTION 1. TRANSFER.) In the event that the unobligated balance in the general fund of the state as of the close of business on June 30, 1979, exceeds \$148,600,000.00, the Director of the Department of Accounts and Purchases on July 1, 1979, shall direct the State Treasurer to transfer from the general fund to the state capital construction fund the sum of \$10,730,000.00, or so much thereof as may be necessary or the amount by which the unobligated balance in the general fund on the close of business on June 30, 1979, exceeds \$148,600,000.00 whichever is less. In the event that the cash balance in the general fund on June 30, 1980, exceeds \$106,300,000.00, the Director of the Department of Accounts and Purchases on July 1, 1980, shall direct the State Treasurer to transfer from the general fund to the state capital construction fund that amount of funds in excess of \$106,300,000.00, or so much thereof as is necessary, for the projects listed in Section 2 of this Act for which funds were not transferred from the general fund to the capital construction fund on July 1, 1979, or the amount by which the cash balance in the general fund on the close of business on June 30, 1980, exceeds \$106,300,000.00 whichever is less. Such funds shall be expended by the various agencies, departments and institutions for the construction or addition, remodeling and equipping of buildings in accordance with specific appropriations made by the Legislative Assembly in Section 2 of this Act."

On page 2 of the engrossed bill, delete lines 1 through 8.

And renumber the lines, pages and sections accordingly

And when so amended, recommends the same do pass.

[Handwritten signature of James A. Peterson]

Chairman

Rep. James A. Peterson

Senate Bill No. 2487 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Dick moved that the House reconsider its action whereby Senate Bill No. 2384 failed to pass, which motion prevailed on a verification vote.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has ap-

pointed as a conference committee to act with a like committee from the House, on House Bill No. 1009:

Senator Naaden  
 Senator Hanson  
 Senator Erdman

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 2003, 2252, 2253, 2385, 2452, and subsequently passed the same, but refused to concur in the House amendment to Senate Concurrent Resolution No. 4015, and the President has appointed as a conference committee to act with a like committee from the House on Senate Concurrent Resolution No. 4015:

Senate Concurrent Resolution No. 4015:

Senator Holmberg  
 Senator Iszler  
 Senator Lashkowitz

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2007  
 Senate Bill No. 2013  
 Senate Bill No. 2021  
 Senate Bill No. 2028  
 Senate Bill No. 2044

LEO LEIDHOLM, Secretary

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Concurrent Resolution No. 4015:

Rep. Swiontek  
 Rep. Stenehjem  
 Rep. Lardy

#### MOTION

Rep. Strinden moved that the House stand recessed until 2:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

Rep. Strinden moved that the House do not concur in the Senate amendments to House Bill No. 1639, and a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1028.** Highway Patrol — A Bill for an Act making an appropriation for defraying the expenses of the highway patrol and the various divisions thereof of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●			●	HERMAN		●	MATTSON	●	●	UNHJEM
●			●	HICKLE		●	MEIERS		●	VANDER VORST
●			●	HOFFNER		●	MELBY		●	VIG
●			●	HOLMANN		●	MERTENS			WAGNER
●			●	HOVE		●	MEYER			WALD
●			●	JACOBSEN, R		●	MURPHY		●	WALSH
●			●	JACOBSON, I		●	MUSHIK		●	WEBER
●			●	KELLY		●	NICHOLAS	●		WENTZ
●			●	KENNELLY		●	OLSON		●	WESSMAN
●			●	KERMOTT		●	OPEDAHL		●	WINKJER
●			●	KINGSBURY		●	PELTIER			
●			●	KLOUBEC		●	PETERSON		●	MR SPEAKER
●			●	KNUDSON		●	POMEROY			
●			●	KOSKI		●	REED			
●			●	KRETSCHMAR		●	RETZER			
●			●	KUCHERA		●	RICHARD			
●			●	LANG		●	RICHE			
●			●	LANGLEY		●	RIEHL			
●			●	LARDY		●	RUED			
●			●	LARSON, F # 24		●	SCHINDLER			
●			●	LARSON, G # 29		●	SCOFIELD			
●			●	LARSON, H # 7		●	SOLBERG			
●			●	LEE		●	STENEHJEM			
●			●	LEIBHAN		●	STRINDEN			
●			●	LIPSIEA		●	SWIONTEK			
●			●	MAUXNER		●	THOMPSON			
●			●	MARSDEN		●	THORSGARD			
●			●	MARTIN		●	TIMM			
●			●	MARTINSON		●	TINJUM			
●			●	MATHENY		●	TWETEN			

So the bill passed and the title was agreed to.

**House Bill No. 1029.** Highway Department — A Bill for an Act making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 3; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●			●	HERMAN		●	MATTSON	●	●	UNHJEM
●			●	HICKLE		●	MEIERS		●	VANDER VORST
●			●	HOFFNER		●	MELBY		●	VIG
●			●	HOLMANN		●	MERTENS			WAGNER
●			●	HOVE		●	MEYER			WALD
●			●	JACOBSEN, R		●	MURPHY		●	WALSH
●			●	JACOBSON, I		●	MUSHIK		●	WEBER
●			●	KELLY		●	NICHOLAS	●		WENTZ
●			●	KENNELLY		●	OLSON		●	WESSMAN
●			●	KERMOTT		●	OPEDAHL		●	WINKJER
●			●	KINGSBURY		●	PELTIER			
●			●	KLOUBEC		●	PETERSON		●	MR SPEAKER
●			●	KNUDSON		●	POMEROY			
●			●	KOSKI		●	REED			
●			●	KRETSCHMAR		●	RETZER			
●			●	KUCHERA		●	RICHARD			
●			●	LANG		●	RICHE			
●			●	LANGLEY		●	RIEHL			
●			●	LARDY		●	RUED			
●			●	LARSON, F # 24		●	SCHINDLER			
●			●	LARSON, G # 29		●	SCOFIELD			
●			●	LARSON, H # 7		●	SOLBERG			
●			●	LEE		●	STENEHJEM			
●			●	LEIBHAN		●	STRINDEN			
●			●	LIPSIEA		●	SWIONTEK			
●			●	MAUXNER		●	THOMPSON			
●			●	MARSDEN		●	THORSGARD			
●			●	MARTIN		●	TIMM			
●			●	MARTINSON		●	TINJUM			
●			●	MATHENY		●	TWETEN			

So the bill passed and the title was agreed to.

**House Bill No. 1044** — A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to establishing jails, jail contracts, and regional corrections centers; definitions;



ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 9; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUHANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN, R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON, I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBORG		●	LARSON, F # 24		●	SCHINDLER		●			
GACKLE		●	LARSON, G # 29		●	SCOFIELD		●			
GERL		●	LARSON, H # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBHAN		●	STRINDEN		●			
GUNSCH		●	LIPSEA		●	SWIONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSGARD		●			
HAUSAUER A # 49		●	MARTIN		●	TIMM		●			
HAUSAUER R # 25		●	MARTINSON		●	TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill passed and the title was agreed to.

**House Bill No. 1168.** — A Bill for an Act to amend and reenact section 16-01-11.1 of the North Dakota Century Code, relating to the passing of the sufficiency of petitions by the secretary of state.

Which has been read.

Rep. Winkjer moved that the House waive the reading of the title to House Bill No. 1168, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIERS		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUHANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
BJORNSON		●	JACOBSEN, R		●	MURPHY		●	WALSH		●
BLACK		●	JACOBSON, I		●	MUSHIK		●	WEBER		●
BOYUM		●	KELLY		●	NICHOLAS		●	WENTZ		●
BROKAW		●	KENNELLY		●	OLSON		●	WESSMAN		●
CHRISTENSEN		●	KERMOTT		●	OPEDAH		●	WINKJER		●
CONMY		●	KINGSBURY		●	PELTIER		●			
CRABTREE		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
DICK		●	KNUDSON		●	POMEROY		●			
DIETZ		●	KOSKI		●	REED		●			
DOTZENROD		●	KRETSCHMAR		●	RETZER		●			
DUBORD		●	KUCHERA		●	RICHARD		●			
EAGLES		●	LANG		●	RICHE		●			
ERICKSON		●	LANGLEY		●	RIEHL		●			
FLEMING		●	LARDY		●	RUED		●			
FREBORG		●	LARSON, F # 24		●	SCHINDLER		●			
GACKLE		●	LARSON, G # 29		●	SCOFIELD		●			
GERL		●	LARSON, H # 7		●	SOLBERG		●			
GORDER		●	LEE		●	STENEHJEM		●			
GUNDERSON		●	LEIBHAN		●	STRINDEN		●			
GUNSCH		●	LIPSEA		●	SWIONTEK		●			
HANSON		●	MAIXNER		●	THOMPSON		●			
HAUGLAND		●	MARSDEN		●	THORSGARD		●			
HAUSAUER A # 49		●	MARTIN		●	TIMM		●			
HAUSAUER R # 25		●	MARTINSON		●	TINJUM		●			
HEDSTROM		●	MATHENY		●	TWETEN		●			

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1228 be placed at the foot of the calendar, which motion prevailed.

CONSIDERATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
DEPARTMENT OF STATE  
Bismarck

Mr. Roy Gilbreath  
Chief Clerk of the House  
North Dakota House of Representatives  
Capitol Building  
Bismarck, N.D. 58505  
Dear Mr. Gilbreath,

Pursuant to your message to our office on March 26, 1979, our office is returning herewith House Concurrent Resolution No. 3005 this twenty-sixth day of March, 1979.

Sincerely,  
BEN MEIER  
Secretary of State  
By: ROBERT R. SCHAIBLE  
Deputy

MOTION

Rep. Conny moved that the House reconsider its action whereby it adopted the committee report from the Committee on Enrolling and Engrossing on House Concurrent Resolution No. 3005, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Concurrent Resolution No. 3005.

LEO LEIDHOLM, Secretary

MOTION

Rep. Strinden moved that the House accede to the request of the Senate for the return of House Concurrent Resolution No. 3005, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1405.** — A Bill for an Act to authorize the state board of higher education to exchange lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
●			●	HERMAN		●	MATTSON		●	UNHVEN	
●			●	HICKLE		●	MEIERS		●	VANDERVORST	
●			●	HOFFNER		●	MELBY		●	VIG	
●			●	HOUFMAN		●	MERTENS		●	WAGNER	
●			●	HOVE		●	MEYER		●	WALD	
●			●	JACOBSEN, R		●	MURPHY		●	WALSH	
●			●	JACOBSON, I		●	MUSHIK		●	WEBER	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENNELLY		●	OLSON		●	WESSMAN	
●			●	KERMOTT		●	OPEDAH		●	WINKLER	
●			●	KINGSBURY		●	PELTIER				
●			●	KLOUBEC		●	PETERSON				
●			●	KNUDSON		●	POMEROY				MR. SPEAKER
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				

• DuBORD	• KUCHERA	• RICHARD
• EAGLES	• LANG	• RICHE
• ERICKSON	• LANGLEY	• RIEHL
• FLEMING	• LARDY	• RUED
• FREBORG	• LARSON, F. # 24	• SCHINDLER
• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHIEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1581.** — A Bill for an Act to create and enact two new subsections to section 14-02.1-02 of the North Dakota Century Code, relating to definitions in the Abortion Control Act; to create and enact section 14-02.1-13 of the North Dakota Century Code, providing abortion reporting forms; and to amend and reenact subsection 4 of section 14-02.1-02, section 14-02.1-03, subsection 3 of section 14-02.1-04, section 14-02.1-05, section 14-02.1-07, and section 14-02.1-08 of the North Dakota Century Code, relating to definitions in the Abortion Control Act, consent to abortion, limitation on performance of abortion, preserving the life of a viable fetus, recording and reporting the abortion, and protection of infants born alive.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 20; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTSO			• UNHJEM		•
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		•
• BERG			• HOFFNER			• MELBY			• VIG		•
• BERGE			• HOUMANN			• MERTENS			• WAGNER		•
• BERGER	•		• HOVE			• MEYER	•		• WALD		•
• BJORNSON			• JACOBSEN, R.	•		• MURPHY			• WALSH		•
• BLACK	•		• JACOBSON, I.			• MUSHK			• WEBER		•
• BOYLM	•					• NICHOLAS			• WENTZ		•
• BROKAW			• KELLY	•		• OLSON			• WESSMAN		•
• CHRISTENSEN			• KERMOTT	•		• OPEDAHL			• WINKJER		•
• CONNY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK	•		• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DuBORD			• KUCHERA			• RICHARD					
• EAGLES		•	• LANG			• RICHE					
• ERICKSON			• LANGLEY	•		• RIEHL					
• FLEMING			• LARDY			• RUED					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					•
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER		•	• LEE			• STENEHIEM					
• GUNDERSON			• LEIBHAN	•		• STRINDEN					
• GUNSCH			• LIPSIA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM	•				
• HEDSTROM			• MATHENY			• TWETEN					•

So the bill passed and the title was agreed to.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1639:

- Rep. R. Hausauer
- Rep. R. Jacobsen
- Rep. Mertens





● DIETZ	● KOSKI	● REED
● DOTZENROOD	● KRETSCHMAR	● RETZER
● DUBORD	● KUCHERA	● RICHARD ●
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F. # 24	● SCHINDLER
● GACKLE	● LARSON, G. # 28	● SCOFIELD
● GERL	● LARSON, H. # 7	● SOLBERG
● GORDER	● LEE ●	● STENEHJEM
● GUNDERSON	● LEIBHAN ●	● STRINDEN
● GUNTSCH	● LIPSIEA	● SWIONTEK
● HANSON	● MAJNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. # 49	● MARTIN ●	● TIMM
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM ●
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that the House stand recessed until 4:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Concurrent Resolution No. 4015:

Rep. Swiontek  
Rep. Stenehjem  
Rep. Lardy

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1042  
House Bill No. 1217  
House Bill No. 1222  
House Bill No. 1507  
House Bill No. 1624  
House Concurrent Resolution No. 3001  
House Concurrent Resolution No. 3059  
House Concurrent Resolution No. 3072  
Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report and subsequently failed to pass:

Senate Bill No. 2095

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. B. NO. 1042  
H. B. No. 1217  
H. B. No. 1222

H.B. No. 1507

H.B. No. 1624

were delivered to the } Governor  
Secretary of State for his approval at the hour of

2:45 o'clock P.M., March 26, 1979

Wage Stenjem  
Rep. Stenjem Chairman

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return House Concurrent Resolution No. 3005, which the Senate has requested.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3001

H.C.R. No. 3059

H.C.R. No. 3072

were delivered to the } Governor  
Secretary of State for his approval at the hour of

2:53 o'clock P.M., March 26, 1979

Wage Stenjem  
Rep. Stenjem Chairman

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1028, 1029, 1044, 1048, 1168, 1405, 1581, 1588, 1621, and subsequently passed the same, but refused to concur in the Senate amendments to House Bill No. 1639, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1639:

House Bill No. 1639:

Rep. R. Hausauer

Rep. R. Jacobsen

Rep. Mertens

ROY GILBREATH, Chief Clerk

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was refer-

red House Bill No. 1032 has had the same under

consideration and recommends:

The House accede to Senate amendments.

For the Senate

For the House

*Martin*  
 Sen. Naaden  
 Sen. *Smykowski*  
 Sen. *Walsh*  
 Rep. Unhjem

*Michael Unhjem*  
 Rep. Unhjem  
 Rep. *Gunsch*  
 Rep. *Opedahl*

moved that the report be adopted, which motion

prevailed.

House Bill No. 1032 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red House Concurrent Resolution No. 3071 has had the same under

consideration and recommends:

That the Senate recede from its amendments.

For the Senate

For the House

Sen. Goodman  
 Sen. Farrington  
 Sen. Redlin

Rep. Gackle  
 Rep. Murphy  
 Rep. Backes

Representative Gackle moved that the report be adopted, which motion

prevailed.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2007 has had the same under

consideration and recommends:

that the House recede from its amendments, and that engrossed Senate Bill No. 2007 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the words and semicolon "; and declaring an emergency"

On page 1 of the engrossed bill, line 9, delete the numerals "3,503,844" and insert in lieu thereof the numerals "3,547,659"

On page 1 of the engrossed bill, line 18, delete the numerals "201,991" and insert in lieu thereof the numerals "245,806"

On page 1 of the engrossed bill, line 19, delete the numerals "3,503,844" and insert in lieu thereof the numerals "3,547,659"

On page 1 of the engrossed bill, line 21, delete the numerals "2,759,456" and insert in lieu thereof the numerals "2,803,271"

On page 2 of the engrossed bill, after line 7, insert the following section:

"SECTION 3. EMERGENCY.) The line item entitled "land, structures, and major improvements" in section 1 of this Act is hereby declared to be an emergency measure and shall be in effect from and after passage and approval."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Industrial School's land, structures, and major improvements line item is increased by \$43,815 for sewer and water special assessments.

For the Senate

For the House

Senator Thane
Senator Thane
Senator Smykowski
Senator Walsh
Senator Thane

Representative Kingsbury
Representative Opedahl
Representative Jacobsen

Senator Thane moved that the report be adopted, which motion prevailed.

Senate Bill No. 2007 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2013 has had the same under consideration and recommends:

that the Senate accede to the House amendments.

Senator Melland
Senator Strindem
Senator Erdman

Representative Unhjem
Representative Eagles
Representative Opedahl

Rep. Unhjem moved that the report be adopted, which motion prevailed.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2021 has had the same under consideration and recommends:

that the Senate accede to the House amendments.

Senator Strindem
Senator Hanson
Senator Wallackson

Representative Marsden
Representative Christensen
Representative Opedahl

Rep. Marsden moved that the report be adopted, which motion prevailed.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2044 has had the same under consideration and recommends:

that the Senate accede to the House amendments and that the bill be further amended as follows:

On page 1, line 10, delete everything after the word "REQUIRED.);" and delete the remainder of the bill and insert in lieu

thereof the following:

"No state agency, board, commission, department, institution, or other unit of state government which receives any funds appropriated by the legislative assembly may employ any participant in any Public Service Employment programs under the Federal Comprehensive Employment and Training Act of 1973 [Pub. L. 93-203; 87 Stat. 839; 29 U.S.C. 801 et. seq.], as amended, without obtaining the prior approval of the budget section of the Legislative Council. Further, any positions funded as Public Service Employment positions shall remain in effect only for such period of time as may be approved by the budget section."

And renumber the lines accordingly.

For the Senate

For the House

*Miller*  
Senator Meloy

*Rep. Kingsbury*  
Representative Kingsbury

*Strinden*  
Senator Strinden

*Rep. Ralph Christensen*  
Representative Christensen

*Tallackson*  
Senator Tallackson

*Rep. Opedahl*  
Representative Opedahl

Rep. Kingsbury

— moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2044 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

Rep. Kloubec moved that the amendments to Senate Bill No. 2486 as recommended by the Majority of the Committee on Natural Resources as printed on page 2094 of the House Journal be adopted, which motion failed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2486 as recommended by the Minority of the Committee on Natural Resources as printed on page 2094 of the House Journal be adopted.

MOTION

Rep. Backes moved that the amendments of the Minority of the Committee on Senate Bill No. 2486 be laid on the table.

ROLL CALL

The roll was called, and there were ayes, 39; nays, 57; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN	●		MATTSON			UNJEM		●
●			HICKLE	●		MEIERS			VANDER VORST		●
●			HOFFNER			WELBY		●	VG		●
	●		HOLMANN			MERTENS			WAGNER		●
		●	HOYE			MEYER			WALD		●
●			JACOBSEN R			MURPHY		●	WALSH		●
		●	JACOBSON I			MUSHIK			WEBER		●
●			KELLY			NICHOLAS			WENTZ		●
●			KENNELLY			OLSON		●	WESSMAN		●
		●	KERMOTT			OPEDAHL			WINKJER		●
		●	KINGSBURY			PELTIER		●			

CRABTREE	KLOUBEC	PETERSON	MR. SPEAKER
DICK	KNUDSON	POMEROY	
DIETZ	KOSKI	REED	
DOTZENROD	KRETSCHMAR	RETZER	
DUBORD	KUCHERA	RICHARD	
EAGLES	LANG	RICHIE	
ERIKSON	LANGLEY	RIEHL	
FLEMING	LARDY	RUED	
FREBERG	LARSON F # 74	SCHINDLER	
GACKLE	LARSON G # 29	SCOFIELD	
GERL	LARSON H # 7	SOLBERG	
GORDER	LEE	STENEHJEM	
GUNDERSON	LEIBHAN	STRINDEN	
GUNSCH	LIPSIE	SWIONTEK	
HANSON	MAIXNER	THOMPSON	
HAUGLAND	MARSDEN	THORSGARD	
HAUSAUER, A # 49	MARTIN	TIMM	
HAUSAUER, R # 25	MARTINSON	TINJUM	
HEDSTROM	MATHENY	TWETEN	

The motion failed.

The question then was on the adoption of the amendments of the Minority of the Committee on Senate Bill No. 2486, which motion failed.

Senate Bill No. 2486 was placed on the calendar without amendments.

#### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 2028.

LEO LEIDHOLM, Secretary

#### MOTION

Rep. Strinden moved that the House accede to the request of the Senate for the return of Senate Bill No. 2028, which motion prevailed.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 24, 1979, I signed the following House Bills:

House Bill No. 1197  
House Bill No. 1278  
House Bill No. 1319  
House Bill No. 1326  
House Bill No. 1357  
House Bill No. 1362

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTION

Rep. Strinden moved that the rules be suspended, and that Senate Bill No. 2487 be considered on the Sixth Order of Business at this time, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Peterson moved that the amendments to Senate Bill No. 2487 as recommended by the Committee on Appropriations be adopted.

Rep. Lardy moved that the amendments to Senate Bill No. 2487 be laid on the table.

ROLL CALL

The roll was called and there were ayes, 32; nays, 65; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			HERMAN	•		MATTSON		UNHJEM
•			HICKLE	•		MEIERS	•	VANDER VORST
•		•	HOFFNER	•		WELBY	•	VIG
•			HUHMANN	•		WERTENS	•	WAGNER
•			HOVE	•		WEYER	•	WALD
•			JACOBSEN R.	•		WURPHY	•	WALSH
•			JACOBSON I.	•		MUSHIK	•	WEBER
•			KELLY	•		NICHOLAS	•	WENTZ
•			KENNELLY	•		OLSON	•	WESSMAN
•			KINGSBURY	•		OPEDAHL	•	WINKJER
•			KLOUBEC	•		PELTIER	•	
•			KNUDSON	•		PETERSON	•	MR. SPEAKER
•			KOSKI	•		POMEROY	•	
•			KRETSCHMAR	•		REED	•	
•			KUCHERA	•		RETZER	•	
•			LANG	•		RICHARD	•	
•			LANGLEY	•		RICHIE	•	
•			LARDY	•		RIEHL	•	
•			LARSON F. #24	•		RUED	•	
•			LARSON G. #29	•		SCHNDLER	•	
•			LARSON H. #7	•		SCOFIELD	•	
•			LEE	•		SOLBERG	•	
•			LEIBHAN	•		STENEHJEM	•	
•			LIPSIEA	•		STRINDEEN	•	
•			MAIKNER	•		SWINTEK	•	
•			MARSDEN	•		THOMPSON	•	
•			MARTIN	•		THORSGARD	•	
•			MARTINSON	•		TIMM	•	
•			MATHENY	•		TINJUM	•	
•						TWETEN	•	

The motion failed.

The question then was on the adoption of the amendments to Senate Bill No. 2487, which motion prevailed.

Report of Conference Committees

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2084 has had the same under consideration and recommends:

That the House recede from its amendments

For the Senate	For the House
<u>Senator Peterson</u>	<u>Rep. Kermott</u>
<u>Senator Samness</u>	<u>Rep. Melby</u>
<u>Senator Dotzenrod</u>	<u>(Refused to sign)</u>
<u>Representative Kermott</u>	<u>Rep. Pomeroy</u>

Representative Kermott moved that the report be adopted, which motion prevailed.  
Senate Bill No. 2084 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. Speaker : Your Conference Committee to whom was referred House Bill No. 1027 has had the same under consideration and recommends:

The House accede to the Senate amendments.

For the Senate	For the House
<i>James H. Hargrave</i> Sen. Smykowski	<i>Frank Lee</i> Rep. Larson
<i>Frank Wagner</i> Sen. Vosper	<i>Robert Jacobson</i> Rep. Jacobson
<i>Walter H. Hargrave</i> Sen. Walsh	<i>Ray Fleming</i> Rep. Fleming

Rep. Larson moved that the report be adopted, which motion prevailed.

House Bill No. 1027 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2460:

Rep. Marsden  
Rep. Eagles  
Rep. Mushik

#### MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Concurrent Resolution No. 3071  
Senate Bill No. 2013  
Senate Bill No. 2021

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to transmit House Bill No. 1075 which the Senate has passed over the Governor's veto.

The vote on House Bill No. 1075 is; ayes, 39; nays, 10; absent and not voting, 1.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to transmit Senate Bill No. 2151, which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2151 is; ayes 34, nays, 15; absent and not voting, 1.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### MESSAGE TO THE SENATE

Mr. President: I have the honor to return Senate Bill No. 2028, which the Senate has requested.

ROY GILBREATH, Chief Clerk

#### MOTION

Rep. Strinden moved that the rules be suspended, and that any bills acted on by the House which require action by the Senate be messaged to the Senate immediately, which motion prevailed.

#### MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2460:

Rep. Marsden  
Rep. Eagles  
Rep. Mushik

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:



Senate Bill No. 2150

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2417

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2131

Senate Bill No. 2153

Senate Bill No. 2286

Senate Bill No. 2383

Senate Bill No. 2450

House Bill No. 1019

House Bill No. 1409

House Bill No. 1489

LEO LEIDHOLM, Secretary  
MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1639:

Senator Cussons

Senator Albers

Senator Rait

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1046

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1046

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for annual fire inspection of all state institutions and buildings.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. ANNUAL FIRE INSPECTION OF STATE BUILDINGS AND INSTITUTIONS.) An annual fire inspection shall be performed at each state institution and building. The state fire marshal shall annually inspect the state penitentiary, the state farm, the state industrial school, the state hospital, and the San Haven state hospital. The annual inspection of all other state institutions and buildings shall be made by the fire department of the city or fire protection district in which the institution or building is located, at the direction of the officer in charge of the institution or building, who shall prepare a report based upon the findings of the fire inspection. The report, which shall contain specifications of any violations, shall be submitted to the responsible board, agency, or commission and a copy of the report shall be submitted to the state fire marshal.

If the report indicates that any violations can be corrected within the current budget of the responsible board, agency, or commission, action to correct the violations, unless good cause can be demonstrated to the attorney general, shall be initiated within thirty days of receipt of the report by the responsible board, agency, or commission.

For purposes of this section, a "fire inspection" is a procedure performed in accordance with standards set forth in the uniform building code, the code of the building officials and code administrators (BOCA), or the code of the national fire protection association (NFPA)."

And renumber the lines and pages accordingly

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 9:00 a.m., Tuesday, March 27, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

FIFTY-NINTH DAY

Bismarck, March 27, 1979

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

The prayer was offered by Rev. Jeff Mantz, Assembly of God Church, Mandan, North Dakota.

The roll was called, and all members were present except Reps. Dietz, Lee, Richie and Solberg.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-eighth

day and recommends that the same be corrected as follows:

Page 2133, line 38, delete the numeral "38" and insert in lieu thereof "39"

And when so corrected recommends that the same be approved.

*St. J. Smith* Chairman

Rep. Wilontek

Rep. Meiers moved that the report be adopted, which motion prevailed.

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Wayne Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

Senate Bill 2151 would create an interim Legislative Council committee on administrative rules and regulations.

The statutory language in this bill closely parallels that of Senate Bill 2175 which I vetoed in 1975. In 1977, I vetoed another bill, Senate Bill 2475, with almost identical provisions. Three days ago, on March 12, 1979, I vetoed Senate Bill 2083 which would have given an interim Legislative Council committee the authority to review administrative rules and regulations promulgated by executive branch agencies.

The language of section 2 of Senate Bill 2151 setting forth the duties and responsibilities of the proposed Legislative Council committee on administrative rules follows verbatim the language of Senate Bill 2083 on the same subject.

In the three days since I vetoed Senate Bill 2083, I have been provided with no justification for the violation of separation of powers inherent in these proposals.

Therefore, for the reasons stated in my veto message dated March 12, 1979, on Senate Bill 2083, I hereby veto Senate Bill 2151.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Rep. Strinden moved that Senate Bill No. 2151 be placed on the calendar for the purpose of reconsideration as a vetoed measure pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2151 be placed at the foot of the calendar, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. F. Larson moved that the amendments to House Bill No. 1027 as recommended by the Conference Committee as printed on page 1978 of the House Journal be adopted, which motion prevailed.

Rep. Unhjem moved that the amendments to House Bill No. 1032 as recommended by the Conference Committee as printed on pages 1441 and 1442 of the House Journal be adopted, which motion prevailed.

Rep. Murphy moved that the amendments to House Bill No. 1198 as recommended by the Conference Committee as printed on pages 2116, 2117 and 2118 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1209 as recommended by the Conference Committee as printed on pages 1726 and 1727 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1645 as recommended by the Conference Committee as printed on pages 2119 and 2120 of the House Journal be adopted, which motion prevailed.

Rep. Kingsbury moved that the amendments to Senate Bill No. 2007 as recommended by the Conference Committee as printed on pages 2131 and 2132 of the House Journal be adopted, which motion prevailed.

Rep. Kingsbury moved that the amendments to Senate Bill No. 2044 as recommended by the Conference Committee as printed on pages 2132 and 2133 of the House Journal be adopted, which motion prevailed.

Rep. Kermott moved that the amendments to Senate Bill No. 2084 as recommended by the Conference Committee as printed on page 2135 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to Senate Bill No. 2249 as recommended by the Conference Committee as printed on page 2120 of the House Journal be adopted, which motion prevailed.

#### Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1030 has had the same under consideration and recommends:

The Senate recede from their amendments and that the bill be further amended as follows:

On page 1, line 11, delete the numerals "484,222" and insert in lieu thereof the numerals "468,967"

On page 1, line 18, delete the numerals "134,655" and insert in lieu thereof the numerals "119,400"

On page 1, line 20, delete the numerals "484,222" and insert in lieu thereof the numerals "468,967"

On page 1, line 22, delete the numerals "210,596" and insert in lieu thereof the numerals "195,341"

For the Senate	For the House
<i>James Smykowski</i>	<i>Glenn Eagles</i>
Sen. Smykowski	Rep. Eagles
<i>Sen. Hanson</i>	<i>Rep. Thorsgard</i>
Sen. Hanson	Rep. Thorsgard
<i>Sen. Walsh</i>	<i>(Will not sign)</i>
Sen. Walsh	Rep. Fleming

Rep. Eagles moved that the report be adopted, which motion

prevailed.

House Bill No. 1030 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2131 has had the same under

consideration and recommends:

The Senate accede to the House amendments and further amend Senate Bill 2131 as follows:

On page 1, line 17, after the comma, insert the following: "the committee may approve or disapprove the application."

On page 1, line 17, strike-through the word "it" and immediately thereafter insert the following: "Upon approval, the committee"

On page 2, line 7, after the comma, insert the following: "the committee may approve or disapprove the application."

On page 2, line 7, strike-through the word "it" and immediately thereafter insert the following: "Upon approval, the committee"

For the Senate	For the House
<i>Sen. Nelson</i>	<i>Rep. Erickson</i>
Senator Nelson	Rep. Erickson
<i>Sen. Berube</i>	<i>Rep. Schindler</i>
Senator Berube	Rep. Schindler
<i>Sen. Solberg</i>	<i>Rep. Hoffner</i>
Senator Solberg	Rep. Hoffner

Rep. Erickson moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2131 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2153 has had the same under

consideration and recommends:

That the House recede from its amendments and that SB 2153 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the strike-through over the words "~~citizen-of-the-United-States~~" and immediately thereafter insert the following: "and a"

And renumber the lines accordingly

For the Senate	For the House
<u>Senator Lodoen</u>	<u>Rep. Wald</u>
<u>Senator Wenneffs</u>	<u>Rep. Hedstrom</u>
<u>Senator Orange</u>	<u>Rep. Kozl</u>
<u>Rep. Wald</u>	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2153 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

Mr. SPEAKER: Your Conference Committee to whom was referred SENATE Bill No. 2286 has had the same under consideration and recommends: that the House recede from its amendments and that Senate Bill 2286 be amended as follows:

On page 3 of the engrossed bill, line 14, after the comma insert the following: "four dollars; and for renewal of such permit or license,"

And renumber the lines and pages accordingly

For the Senate	For the House
<u>Senator Iszler</u>	<u>Representative Black</u>
<u>Senator Sorum</u>	<u>Representative Wald</u>
<u>Senator Schirado</u>	<u>Representative Kelly</u>
<u>Representative Black</u>	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2286 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2450 has had the same under consideration and recommends:  
That the House recede from its amendments.







● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A. #48	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title agreed to.

**MOTIONS**

Rep. Haugland moved that the House do concur in the Senate amendments to House Bill No. 1046, which motion prevailed.

Rep. Strinden moved that the House stand recessed for one hour, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1199, 1565, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2099

Senate Bill No. 2227

Senate Bill No. 2280

Senate Bill No. 2313

Senate Bill No. 2316

Senate Bill No. 2379

Senate Bill No. 2415

Senate Bill No. 2418

Senate Bill No. 2452

Senate Bill No. 2485

Senate Concurrent Resolution No. 4029

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2439, and the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2439:

Senator Nelson

Senator Peterson

Senator Dotzenrod

LEO LEIDHOLM, Secretary

**PRESENTATION OF PETITIONS AND COMMUNICATIONS**

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 26, 1979, I signed the following House Bills:

- House Bill No. 1025
- House Bill No. 1095
- House Bill No. 1242
- House Bill No. 1559
- House Bill No. 1657
- House Bill No. 1669

House Bill 1252 was signed on March 27, 1979.

Sincerely yours,  
**ARTHUR A. LINK**  
 Governor

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1006.** Vocational Education — A Bill for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota. Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 0; absent and not voting, 16.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNKJEM	
•	BENEDICT		•	HICKLE		•	MEIERS	•		VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUWMANN		•	MERTENS			WAGNER	
•	BERGER		•	HOVE		•	MEYER		•	WALD	
•	BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON, I.		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	
•	BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN	
•	CHRISTENSEN		•	KERMOTT		•	OPEDAH		•	WINKJER	
•	CONMY		•	KINGSBURY		•	PELTIER				
•	CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•	DICK		•	KNUDSON		•	POMEROY				
•	DIETZ		•	KOSKI		•	REED				
•	DOTTENROD		•	KRETZSCHMAR		•	RETZER				
•	DUBORD		•	KUCHERA		•	RICHARD				
•	EAGLES		•	LANG		•	RICHIE	•			
•	ERICKSON		•	LANGLEY	•		RIEHL	•			
•	FLEMING		•	LARDY		•	RUED				
•	FREBOR		•	LARSON, # 24		•	SCHINDLER				
•	GACKLE		•	LARSON, G. # 29		•	SCOFIELD				
•	GERL		•	LARSON, H. # 7		•	SOLBERG				
•	GORDER		•	LEE		•	STENEHJEM				
•	GUNDERSON		•	LEIBMAN	•	•	STRINDEN				
•	GUNSCH		•	LIPSIA		•	SWINTEK				
•	HANSON		•	MAIXNER		•	THOMPSON				
•	HAUGLAND		•	MARSDEN		•	THORSgard				
•	HAUSAUER, A. # 48		•	MARTIN		•	TIMM				
•	HAUSAUER, R. # 25		•	MARTINSON		•	TJUNUM				
•	HEDSTROM		•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to.

**House Bill No. 1302.** — A Bill for an Act to amend and reenact subsection 4 of section 57-02-01 of the North Dakota Century Code, relating to the definition of "true and full value".

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 11; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BACKES		•	HERMAN		•	MATTSON			UNKJEM	•
•	BENEDICT		•	HICKLE		•	MEIERS			VANDER VORST	
•	BERG		•	HOFFNER		•	MELBY		•	VIG	
•	BERGE		•	HOUWMANN		•	MERTENS			WAGNER	
•	BERGER		•	HOVE		•	MEYER	•		WALD	
•	BJORNSON		•	JACOBSEN, R.		•	MURPHY		•	WALSH	
•	BLACK		•	JACOBSON, I.		•	MUSHIK		•	WEBER	
•	BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ	

• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERWOTT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DuBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F. # 24	• SCHINDLER	
• GACKLE	• LARSON, G. # 29	• SCOFIELD	
• GERL	• LARSON, H. # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCHE	• LIPSIA	• SWONTEK	
• HANSON	• MAIXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A. # 49	• MARTIN	• TIMM	
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner appointed the following to a Conference Committee on Senate Bill No. 2439:

- Rep. G. Larson
- Rep. Black
- Rep. I. Jacobson

**MOTION**

Rep. Fleming moved that the House reconsider the action whereby the amendments to House Bill No. 1209 were adopted, which motion failed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1493.** — A Bill for an Act to amend and reenact subsection 2 of section 61-02-14 and section 61-04-06.2 of the North Dakota Century Code, relating to water use fees.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 19; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT		•	• HICKLE			• MEIERS		•	• VANDER VORST		
• BERG			• HOFFNER		•	• MELBY		•	• VIG		
• BERGE			• HOUWMANN		•	• MERTENS		•	• WAGNER		
• BERGSON			• HOVE			• MEYER		•	• WALD		
• BLACK			• JACOBSEN, R.			• MURPHY		•	• WALSH		
• BOYUM			• JACOBSON, I.		•	• MUSHK		•	• WEBER		
• BROKAW		•	• KELLY			• NICHOLAS		•	• WENTZ		
• CHRISTENSEN			• KENNELLY			• OLSON			• WESSMAN		
• CONMY			• KERWOTT			• OPEDAHL			• WINKJER		•
• CRABTREE			• KINGSBURY			• PELTIER					
• DICK			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DIETZ			• KNUDSON			• POMEROY					
• DOTZENROD			• KOSKI		•	• REED					
• DuBORD			• KRETSCHMAR			• RETZER					
• EAGLES			• KUCHERA			• RICHARD					
• ERICKSON			• LANG			• RICHIE					
• FLEMING		•	• LANGLEY		•	• RIEHL		•			
• FREBORG			• LARDY			• RUED					
• GACKLE			• LARSON, F. # 24			• SCHINDLER					
• GERL		•	• LARSON, G. # 29			• SCOFIELD					
• GORDER			• LARSON, H. # 7			• SOLBERG		•			
• GUNDERSON			• LEE			• STENEHJEM					
• GUNSCHE			• LEIBHAN			• STRINDEN					
• HANSON		•	• LIPSIA			• SWONTEK					
• HAUGLAND			• MAIXNER			• THOMPSON					
• HAUSAUER, A. # 49			• MARSDEN			• THORSGARD					
• HAUSAUER, R. # 25			• MARTIN			• TIMM					
• HEDSTROM			• MARTINSON			• TINJUM					
			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

## MOTION

Rep. Strinden moved that the House stand recessed until 1:00 p.m., which motion prevailed.

The House reconvened at 1:00 p.m., pursuant to recess taken, with Acting Speaker Conmy presiding.

## MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2439:

Rep. G. Larson  
Rep. Black  
Rep. I. Jacobson

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1006  
House Bill No. 1302  
House Bill No. 1493

ROY GILBREATH, Chief Clerk

## MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Concurrent Resolution No. 4087  
Senate Concurrent Resolution No. 4088  
Senate Concurrent Resolution No. 4089

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2006  
Senate Bill No. 2012  
Senate Bill No. 2015  
Senate Bill No. 2038

LEO LEIDHOLM, Secretary

## FIRST READING OF SENATE BILLS

**Senate Concurrent Resolution No. 4087.** — A concurrent resolution urging the President and the Congress of the United States to undertake the necessary actions to provide for the reimbursement of the states by the federal government for all costs incurred in implementing new or expanded federal programs.

Which was read the first time and referred to the Committee on State and Federal Government.

**Senate Concurrent Resolution No. 4088.** — A concurrent resolution directing the Legislative Council to study the rights of children in custody and divorce proceedings.

Which was read the first time and referred to the Committee on Judiciary.

**Senate Concurrent Resolution No. 4089.** — A concurrent resolution directing the Legislative Council to study the state's judicial system.

Which was read the first time and referred to the Committee on Judiciary.

## Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was refer-

red House Bill No. 1033 has had the same under

consideration and recommends: That the

House accede to Senate amendments

For the Senate

For the House

Sen. Stringen  
Sen. Naaden  
Sen. Tallackson

Rep. Hausauer  
Rep. Thorsgard  
Rep. Mertens

Rep. Hausauer moved that the report be adopted, which motion

prevailed.

House Bill No. 1033 was placed on the Sixth

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red House Bill No. 1402 has had the same under

consideration and recommends:

That the House accede to the Senate amendments.

For the Senate

For the House

Sen. Goodman  
Sen. Farrington  
Sen. Redlin

Rep. Gackle  
Rep. Murphy  
Rep. Backes

Representative Gackle moved that the report be adopted, which motion

prevailed.

House Bill No. 1402 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2006 has had the same under

consideration and recommends:

that the House recede from its amendments and that engrossed Senate Bill No. 2006 be amended as follows:

On page 1 of the engrossed bill, line 19, delete the numerals "891,181" and insert in lieu thereof the numerals "907,381"

On page 2 of the engrossed bill, line 1, delete the numerals "1,500,000" and insert in lieu thereof the numerals "1,650,000"

On page 2 of the engrossed bill, line 2, delete the numerals "4,793,567" and insert in lieu thereof the numerals "4,959,767"

On page 2 of the engrossed bill, line 13, delete the numerals "7,529,883" and insert in lieu thereof the numerals "7,696,083"

On page 2 of the engrossed bill, line 15, delete the numerals "8,944,367" and insert in lieu thereof the numerals "9,110,567"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Director of Institutions' fees and services is increased \$16,200 for rent for necessary office space for additional positions in the Geological Survey. The land, structures, and major improvements line item is increased \$150,000 to restore a portion of the \$337,985 deleted by the Senate. The total land, structures, and major improvements line item is \$1,650,000 which is \$187,985 less than the executive budget.

For the Senate	For the House
<u>Sen. Hanson</u> Senator Hanson	<u>Rep. Marsden</u> Representative Marsden
<u>Sen. Olin</u> Senator Olin	<u>Rep. Thorsgard</u> Representative Thorsgard
<u>Sen. Tallackson</u> Senator Tallackson	<u>Rep. Fleming</u> Representative Fleming
<u>Rep. Maraden</u>	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2006 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2012 has had the same under consideration and recommends:

that the Senate accede to the House amendments.

For the Senate	For the House
<u>Sen. Wenzel</u> Senator Wenzel	<u>Rep. Christensen</u> Representative Christensen
<u>Sen. Olin</u> Senator Olin	<u>Rep. Ansdm</u> Representative Ansdm
<u>Sen. Tallackson</u> Senator Tallackson	<u>Rep. Solberg</u> Representative Solberg
<u>Rep. Christensen</u>	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2015 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate	For the House
<u>Sen. Smykowski</u> Sen. Smykowski	<u>Rep. Kingsbury</u> Rep. Kingsbury
<u>Sen. Thane</u> Sen. Thane	<u>Rep. Fleming</u> Rep. Fleming
<u>Sen. Walsh</u> Sen. Walsh	<u>Rep. F. Larson</u> Rep. F. Larson
<u>Rep. Kingsbury</u>	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

MOTION

Rep. Kretschmar moved that House Bill No. 1519 be placed at the foot of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1628.** — A Bill for an Act to create and enact a new subsection to section 39-06.1-06, a new paragraph to subdivision a of subsection 3 of section 39-06.1-10, and section 39-09-01.1 of the North Dakota Century Code, relating to the fee assessed for a care required violation, the points assessed for a care required violation, and care required in operation of a vehicle; and to amend and reenact sections 39-06.1-09 and 39-21-01 of the North Dakota Century Code, relating to definition of moving violation, and the use of lighted lamps on motor vehicles; and providing a penalty for improper use of lighted lamps.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 8; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●	●	HERMAN		●	WATTSON	●	UNHJEM
●	BENEDICT		●	HICKLE		●	MEIERS	●	VANDER VORST
●	BERG		●	HOFFNER		●	MELBY	●	VIG
●	BERGE		●	HOUAMANN			MERTENS	●	WAGNER
	BERGER	●		HOVE			MEYER	●	WALD
●	BJORNSON		●	JACOBSEN, R.		●	MURPHY	●	WALSH
●	BLACK		●	JACOBSON, I.		●	MUSKIE	●	WEBER
●	BOYUM	●	●	KELLY		●	NICHOLAS	●	WENTZ
●	BROKAW		●	KENNELLY		●	OLSON	●	WESSMAN
●	CHRISTENSEN		●	KERMOTT		●	OPEDAH	●	WINKJER
●	CONNY		●	KINGSBURY		●	PELTIER		
●	CRABTREE		●	KLOUBEC		●	PETERSON		MR. SPEAKER
●	DICK		●	KNUDSON		●	POMEROY		
●	DIETZ		●	KOSKI		●	REED		
●	DOTZENROD		●	KRETSCHMAR		●	RETZER		
●	DUBORD		●	KUCHERA		●	RICHARD		
●	EAGLES		●	LANG		●	RICHIE		
●	ERICKSON		●	LANGLEY	●		RIEHL	●	
●	FLEMING		●	LARDY		●	RUED		
●	FREBORG		●	LARSON, F. # 24		●	SCHINDLER		
●	GACKLE		●	LARSON, G. # 29		●	SCOFIELD		
●	GERL		●	LARSON, H. # 7		●	SOLBERG		
●	GORDER		●	LEE	●	●	STENEHJEM		
●	GUNDERSON		●	LEIBHAN		●	STRINDEN		
●	GUNSCH	●	●	LIPSIEA		●	SWIONTEK		
●	HANSON		●	MAIKNER		●	THOMPSON		
●	HAUGLAND		●	MARSDEN	●	●	THORSGARD		
●	HAUSAUER, A. # 49		●	MARTIN		●	TIMM		
●	HAUSAUER, R. # 25		●	MARTINSON		●	TINJUM		
●	HEDSTROM		●	MATHEWY		●	TWETEN		

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that the House stand recessed for one hour, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**MESSAGES TO THE SENATE**

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

- Senate Bill No. 2012
- Senate Bill No. 2015

**ROY GILBREATH, Chief Clerk**

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed House Bill No. 1628.

**ROY GILBREATH, Chief Clerk**

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:  
Senate Bill No. 2099

Senate Bill No. 2227  
 Senate Bill No. 2280  
 Senate Bill No. 2313  
 Senate Bill No. 2316  
 Senate Bill No. 2379  
 Senate Bill No. 2415  
 Senate Bill No. 2418  
 Senate Bill No. 2452  
 Senate Bill No. 2485  
 Senate Concurrent Resolution No. 4029

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2099  
 Senate Bill No. 2227  
 Senate Bill No. 2280  
 Senate Bill No. 2313  
 Senate Bill No. 2316  
 Senate Bill No. 2379  
 Senate Bill No. 2415  
 Senate Bill No. 2418  
 Senate Bill No. 2452  
 Senate Bill No. 2485  
 Senate Concurrent Resolution No. 4029  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2043  
 Senate Bill No. 2054  
 Senate Bill No. 2125

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1438

LEO LEIDHOLM, Secretary

#### AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1438

On page 1 of the engrossed bill, line 1, delete the words  
 "create and enact a new section to chapter"

On page 1 of the engrossed bill, line 2, delete the following:  
 "39-03 of the North Dakota Century Code, and to"

On page 1 of the engrossed bill, line 3, delete the following:  
 "sections 39-03-04, 39-03A-07, 39-03A-09, and" and insert in  
 lieu thereof the word "section"

On page 1 of the engrossed bill, line 4, delete the second word  
 "the"

On page 1 of the engrossed bill, delete lines 5 and 6

On page 1 of the engrossed bill, delete lines 10 through 22





● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN R.	● MURPHY	● WALSH
● BLACK	● JACOBSON I.	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKJER
● CONMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RIED	
● FROBORG	● LARSON F # 24	● SCHWIDLER	
● GACKLE	● LARSON G # 25	● SCOFIELD	
● GERL	● LARSON H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNTSCH	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TIMM	
● HAUSAUER, R. # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1002 has had the same under consideration and recommends:

The House accede to the Senate amendments.

For the Senate: Sen. Melland  
Sen. Lips (Refused to sign)  
Sen. Walsh  
 For the House: Rep. Hausauer  
Rep. Larson (Refused to sign)  
Rep. Opedahl  
Rep. Hausauer moved that the report be adopted,

Rep. Brokaw requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 65; nays, 33; absent and not voting, 2.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN		● MATTSON	● UNHJEM		
			● HICKLE		● MEIERS	● VANDER VORST		
			● HOFFNER	●	● MELBY	● VIG		
● BERGE		● HOUMANN			● MERTENS	● WAGNER		
● BERGER	●	● HOVE	●		● MEYER	● WALD		
● BJORNSON		● JACOBSEN R.		● MURPHY	● MUSHIK	● WALSH	●	
● BLACK		● JACOBSON I.	●	● NICHOLAS	● OLSON	● WEBER	●	
● BOYUM		● KELLY	●	● OPEDAHL	● OPEDAHL	● WENTZ		
● BROKAW	●	● KENNELLY	●	● PETERSON	● PELTIER	● WESSMAN	●	
● CHRISTENSEN		● KERMOTT		● POMEROY	● REED	● WINKJER		
● CONMY		● KINGSBURY	●	● RETZER	● RICHARD			
● CRABTREE		● KLOUBEC		● RICHIE	● RIEHL			
● DICK		● KNUDSON	●	● RIED	● RICHWIDLER			
● DIETZ		● KOSKI	●	● SCOFIELD	● SOLBERG			
● DOTZENROD		● KRETSCHMAR	●	● STENEHJEM				
● DuBORD	●	● KUCHERA						
● EAGLES		● LANG						
● ERICKSON		● LANGLEY	●					
● FLEMING	●	● LARDY	●					
● FROBORG		● LARSON F # 24						
● GACKLE		● LARSON G # 25						
● GERL	●	● LARSON H # 7						
● GORDER	●	● LEE	●					

● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSIEA	● SWIONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A #48	● MARTIN	● TIMM
● HAUSAUER, R #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHEWY	● TWETEN

**The motion prevailed.**

House Bill No. 1002 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1004 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that reengrossed House Bill No. 1004 be amended as follows:

- On page 1 of the reengrossed bill, line 17, delete the numerals "589,794" and insert in lieu thereof the numerals "665,516"
- On page 1 of the reengrossed bill, line 18, delete the numerals "117,668" and insert in lieu thereof the numerals "130,579"
- On page 1 of the reengrossed bill, after line 18, insert the following line:  

"Data processing	13,388"
------------------	---------
- On page 1 of the reengrossed bill, line 19, delete the numerals "3,125" and insert in lieu thereof the numerals "4,450"
- On page 1 of the reengrossed bill, after line 19, insert the following lines:  

"Land, structures, and major improvements	543,300
Grants, benefits, and claims	910,000"
- On page 1 of the reengrossed bill, after line 22, insert the following lines:  

"Total all funds	\$4,177,324
Less estimated income	<u>969,300"</u>
- On page 2 of the reengrossed bill, line 1, delete the numerals "2,620,678" and insert in lieu thereof the numerals "3,208,024"
- On page 2 of the reengrossed bill, delete lines 2 through 11
- On page 2 of the reengrossed bill, line 18, delete the numerals "2,389,200" and insert in lieu thereof the numerals "2,684,414"
- On page 2 of the reengrossed bill, line 19, delete the numerals "2,389,200" and insert in lieu thereof the numerals "2,684,414"
- On page 2 of the reengrossed bill, line 20, delete the numerals "6,447,224" and insert in lieu thereof the numerals "6,742,438"
- On page 2 of the reengrossed bill, line 21, delete the numerals "426,000" and insert in lieu thereof the numerals "969,300"
- On page 2 of the reengrossed bill, line 22, delete the numerals "6,873,224" and insert in lieu thereof the numerals "7,711,738"
- On page 2 of the reengrossed bill, after line 22, insert the following section:

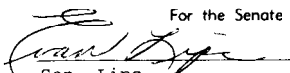

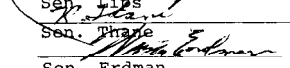
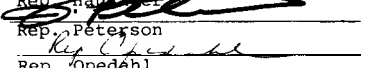
"SECTION 2. VIETNAM BONUS FUND - TRANSFER.) The state treasurer and the director of the department of accounts and purchases upon the request of the board of higher education during the biennium beginning July 1, 1979, and ending June 30, 1981, shall transfer \$543,300.00 from the Vietnam bonus fund in the state treasury, or so much thereof as may be necessary, to the board of higher education for projects to make buildings and other structures more accessible to the handicapped at the institutions under its control. This \$543,300.00 is specifically appropriated in the land, structures, and major improvements line item. It is the intent of the legislative assembly that the sum of \$100,000.00, or so much thereof as may be necessary, included in the line item for land, structures, and major improvements in section 1 of this Act be expended to meet the federal requirements for handicapped accessibility in the restoration of Oxford House on the campus of the university of North Dakota."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds \$543,300 to the Board of Higher Education appropriation in the land, structures, and major improvements line item for building improvements to provide for handicapped accessibility at the state colleges and universities. These funds were previously included in House Bill No. 1005 of which \$443,300 was in the UND appropriation and \$100,000 in the North Dakota State School of Science appropriation. It is the intent of the Legislative Assembly that \$100,000, or so much thereof as may be necessary, of the total \$543,300 be expended to meet federal requirements for handicapped accessibility in the restoration of Oxford House on the campus of the University of North Dakota.

This amendment increases the reciprocal agreements line by \$295,214. It also incorporates the moneys appropriated for the student financial assistance agency within the line items of the Board of Higher Education appropriation.

For the Senate	For the House
	
Sen. Lips	Rep. Hausauer
Sen. Thraue	Rep. Peterson
	
Sen. Erdman	Rep. Opedahl

Rep. Hausauer moved that the report be adopted, which motion

prevailed.

House Bill No. 1004 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1005 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1005 be amended as follows:

- On page 1 of the engrossed bill, line 20, delete the numerals "11,053,499" and insert in lieu thereof the numerals "10,610,199"
- On page 1 of the engrossed bill, line 21, delete the numerals "38,153,973" and insert in lieu thereof the numerals "38,597,273"
- On page 1 of the engrossed bill, line 22, delete the numerals "2,726,800" and insert in lieu thereof the numerals "2,183,500"

- On page 2 of the engrossed bill, line 1, delete the numerals "40,880,773" and insert in lieu thereof the numerals "40,780,773"
- On page 2 of the engrossed bill, line 19, delete the numerals "1,388,837" and insert in lieu thereof the numerals "1,633,655"
- On page 2 of the engrossed bill, line 20, delete the numerals "36,228,723" and insert in lieu thereof the numerals "36,473,541"
- On page 2 of the engrossed bill, line 26, delete the numerals "3,692,193" and insert in lieu thereof the numerals "3,592,193"
- On page 2 of the engrossed bill, line 27, delete the numerals "13,806,000" and insert in lieu thereof the numerals "13,906,000"
- On page 2 of the engrossed bill, line 28, delete the numerals "1,178,955" and insert in lieu thereof the numerals "1,078,955"
- On page 3 of the engrossed bill, line 18, delete the numerals "3,355,179" and insert in lieu thereof the numerals "3,155,179"
- On page 3 of the engrossed bill, line 19, delete the numerals "9,197,892" and insert in lieu thereof the numerals "9,397,892".
- On page 3 of the engrossed bill, delete line 20
- On page 3 of the engrossed bill, line 21, delete the numerals "499,100" and insert in lieu thereof the numerals "799,100"
- On page 3 of the engrossed bill, line 22, delete the numerals "9,996,992" and insert in lieu thereof the numerals "10,196,992"
- On page 4 of the engrossed bill, line 28, delete the numerals "135,672,859" and insert in lieu thereof the numerals "136,017,677"
- On page 4 of the engrossed bill, line 29, delete the numerals "63,435,692" and insert in lieu thereof the numerals "62,692,392"
- On page 4 of the engrossed bill, line 30, delete the numerals "199,108,551" and insert in lieu thereof the numerals "198,710,069"
- On page 6 of the engrossed bill, line 2, delete the numerals "\$300,000.00" and insert in lieu thereof the numerals "\$100,000.00"
- On page 6 of the engrossed bill, line 3, delete the words "for seating for" and insert in lieu thereof the words "to be used towards completion o
- On page 6 of the engrossed bill, line 5, delete the words "a special" and insert in lieu thereof the words "the land, structures, and major improvements"
- On page 6 of the engrossed bill, delete line 10
- On page 6 of the engrossed bill, line 11, delete the words "Minot state college"
- On page 6 of the engrossed bill, line 13, delete the words "provide seatir for the" and insert in lieu thereof the words "be used towards comple tion of the physical education activities"
- On page 6 of the engrossed bill, delete lines 15 through 28
- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

The amendment decreases land, structures, and major improvements and estimated income by \$443,300 for building improvements for handicapped accessibility. It also decreases land, structures, and major improvements by \$100,000 in general fund moneys for restoration of the Oxford House.

The moneys for handicapped accessibility projects have been added to the Board of Higher Education appropriation in House Bill No. 1004. Section 8 of the engrossed bill relating to the transfer of Vietnam bonus funds to the institutions of higher education for the handicapped accessibility projects is deleted by this amendment.

North Dakota State University

The land, structures, and major improvements line item is increased by \$244,818 as follows:


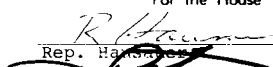
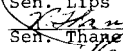
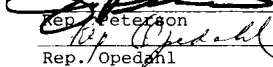
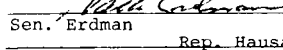
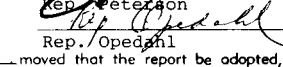
\$109,518	- Complete phase I of Morrill Hall remodeling
35,300	- Phase III of the old fieldhouse remodeling
100,000	- Central control system to monitor heating system
<u>\$244,818</u>	- Total

State School of Science

This amendment reduces land, structures, and major improvements and estimated income by \$100,000 for handicapped accessibility projects since amount for handicapped accessibility projects are appropriated to the Board of Higher Education in House Bill No. 1004.

North State College

This amendment provides a \$200,000 general fund appropriation and a \$100,000 appropriation from the Vietnam bonus fund towards completion of the physical education activities center. Such funds are included in the land, structures, and major improvements line item.

For the Senate	For the House
	
Sen. Lips	Rep. Hausauer
	
Sen. Thane	Rep. Peterson
	
Sen. Erdman	Rep. Opedahl

Rep. Hausauer

Rep. Opedahl

moved that the report be adopted, which motion

prevailed.

House Bill No. 1005 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1067:

Senator Iszler  
Senator Sands  
Senator Schirado

LEO LEIDHOLM, Secretary

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 2383.

LEO LEIDHOLM, Secretary

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2110  
Senate Bill No. 2432

ROY GILBREATH, Chief Clerk

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1009 has had the same under consideration and recommends:

The House accede to the Senate amendments.

For the Senate	For the House
<u>Sen. Naaden</u>	<u>Rep. Kingsbury</u>
<u>Sen. Hanson</u>	<u>Rep. Jacobsen</u>
<u>Sen. Erdman</u>	<u>Rep. Pedahj</u>
<u>Rep. Kingsbury</u>	<u>Rep. Pedahj</u>

moved that the report be adopted, which motion

prevailed.

House Bill No. 1009 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**MOTIONS**

Rep. Strinden moved that the House accede to the Senate's request for the return of Senate Bill No. 2383, which motion prevailed.

Rep. Martinson moved that the House not concur on Senate amendments to House Bill No. 1438, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1438:

- Rep. Martinson
- Rep. Scofield
- Rep. Pomeroy

**MESSAGES TO THE SENATE**

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1438.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1438.

- Rep. Martinson
- Rep. Scofield
- Rep. Pomeroy

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to return Senate Bill No. 2383, which the Senate has requested.

ROY GILBREATH, Chief Clerk

**MOTION**

Rep. Strinden moved that the House stand recessed until 4:00 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was refer-

red \_\_\_\_\_ House \_\_\_\_\_ Bill No. 1024 \_\_\_\_\_ has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1024 be amended as follows:

- On page 1 of the engrossed bill, line 1, after the word "the" insert the word "premium"
- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the following: "; and to amend section 4-02.1-18 of the North Dakota Century Code, relating to audits of the state fair association"
- On page 1 of the engrossed bill, line 8, delete the following: "and from special funds derived from"
- On page 1 of the engrossed bill, line 9, delete the words and comma "federal funds and/or other income," and delete the numerals "1,893,900" and insert in lieu thereof the numerals "165,000"
- On page 1 of the engrossed bill, line 11, after the third word "the" insert the word "premium"
- On page 1 of the engrossed bill, line 13, after the numerals "1981" insert a period and delete the following: ", as follows:"
- On page 1 of the engrossed bill, delete lines 14 through 21
- On page 2 of the engrossed bill, delete lines 1 through 7
- On page 2 of the engrossed bill, after line 15, insert the following section:

"SECTION 2. AMENDMENT.) Section 4-02.1-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

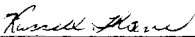
4-02.1-18. STATE AUDITOR TO EXAMINE RECORDS AND ACCOUNTS PREMIUMS - CERTIFIED AUDIT OF STATE FAIR ASSOCIATION.) It shall be the duty of the state auditor to ~~annually examine the records and accounts of~~ biennially audit the general fund moneys appropriated to the North Dakota State Fair Association and to report thereon to the governor and to the legislative audit and fiscal review committee. The State Fair Association shall submit annually to the governor and the legislative audit and fiscal review committee an audit report prepared by a certified public accountant based upon an audit of all records and accounts of the association."

And renumber the lines, sections, and pages accordingly

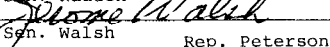
STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes the special fund moneys from the State Fair Association appropriation and appropriates only general fund moneys for premiums in the amount of \$165,000. It also amends the North Dakota Century Code relating to the audits required of the State Fair Association. It is the intent of the Legislative Assembly to allow more flexibility in the operation of the State Fair. However, the Legislative Assembly does not intend to restrict the State Fair Association from requesting state support in future years for other expenditures of the State Fair Association.

For the Senate


  
Sen. Thane

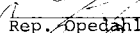
  
Sen. Naaden

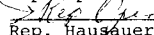
  
Sen. Walsh

Rep. Peterson

For the House

  
Rep. Peterson

  
Rep. Opedahl

  
Rep. Hausauer

moved that the report be adopted, which motion

prevailed.



House Bill No. 1024 was placed on the Sixth

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1639 has had the same under

consideration and recommends:

House accede to Senate amendments

For the Senate

For the House

Sen. Coussons  
 Sen. Reit  
 Sen. Albers  
 Rep. Hausauer  
 Rep. Jacobsen  
 Rep. Mertens

Rep. Hausauer moved that the report be adopted, which motion

Rep. Mertens requested a recorded roll call vote, which request was granted.

ROLL CALL

The roll was called, and there were ayes, 52; nays, 47; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	HERMAN		●	MATTSON		●	UNHJEM		●
BENEDICT		●	HICKLE		●	MEIKLE		●	VANDER VORST		●
BERG		●	HOFFNER		●	MELBY		●	VIG		●
BERGE		●	HOUWANN		●	MERTENS		●	WAGNER		●
BERGER		●	HOVE		●	MEYER		●	WALD		●
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● BLACK		●	JACOBSON I		●	● MUSHIK		●	WEBER		●
● BOYUM		●	KELLY		●	● NICHOLAS		●	WENTZ		●
● BROKAW		●	KENNELLY		●	● OLSON		●	● WESSMAN		●
● CHRISTENSEN		●	● KERMOTT		●	● OPEDAHL		●	● WINKLER		●
● CONMY		●	KINGSBURY		●	● PELTIER		●			
● CRABTREE		●	KLOUBEC		●	● PETERSON		●	● MR SPEAKER		●
● DICK		●	● NUDSON		●	● POMEROY		●			
● DIETZ		●	KOSKI		●	● REED		●			
● DOTENROD		●	● KRETSCHMAR		●	● RETZER		●			
● DUBORD		●	● KUCHERA		●	● RICHARD		●			
● EAGLES		●	● LANG		●	● RICHIE		●			
● ERICKSON		●	● LANGLEY		●	● RIEHL		●			
● FLEMING		●	● LARDY		●	● RUED		●			
● FREBORG		●	● LARSON F # 24		●	● SCHINDLER		●			
● GACKLE		●	● LARSON G # 29		●	● SCOFIELD		●			
● GERL		●	● LARSON H # 7		●	● SOLBERG		●			
● GORDER		●	● LEE		●	● STENEHEW		●			
● GUNDERSON		●	● LEIBHAN		●	● STRINDEN		●			
● GUNSCH		●	● LPSIEA		●	● SWONTEK		●			
● HANSON		●	● MAKKER		●	● THOMPSON		●			
● HAUGLAND		●	● MARSDEN		●	● THORSGARD		●			
● HAUSAUER A # 49		●	● MARTIN		●	● TIMM		●			
● HAUSAUER R # 25		●	● MARTINSON		●	● TINJUM		●			
● HEDSTROM		●	● MATHENY		●	● TWETEN		●			

The motion prevailed.

House Bill No. 1639 was placed on the Sixth

order of business on the calendar for the succeeding legislative day.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2038 has had the same under

## consideration and recommends:

the House recede from their amendments and the engrossed bill be further amended.

On page 1, line 17, delete the numeral "1,826,916" and insert in lieu thereof the numeral "1,957,226"

On page 1, line 20, delete the numeral "133,201" and insert in lieu thereof the numeral "150,000"

On page 1, line 22, delete the numeral "2,427,533" and insert in lieu thereof the numeral "2,574,642"

Page 2, line 1, delete the numeral "227,532" and insert in lieu thereof the numeral "272,854"

Page 2, line 2, delete the numeral "2,200,001" and insert in lieu thereof the numeral "2,301,788"

Page 2, line 7, delete the numeral "133,724" and insert in lieu thereof the numeral "183,724"

On page 2, line 9, delete the numeral "2,909,339" and insert in lieu thereof the numeral "2,959,339"

On page 2, line 11, delete the numeral "2,758,339" and insert in lieu thereof the numeral "2,808,339"

On page 2, line 29, delete the numeral "5,023,097" and insert in lieu thereof the numeral "5,174,884"

On page 2, line 30, delete the numeral "441,532" and insert in lieu thereof the numeral "486,854"

On page 2, line 31, delete the numeral "5,464,629" and insert in lieu thereof the numeral "5,661,738"

On page 3, after line 3, add the following section:

"SECTION 4. DISTRICT JUDGES.) The appropriation provided within subdivision 2 of Section 1 provides for five additional district court judges to be assigned pursuant to constitution - section 93 order 1-1978 and any future amendments thereof of the supreme court with two additional judges in the east central judicial district, one additional judge in the northeast judicial district, one additional judge in the south central judicial district, and one additional judge in the northwest judicial district and to be assigned to chambers by the supreme court.

Within thirty days after the effective date of this

section, the governor shall, pursuant to Chapter 27-25 if House Bill 1067 is approved give written notice of the five district court judgeship vacancies created by this section.

If House Bill 1067 is not approved, within ninety days after the effective date of this section, the governor shall, pursuant to law, fill the five district court judgeship vacancies created by this section."

And renumber the lines and pages accordingly

PURPOSE OF AMENDMENT

Supreme Court

The Supreme Court salaries and wages line item is increased \$55,094, of which \$9,772 is from the general fund and \$45,322 is Law Enforcement Council funds for the position of juvenile court coordinator. Also salaries and wages is increased \$75,216 for a staff counsel position. The Supreme Court supplies and materials line item is increased \$16,799 to permit maintenance acquisitions for the law library.

District Court

Fees and services increased \$50,000 for travel expense of five additional district court judges. Section 4 provides judges for assignment of five additional district court judges.

For the Senate

For the House

[Signature]  
Senator/ Legis  
[Signature]  
Senator Ofin  
[Signature]  
Senator Tallackson  
Rep. Unhjem

[Signature]  
Representative Unhjem  
[Signature]  
Representative Kuchera  
[Signature]  
Representative Mushik

moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2038 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2043 has had the same under

consideration and recommends:

That the House recede from its amendments, and that Senate Bill No. 2043 be amended as follows:

On page 1 of the reengrossed bill, line 6, after the word "governor" insert the words and semicolon "; and to provide an appropriation"

On page 2 of the reengrossed bill, after line 6, insert the following section:

"SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000.00, or so much thereof as may be necessary, and from special funds derived from federal funds or other income the sum of \$2,000,000.00 or so much thereof as may be necessary, to the weather modification board for the

purposes of carrying out the research and development program under this Act for the biennium beginning July 1, 1979, and ending June 30, 1981. Such moneys shall not be expended until the budget section of the legislative council shall determine that adequate federal funds are available pursuant to this appropriation."

And renumber the lines and pages accordingly

For the Senate	For the House
<u>Russell J. Shaw</u> Senator Thane	<u>Ralph Christensen</u> Representative Christensen
<u>Naald</u> Senator Naaden	<u>Charles F. Merles</u> Representative Haugauer
<u>William Walsh</u> Senator Walsh	<u>Charles F. Merles</u> Representative Mertens
<u>Rep. Christensen</u>	

moved that the report be adopted, which motion prevailed.

Senate Bill No. 2043 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2054 has had the same under

consideration and recommends: that the House recede from its amendments and that Senate Bill 2054 be amended as follows:

on page 2 of the engrossed bill, line 27, delete the word "shall" and in lieu thereof insert the word "may" and delete the word "the"

on page 2 of the engrossed bill, delete all of lines 28, 29 and 30

on page 2 of the engrossed bill, line 34, delete the word "twenty" and in lieu thereof insert the word "thirty" and after the word "years" insert a comma and the words "less sentence reduction earned for good conduct,"

and renumber the lines and pages accordingly

For the Senate	For the House
<u>Rep. Christensen</u> Senator Christensen	<u>William E. Kretschmar</u> Representative Kretschmar
<u>Wally Solum</u> Senator Solum	<u>Rep. Berge</u> Representative Berge
<u>Don Schirado</u> Senator Schirado	<u>Rep. Lardy</u> Representative Lardy
<u>Rep. Kretschmar</u>	

moved that the report be adopted, which motion prevailed.

Senate Bill No. 2054 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

Mr. SPEAKER: Your Conference Committee to whom was referred SENATE Bill No. 2125 has had the same under

consideration and recommends:

That the Senate Accede to the House amendments

For the Senate

For the House

SENATOR TENNEFOS (Refused to sign)

REPRESENTATIVE TIMM

SENATOR SOLBERG

REPRESENTATIVE ERICSON

SENATOR LASHKOWITZ

REPRESENTATIVE HANSON

REPRESENTATIVE TIMM

moved that the report be adopted, which motion

prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

- Senate Bill No. 2159
- Senate Bill No. 2233
- Senate Bill No. 2263
- Senate Bill No. 2309
- Senate Bill No. 2350
- Senate Bill No. 2354

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State and Federal Government

to whom was referred Senate Concurrent Resolution

No. 4087, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 2, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.

[Signature]  
Chairman  
Rep. Martinson

Senate Concurrent Resolution No. 4087 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Judiciary

to whom was referred Senate Concurrent Resolution

No. 4088, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

- On page 1, line 2 delete "in custody and divorce" and insert in lieu thereof a period
- On page 1, delete line 3
- On page 1, line 9 after the word "children" delete the word "in"
- On page 1, line 10 delete the words "divorce and custody proceedings"
- On page 1, line 14 after the word "person" insert the following:  
" , a unique individual being,"



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BOYUM	●	KELLY	●	NICHOLAS	●	WENTZ	●
BROKAW	●	KENNELLY	●	OLSON	●	WESSMAN	●
● CHRISTENSEN	●	● KERMOY	●	OPEDAHL	●	WINKJER	●
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● CRABTREE	●	● KLOBEC	●	● PETERSON	●	MR. SPEAKER	●
● DICK	●	● KNUDSON	●	● POMEROY	●		
● DIETZ	●	● KOSKI	●	● REED	●		
● DOTZENROD	●	● KRETSCHMAR	●	● RETZER	●		
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● ERICKSON	●	● LANGLEY	●	● RIEHL	●		
● FLEMING	●	● LARDY	●	● RUED	●		
● FREBORG	●	● LARSON, F. # 24	●	● SCHINDLER	●		
● GACKLE	●	● LARSON, G. # 29	●	● SCOFIELD	●		
● GERL	●	● LARSON, H. # 7	●	● SOLBERG	●		
● GORDER	●	● LEE	●	● STENEHEIM	●		
● GUNDERSON	●	● LEBMAN	●	● STRINDEN	●		
● GUNSON	●	● URSEA	●	● SWONICKA	●		
● HANSON	●	● WAINNER	●	● THOMPSON	●		
● HAUGLAND	●	● MARSDEN	●	● THORSGARD	●		
● HAUSAUER, A. # 49	●	● MARTIN	●	● TMM	●		
● HAUSAUER, R. # 25	●	● MARTINSON	●	● TINJUM	●		
● HEDSTROM	●	● MATHENY	●	● TWETEN	●		

So the bill lost.

**Senate Bill No. 2487.** — Capital Construction Fund. A Bill for an Act for a conditional transfer of funds to a state capital construction fund, providing for budget section approval, and providing an appropriation for the construction, remodeling, and equipping of, or additions to, buildings of state agencies, departments, and institutions.

Which has been read.

Rep. Maixner requested that the question of the final passage of engrossed Senate Bill No. 2487 be divided to have the sections voted on separately in the following manner:

	<u>Department of Institution</u>	<u>Type of facility</u>	<u>State funds</u>
Division A: Page 2, lines 22 and 23	North Dakota State University	Music education building	\$ 3,000,000
Division B: Page 2, lines 24 and 25	Industrial school	Vocational education and maintenance shop	635,000
Division C: Page 2, lines 26 and 27	University of North Dakota	Library addition	4,500,000
Division D: Page 2, lines 28 and 29	San Haven state hospital	Food service, laundry, and commissary building	1,320,000
Division E: Page 2, lines 31 and 32	State school of science	Maintenance storage building and site	930,000
Division F: Page 2, lines 33 and 34	School for the deaf	Three residential cottages	345,000
Division G:	The balance of Senate Bill No. 2487, incorporating the inclusions and exclusions in the monetary amounts affected by the action taken on Divisions A through F.		

Speaker Wagner granted the request to divide the question, and explained that the House will vote according to the division as stated in the request. Thereafter, the House will vote on the final passage of Senate







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So Division D was declared passed.

The question then was on the passage of Division E of the divided question.

**ROLL CALL**

The roll was called, and there were ayes, 67; nays, 32; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL-CALL			1979 LEGISLATURE		
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● HAUSAUER A #49	● MARTIN	● TIMM
● HAUSAUER R #25	● MARTINSON	● TINJUN
● HEDSTROM	● MATHENY	● TWETEN

So Senate Bill No. 2487, passed, including Divisions A, B, C, D, E, F, and G.

**REPORT OF PROCEDURAL COMMITTEE**

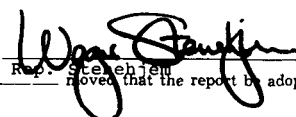
MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1007 \_\_\_\_\_
- HB NO. 1011 \_\_\_\_\_
- HB NO. 1029 \_\_\_\_\_
- HB NO. 1048 \_\_\_\_\_
- HB NO. 1168 \_\_\_\_\_
- HB NO. 1221 \_\_\_\_\_
- HB NO. 1384 \_\_\_\_\_
- HB NO. 1399 \_\_\_\_\_
- HB NO. 1405 \_\_\_\_\_
- HB NO. 1447 \_\_\_\_\_
- HB NO. 1605 \_\_\_\_\_
- HB NO. 1631 \_\_\_\_\_
- HB NO. 1694 \_\_\_\_\_
- HB NO. 1695 \_\_\_\_\_
- HCR NO. 3090 \_\_\_\_\_
- HCR NO. 3092 \_\_\_\_\_
- HCR NO. 3095 \_\_\_\_\_
- HCR NO. 3096 \_\_\_\_\_

and find the same correctly } Enrolled

Representative Dietz motion prevailed, and the report was adopted.

 Chairman  
 Rep. Strinden moved that the report be adopted, which

**MESSAGE TO THE SENATE**  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2486

ROY GILBREATH, Chief Clerk

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1005, as amended in Conference Committee, be adopted, and that House Bill No. 1005 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1005.** Institutions of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota.







BOYUM	•	KELLY	•	NICHOLAS	•	WENTZ	•
BROKAW	•	KENNELLY	•	OLSON	•	WESSMAN	•
CHRISTENSEN	•	KERMOTT	•	OPEDAH	•	WINKLER	•
CONMY	•	KINGSBURY	•	PELTIER	•		
CRABTREE	•	KLOUBEC	•	PETERSON	•	MR. SPEAKER	•
DICK	•	KNUDSON	•	POMEROY	•		
DIETZ	•	ROSKI	•	REED	•		
DOTZENROD	•	KRETSCHMAR	•	RETZER	•		
DUBORD	•	KUCHERA	•	RICHARD	•		
EAGLES	•	LANG	•	RICHE	•		
ERICKSON	•	LANGLEY	•	RIEHL	•		
FLEMING	•	LARDY	•	RUED	•		
FREBORG	•	LARSON, F. # 24	•	SCHINDLER	•		
GACKLE	•	LARSON, G. # 29	•	SCOFIELD	•		
GERL	•	LARSON, H. # 7	•	SOLBERG	•		
GORDER	•	LEE	•	STENEHJEM	•		
GUNDERSON	•	LEIBHAN	•	STRINDEN	•		
GUNSCH	•	LIPSIE	•	SWINTEK	•		
HANSON	•	MAXNER	•	THOMPSON	•		
HAUGLAND	•	MARSDEN	•	THORSGARD	•		
HAUSAUER, A. # 46	•	MARTIN	•	TIMM	•		
HAUSAUER, R. # 25	•	MARTINSON	•	TINJUM	•		
HEDSTROM	•	MATHENY	•	TWETEN	•		

So the bill passed and the title was agreed to.

Rep. Strinden requested a call of the house, which request was granted.

Rep. Strinden moved that the House dispense with the call of the House, which motion prevailed.

Rep. Strinden moved that House Bill No. 1138 be moved to the head of the calendar, which motion prevailed.

#### RECONSIDERATION OF A VETOED MEASURE SECOND READING OF HOUSE BILLS

**House Bill No. 1138.** — A Bill for an Act to create and enact chapters 16.1-01, 16.1-04, 16.1-05, 16.1-06, 16.1-07, 16.1-08, 16.1-09, 16.1-10, 16.1-12, 16.1-13, 16.1-14, 16.1-15, and 16.1-16, and sections 16.1-11-03 through 16.1-11-24 and sections 16.1-11-26 through 16.1-11-34 of the North Dakota Century Code, relating to a new election code establishing qualifications for electors, initiative and referendum procedures, election offenses, the administration of elections, the establishment of voting precincts, the qualifications and duties of election officers, election supplies, ballots, electronic voting systems, and voting machines, absent voters' ballots, political contributions by corporations and associations, the disclosure of financial interests, corrupt practices, primary elections, nominations at the general election, the conduct of elections, presidential electors, election returns, recounts, and contests; and to repeal chapters 16-01, 16-03, 16-05, 16-06, 16-08, 16-09, 16-10, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-18, 16-20, 16-21, 16-21.1, 16-22, and sections 16-04-02, 16-04-02.1, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-07, 16-04-08, 16-04-09, 16-04-10, 16-04-12, 16-04-13, 16-04-15.1, 16-04-15.2, 16-04-16, 16-04-17, 16-04-18, 16-04-19, 16-04-21, 16-04-25, 16-04-26, 16-04-27, 16-04-28, 16-04-29, 16-04-30, 16-04-31, 16-04-32, 16-04-33, 16-04-34, 16-04-35, 16-04-36, 16-07-01, 16-07-02, 16-07-03, 16-07-04, 16-07-05, 16-07-06, 16-07-07, 16-07-08, 16-07-09, 16-17-10, and 16-17-12 of the North Dakota Century Code, relating to general election provisions, individual nominations, primary elections, nominations for office, general and special elections, the no-party ballot, the establishment of precincts and voting places, election officers and supplies, the conduct of elections, returns and contests of elections, voting by new residents, absent voters' ballots, corrupt practices, voting machines, electronic voting systems, and the disclosure of financial interest.

Which has been read.

Rep. Conmy moved that the House waive the reading of the title to House Bill No. 1138, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as enrolled, over the



Governor's veto, the roll was called and there were ayes, 68; nays, 28; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
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•		•	•	HICKLE		•	MEIERS		•	VANDER VORST	
•		•	•	HOFNER		•	MELBY		•	VIG	
•		•	•	HOLMANN		•	MERTENS		•	WAGNER	
•		•	•	HOVE		•	MEYER		•	WALD	
•		•	•	JACOBSEN R		•	MURPHY		•	WALSH	
•		•	•	JACOBSON I		•	MURKIN		•	WEBER	
•		•	•	KELLY		•	NICHOLAS		•	WENTZ	
•		•	•	KENNELLY		•	OLSON		•	WESSMAN	
•		•	•	KERMOTT		•	OPEDAHL		•	WINKJER	
•		•	•	KINGSBURY		•	PELTIER				
•		•	•	KLOUBEC		•	PETERSON		•	MR. SPEAKER	
•		•	•	KNUDSON		•	POMEROY				
•		•	•	KOSKI		•	REED				
•		•	•	KRETSCHMAR		•	REITZER				
•		•	•	KUCHERA		•	RICHARD				
•		•	•	LANG		•	RICHIE				
•		•	•	LANGLEY		•	RIEHL				
•		•	•	LARDY		•	RUED				
•		•	•	LARSON F #24		•	SCHINDLER				
•		•	•	LARSON G #29		•	SCOFIELD				
•		•	•	LARSON H #7		•	SOLBERG				
•		•	•	LEE		•	STENHEJEM				
•		•	•	LEIBHAN		•	STRINDEN				
•		•	•	LIPSIEA		•	SWONTEK				
•		•	•	MAIKNER		•	THOMPSON				
•		•	•	MARSDEN		•	THORSGARD				
•		•	•	MARTIN		•	TIMM				
•		•	•	MARTINSON		•	TINJUM				
•		•	•	MATHENY		•	TWETEN				

So the bill passed over the Governor's veto.

**MESSAGES FROM THE SENATE  
Senate Chamber**

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 2150, and subsequently passed the same.

**LEO LEIDHOLM, Secretary  
Senate Chamber**

Mr. Speaker: I have the honor to transmit herewith the following:

- Senate Bill No. 2003
- Senate Bill No. 2040
- Senate Bill No. 2252
- Senate Bill No. 2253
- Senate Bill No. 2269
- Senate Bill No. 2385
- Senate Bill No. 2404
- Senate Bill No. 2410
- Senate Bill No. 2411
- Senate Bill No. 2461

Which the President has signed and your signature is respectfully requested.

**LEO LEIDHOLM, Secretary**

**MOTION**

Rep. Strinden moved that the rules be suspended, and that any bills acted on by the House requiring action by the Senate be messaged to the Senate immediately, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner appointed the following to a Conference Committee on House Bill No. 1360:

- Rep. Martinson
- Rep. Conmy
- Rep. Meiers

## Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1056 has had the same under consideration and recommends:

That the Senate defer from its amendments and that HB 1056 be amended as follows:

- On page 1 of the reengrossed bill, line 1, delete the words "set forth legislative intent covering any"
- On page 1 of the reengrossed bill, delete lines 2 through 9 and insert in lieu thereof the word "amend"
- On page 1 of the reengrossed bill, line 11, delete the following: "subsections 2 and 3 of section 15-40.1-06, sections"
- On page 1 of the reengrossed bill, line 13, after the numerals and comma "15-40.2-10," insert the numerals and commas "15-45-01, 15-45-02,"
- On page 1 of the reengrossed bill, line 14, after the numerals "15-47-16," insert the word "and" and on the same line after the numerals "15-59-06" delete the following: ", and 15-59.1-05"
- On page 1 of the reengrossed bill, line 15, after the word "to" insert the following: "state support for public kindergarten programs, and to"
- On page 1 of the reengrossed bill, line 16, delete the following: "; to repeal subdivision b of" and insert in lieu thereof the following: "and to the establishment, length, and funding of kindergarten programs."
- On page 1 of the reengrossed bill, delete lines 17 through 19
- On page 2 of the reengrossed bill, delete lines 1 through 28
- On page 6 of the reengrossed bill, line 28, strike through the following: ", and the balance shall be paid" and immediately thereafter insert a semicolon ";"
- On page 6 of the reengrossed bill, line 29, after the word "first" insert the following new language: "payments equal to one-eighth of the total payments shall be made to each respective school district; and the balance shall be paid on or before May 1"
- On page 6 of the reengrossed bill, delete lines 30 through 35
- On page 7 of the reengrossed bill, delete lines 1 through 35
- On page 8 of the reengrossed bill, delete lines 1 through 21
- On page 9 of the reengrossed bill, line 29, delete the words "average annual"
- On page 9 of the reengrossed bill, line 30, delete the strike-through over the word "in", delete the words "for" and "three", delete the strike-through over the word "year", and delete the word "years"

- On page 13 of the reengrossed bill, line 12, delete the numerals ".25" and insert in lieu thereof the numerals ".49"
- On page 13 of the reengrossed bill, line 18, after the period insert the following: "The full per-pupil payment shall be made only to those kindergarten programs providing the equivalent of ninety full days of classroom instruction during any twelve-month period. Programs providing shorter periods of instruction during the same time period shall receive a proportionately smaller per-pupil payment."
- On page 13 of the reengrossed bill, line 21, delete the word "average"
- On page 13 of the reengrossed bill, line 22, delete the word "annual", delete the strike-through over the word "in", and delete the words "for" and "three"
- On page 13 of the reengrossed bill, line 23, delete the strike-through over the word "year", and delete the word "years"
- On page 18 of the reengrossed bill, line 27, strike the word "COOPERATIVE" and insert in lieu thereof the word "CERTAIN"
- On page 18 of the reengrossed bill, line 28, after the word "EDUCATION" insert the following: "AND SPECIAL EDUCATION"
- On page 18 of the reengrossed bill, line 34, after the period insert the following new language: "Similar payments shall be paid to the school districts transporting pupils for special education programs approved by the superintendent of public instruction."
- On page 21 of the reengrossed bill, line 8, after the second comma strike through the word "it" and insert in lieu thereof the following: "the committee may approve or disapprove the application. Upon approval, the committee"
- On page 21 of the reengrossed bill, line 21, after the comma strike through the word "it" and insert in lieu thereof the following: "the committee may approve or disapprove the application. Upon approval, the committee"
- On page 23 of the reengrossed bill, after line 7 insert the following:  
 "SECTION 15. AMENDMENT.) Section 15-45-01 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:
- 15-45-01. ESTABLISHING KINDERGARTENS - ELECTION ON MILL LEVY.) The school board of any school district may, upon its own motion, establish free public kindergartens in connection with the public schools of the district for the instruction of resident children below school age during the regular school term. A school board which establishes free kindergartens may submit the question of providing for an annual levy sufficient to finance such kindergartens to the electors of the school district at the next annual or special school election. If a majority of the votes cast on the proposal favor the mill levy, the board shall levy such tax until the kindergartens are discontinued as provided in this chapter or until the board determines a levy is no longer necessary. Such levy shall be over and above any mill levy limitations provided by law. On a petition signed by electors of the school district comprising at least five percent of the number of persons enumerated in the school census for that district for the most recent year such census was taken, but in no case less than twenty-five electors, the school board must

submit the question of establishing a kindergarten program at the next annual or special school election. Whenever the question of establishing a kindergarten program is placed upon the ballot by petition, the board shall also place on that same ballot the question of providing for an annual levy sufficient to finance such program. Both proposals must be approved by a majority of the votes cast on each before either may take effect. After the kindergarten program is established, the board shall levy such tax until the program is discontinued as provided in this chapter or until the board determines a levy is no longer necessary. Such levy shall be over and above any mill levy limitations provided by law.

SECTION 16. AMENDMENT.) Section 15-45-02 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-45-02. KINDERGARTEN CURRICULUM - RULES AND REGULATIONS - LENGTH OF KINDERGARTEN TERM.) The school board shall establish a curriculum for kindergarten and such other rules and regulations governing the kindergartens as it may deem best, and shall govern them, so far as practicable, in the manner and by the officers provided by law for the government of other public schools. All kindergartens shall provide at least one-hundred-eighty-half-days six weeks of classroom instruction or but not more than the equivalent of ninety full days of classroom instruction during each-school year any twelve-month period. The school board shall determine whether kindergarten shall be provided on a half-day or a full-day basis."

On page 24 of the reengrossed bill, line 17, strike-through the words "one and one-half" and insert "three"

On page 24 of the reengrossed bill, line 20, strike-through the word "two" and insert "four"

On page 24 of the reengrossed bill, delete lines 24 through 35

On page 25 of the reengrossed bill, delete lines 1 through 16

And renumber the lines, pages and sections accordingly

For the Senate

For the House

*Nelson*  
Sen. Nelson  
*Sandness*  
Sen. Sandness  
*Dotzenrodt*  
Sen. Dotzenrodt  
Rep. Knudson

*Knudson*  
Rep. Knudson  
*Schindler*  
Rep. Schindler  
*Larry E. Tinjum*  
Rep. Tinjum

Rep. Tinjum moved that the report be adopted, which motion

prevailed.

House Bill No. 1056 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred

House Bill No. 1067 has had the same under

consideration and recommends:

That the House accede with the Senate amendments and recommends that House Bill 1067 be further amended as follows:

On page 2, line 14 of the engrossed bill delete the second word "two" and insert in lieu thereof the word "three"

and renumber the lines accordingly

For the Senate	For the House
Sen. Iszler <u>Sen. Iszler</u>	Rep. Winkler <u>Rep. Winkler</u>
Sen. Sands <u>Sen. Sands</u>	Rep. Richie <u>Rep. Richie</u>
Sen. Schirado <u>Sen. Schirado</u>	Rep. Lardy <u>Rep. Lardy</u>

Rep. Winkler moved that the report be adopted, which motion prevailed.

House Bill No. 1067 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: The majority of Your Conference Committee to whom was referred House Bill No. 1257 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1257 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the word "Eighty" and insert in lieu thereof the words "Eighty-five"

On page 1 of the engrossed bill, line 16, delete the word "three" and insert in lieu thereof the word "four"

And renumber the lines accordingly

For the Senate	For the House
Sen. Goodman <u>Sen. Goodman</u>	Rep. Gackle <u>Rep. Gackle</u>
Sen. Farrington <u>Sen. Farrington</u>	Rep. Murphy <u>Rep. Murphy</u>

Representative Gackle of the Majority moved that the report be adopted,

Mr. Speaker: The minority of Your Conference Committee to whom was referred House Bill No. 1257 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1257 be amended as follows:

On page 1 of the engrossed bill, line 5, delete the second word "and"

On page 1 of the engrossed bill, line 6, after the word "penalty" and before the period insert the following: "; and to provide that the provisions of this Act shall be temporary"

On page 1 of the engrossed bill, line 15, delete the word "Eighty" and insert in lieu thereof the words "Eighty-eight"

On page 1 of the engrossed bill, line 16, delete the word "three" and insert in lieu thereof the word "one"

On page 2 of the engrossed bill, line 7, delete the words and numerals "December 1979 and of June" and insert in lieu thereof the words "the last month of the quarter immediately preceding the quarter for which any taxes are due"

On page 2 of the engrossed bill, delete lines 8 through 12

On page 2 of the engrossed bill, line 13, delete the words "following January first"

On page 9 of the engrossed bill, after line 25, insert the following section:

"SECTION 14. PROVISIONS OF ACT TEMPORARY.) The provisions of this Act shall be effective for the period beginning July 1, 1979, and ending June 30, 1981, and thereafter shall be of no force and effect unless reenacted by the legislative assembly."

And renumber the lines and pages accordingly

For the Senate For the House

Sen. Redlin Redlin Rep. Backes Backes

of the Minority

Representative Backes moved that the report/be adopted,

**POINT OF ORDER**

Rep. Gunderson requested a ruling from the Chair as to the propriety of accepting the Reports of the Majority and Minority on House Bill No. 1257 in light of Joint Rule 6 e.

Speaker Wagner ruled that The Reports of the Majority and Minority of the Conference Committee on House Bill No. 1257 are out of order.

Rep. Strinden moved that the House overrule the Chair's ruling, which motion prevailed on a verification vote.

The Reports of the Majority and the Minority of the Conference Committee on House Bill No. 1257 were adopted and were placed on the Sixth Order of Business.

Rep. Strinden moved that the rules be suspended, and the Majority and Minority Report amendments to House Bill No. 1257 be considered at this time.

Rep. Backes requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 64; nays, 29; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		•	UNHJEM		•
BENEDICT		•	HICKLE		•	MEIERS		•	VANDERVORST		•
BERG		•	HOFFNER		•	MELBY		•	VIG		•
BERGE		•	HOUWANN		•	MERTENS		•	WAGNER		•
BERGER		•	HOVE		•	MEYER		•	WALD		•
BJORNSON		•	JACOBSEN R		•	MURPHY		•	WALSH		•
BLACK		•	JACOBSON I		•	MUSHIK		•	WEBER		•
BOYUM		•	KELLY		•	NICHOLAS		•	WENTZ		•
BROKAW		•	KENNELLY		•	OLSON		•	WESSMAN		•
CHRISTENSEN		•	KERMOTT		•	OPEDahl		•	WINKJER		•
CONNY		•	KINGSBURY		•	PELTIER		•			
CRABTREE		•	KLOUBEC		•	PETERSON		•	MR. SPEAKER		•
DICK		•	KNUDSON		•	POMEROY		•			
DIETZ		•	KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR		•	RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON		•	LANGLEV		•	RIEHL		•			
FLEMING		•	LARDY		•	RUED		•			
FREBORG		•	LARSON F # 24		•	SCHINDLER		•			
GACKLE		•	LARSON G # 29		•	SCOFELD		•			
GERL		•	LARSON H # 7		•	SOBERG		•			
GORDE		•	LEE		•	STENHJEM		•			
GUNDERSON		•	LEIBMAN		•	STRINDEN		•			
GUNSCH		•	LIPSEA		•	SWIONTEK		•			
HANSON		•	MAKNER		•	THOMPSON		•			
HAUGLAND		•	MARSDEN		•	THORSGARD		•			
HAUSAUER A # 49		•	MARTIN		•	TIMM		•			

HAUSAUER R. 25	MARTINSON	TINJUM
HEDSTROM	MATHEN	TWETEN

The motion failed.

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1007

House Bill No. 1011

House Bill No. 1029

House Bill No. 1048

House Bill No. 1168

House Bill No. 1221

House Bill No. 1384

House Bill No. 1399

House Bill No. 1405

House Bill No. 1447

House Bill No. 1605

House Bill No. 1631

House Bill No. 1694

House Bill No. 1695

House Concurrent Resolution No. 3090

House Concurrent Resolution No. 3092

House Concurrent Resolution No. 3095

House Concurrent Resolution No. 3096

And the Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1007

House Bill No. 1011

House Bill No. 1029

House Bill No. 1048

House Bill No. 1168

House Bill No. 1221

House Bill No. 1384

House Bill No. 1399

House Bill No. 1405

House Bill No. 1447

House Bill No. 1605

House Bill No. 1631

House Bill No. 1694

House Bill No. 1695

House Concurrent Resolution No. 3090

House Concurrent Resolution No. 3092

House Concurrent Resolution No. 3095

House Concurrent Resolution No. 3096

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1438:

Senator Cussons

Senator Albers

Senator Rait

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1569
- House Bill No. 1611
- House Bill No. 1622

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

- House Bill No. 1304

LEO LEIDHOLM, Secretary

AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1304

1 On page 1 of the engrossed bill, line 1, delete everything  
 2 after the words "A BILL" and delete the remainder of the  
 3 bill and insert in lieu thereof the following: "for an  
 4 Act to create and enact two new sections to any  
 5 legislation enacted by the forty-sixth legislative  
 6 assembly providing for a coal development impact aid  
 7 program, creating the coal impact office and setting out  
 8 the powers and duties of the director; to amend and  
 9 reenact sections 57-62-04 and 57-62-05 of the North  
 10 Dakota Century Code, providing for a coal development  
 11 impact office and setting forth the powers and duties of  
 12 the director.

13 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
 14 STATE OF NORTH DAKOTA:

15 SECTION 1.) A new section to any legislation  
 16 enacted by the forty-sixth legislative assembly providing  
 17 for a coal development impact aid program is hereby  
 18 created and enacted to read as follows:

19 COAL DEVELOPMENT IMPACT OFFICE - APPOINTMENT OF  
 20 DIRECTOR.) There is hereby created a coal development  
 21 impact office, the director of which shall be appointed  
 22 by and serve at the pleasure of the board of university  
 23 and school lands. The director's appointment shall be  
 24 confirmed by the senate. The director shall have  
 25 knowledge of state and local government and shall have  
 26 experience or training in the fields of taxation and  
 27 accounting. The salary of the director shall be set by  
 28 the board of university and school lands within the  
 29 limits of legislative appropriations. The director may  
 30 employ such other persons as may be necessary and may fix  
 31 their compensation within the appropriation made for such  
 32 purpose. The board of university and school lands shall  
 33 fill any vacancy in the position of director in the same  
 34 manner as listed above and, in addition, shall serve as  
 35 an appeals board under rules promulgated by the board of  
 36 university and school lands to reconsider grant  
 37 applications for aid under this chapter which have been  
 38 denied by the director. All action by the board of  
 1 university and school lands, including appointment of a  
 2 director, shall be by majority vote.

3 SECTION 2.) A new section to any legislation  
 4 enacted by the forty-sixth legislative assembly providing  
 5 for a coal development impact aid program is hereby  
 6 created and enacted to read as follows:

7 POWERS AND DUTIES OF COAL DEVELOPMENT IMPACT  
 8 DIRECTOR.) The coal development impact director shall:  
 9 1. Develop a plan for the assistance, through  
 10 financial grants for services and facilities,  
 11 of counties, cities, school districts, and



- 12 other political subdivisions in a coal  
13 development impact area.
- 14 2. Establish procedures and provide proper forms  
15 to political subdivisions for use in making  
16 application for funds for impact assistance as  
17 provided in this chapter.
- 18 3. Make grants to counties, cities, school  
19 districts, and other taxing districts as  
20 provided in this chapter and within the  
21 appropriations made for such purposes. In  
22 determining the amount of impact grants for  
23 which political subdivisions are eligible, the  
24 amount of revenue to which such political  
25 subdivisions will be entitled from taxes upon  
26 the real property of coal development plants  
27 and from other tax or fund distribution  
28 formulas provided by law shall be considered.

29 SECTION 3. AMENDMENT.) Section 57-62-04 of the  
30 1977 Supplement to the North Dakota Century Code is  
31 hereby amended and reenacted to read as follows:

32 57-62-04. COAL DEVELOPMENT IMPACT OFFICE - COAL  
33 DEVELOPMENT IMPACT COMMISSION - APPOINTMENT OF DIRECTOR.)  
34 There is hereby created ~~in the office of the governor~~ a  
35 coal development impact office--~~The, the director of~~  
36 which shall be appointed by and shall serve at the  
37 pleasure of the ~~governor~~ board of university and school  
38 lands. The director's appointment shall be confirmed by  
39 the senate. The director shall have knowledge of state  
40 and local government and shall have experience or  
41 training in the fields of taxation and accounting. The  
42 salary of the director shall be set by the ~~governor~~ board  
43 of university and school lands within the limits of  
44 legislative appropriations. The director may employ such  
45 other persons as may be necessary and may fix their  
46 compensation within the appropriation made for such  
1 purpose. The board of university and school lands shall  
2 fill any vacancy in the position of director in the same  
3 manner as listed above and, in addition, shall serve as  
4 an appeals board under rules promulgated by the board of  
5 university and school lands to reconsider grant  
6 applications for aid under this chapter which have been  
7 denied by the director. All action by the board of  
8 university and school lands, including appointment of a  
9 director, shall be by majority vote.

10 SECTION 4. AMENDMENT.) Section 57-62-05 of the  
11 1977 Supplement to the North Dakota Century Code is  
12 hereby amended and reenacted to read as follows:

13 57-62-05. POWERS AND DUTIES OF COAL DEVELOPMENT  
14 IMPACT ~~OFFICE~~ DIRECTOR.) The coal development impact  
15 ~~office~~ director shall:

- 16 1. Develop a plan for the assistance, through  
17 financial grants for services and facilities,  
18 of counties, cities, school districts, and  
19 other political subdivisions in a coal  
20 development impact area.
- 21 2. ~~Advise, study, recommend, and report to the~~  
22 ~~governor and the legislative assembly on the~~  
23 ~~impact to the state and the political~~  
24 ~~subdivisions of the state resulting from coal~~  
25 ~~development.~~
- 26 3. Establish procedures and provide proper forms  
27 to political subdivisions for use in making  
28 application for funds for impact assistance as  
29 provided in this chapter.

30                   4+ 3. Make grants to counties, cities, school  
31 districts, and other taxing districts as  
32 provided in this chapter and within the  
33 appropriations made for such purposes. In  
34 determining the amount of impact grants for  
35 which political subdivisions are eligible, the  
36 amount of revenue to which such political  
37 subdivisions will be entitled from taxes upon  
38 the real property of coal development plants  
39 and from other tax or fund distribution  
40 formulas provided by law shall be considered.

And renumber the lines and pages accordingly

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2405

Senate Bill No. 2412

Senate Bill No. 2455

Senate Bill No. 2463

LEO LEIDHOLM, Secretary

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 9:00 a.m., Wednesday, March 27, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

SIXTIETH DAY

Bismarck, March 28, 1979

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

The prayer was offered by Captain Ed Jarvis, Salvation Army, Bismarck, North Dakota, followed by a prayer offered by Rev. A. E. "Ted" Smith, Elks State Chaplain, Fargo, North Dakota.

The roll was called, and all members were present except Reps. Fleming, Gerl, Lang, Lee and Tinjum.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-ninth

day and recommends that the same be corrected as follows:

On page 2182, line 17, delete the word "priority" and insert in lieu thereof "propriety"

And when so corrected recommends that the same be approved

Handwritten signature of Rep. Swontek

Chairman

Rep. Pomeroy

moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1046. — A Bill for an Act to provide for annual fire inspection of all state institutions and buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 8.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL CALL (YEAS, N-V, NAYS), 1979 LEGISLATURE (YEAS, N-V, NAYS). Rows list names of representatives such as BACKES, BENEDICT, BERG, etc.

● DOTZENROD	● KRETSCHMAR	● RETZER
● DuBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCHE	● LIPSICA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A # 49	● MARTIN	● TMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**MOTIONS**

Rep. Strinden moved that House Bill No. 1228 be placed at the foot of the calendar, which motion prevailed.

Rep. Mattson moved that the House reconsider its action whereby it adopted the Conference Committee Report on House Bill No. 1056, which motion failed.

**SIXTH ORDER OF BUSINESS**

Rep. R. Hausauer moved that the amendments to House Bill No. 1002 as recommended by the Conference Committee as printed on page 2154 of the House Journal be adopted, which motion prevailed.

Rep. R. Hausauer moved that the amendments to House Bill No. 1033 as recommended by the Conference Committee as printed on pages 2148 and 2149 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1056 as recommended by the Conference Committee as printed on pages 2178, 2179, and 2180 of the House Journal be adopted, which motion prevailed.

Rep. Winkjer moved that the amendments to House Bill No. 1067 as recommended by the Conference Committee as printed on page 2180 of the House Journal be adopted, which motion prevailed.

Rep. Gackle moved that the amendments to House Bill No. 1257 as recommended by the Majority of the Conference Committee as printed on page 2181 of the House Journal be adopted, which motion prevailed.

Rep. Backes moved that the amendments to House Bill No. 1257 as recommended by the Minority of the Conference Committee as printed on pages 2181 and 2182 of the House Journal be adopted.

Rep. Backes requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 34; nays, 63; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN		●	WATTSON		●	UNHJEN		●
●			HICKLE		●	WEIERS		●	VANDER VORST		●
●			HOFFNER		●	WELBY		●	VIG		●
●		●	HOUIMANN		●	WERTENS		●	WAGNER		●
●			HOVE		●	MEYER		●	WALD		●
●			JACOBSEN, R		●	MURPHY		●	WALSH		●
●			JACOBSON, I.		●	MUSHIK		●	WEBER		●
●		●	KELLY		●	NICHOLAS		●	WENTZ		●
●			KENNELLY		●	OLSON		●	WESSMAN		●
●		●	KERMOTT		●	OPEDAHL		●	WINKJER		●
●		●	KINGSBURY		●	PELTNER		●			
●		●	KLOUBEC		●	PETERSON		●	MR. SPEAKER		●
●		●	KNUDSON		●	POMEROY		●			
●		●	KOSKI		●	REED		●			
●			KRETSCHMAR		●	RETZER		●			
●			KUCHERA		●	RICHARD		●			
●		●	LANG		●	RICHIE		●			
●		●	LANGLEY		●	RIEHL		●			
●			LARDY		●	RUED		●			

— FREQBORG	●	— LARSON, F. # 24	●	— SCHINDLER	●
— GACKLE	●	— LARSON, G. # 29	●	— SCOFIELD	●
● GERL	●	— LARSON, H. # 7	●	— SOLBERG	●
— GORDER	●	— LEE	●	— STENEHJEM	●
— GUNDERSON	●	— LEIBHAN	●	— STRINDEN	●
— GUNSCH	●	— LIPSIEA	●	— SWONTEK	●
● HANSON	●	● MAXNER	●	● THOMPSON	●
— HAUGLAND	●	— MARDSEN	●	— THORSgard	●
— HAUSAUER, A. # 49	●	● MARTIN	●	— TIMM	●
— HAUSAUER, R. # 25	●	— MARTINSON	●	— TINJUM	●
— HEDSTROM	●	● MATHENY	●	— TWETEN	●

The motion failed.

Rep. Gackle moved that the amendments to House Bill No. 1402 as recommended by the Conference Committee as printed on page 2149 of the House Journal be adopted, which motion prevailed.

Rep. R. Hausauer moved that the amendments to House Bill No. 1639 as recommended by the Conference Committee as printed on page 2161 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that Senate Concurrent Resolution No. 4088 be moved to the top of the Sixth Order, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Winkjer moved that the amendments to Senate Concurrent Resolution No. 4088 as recommended by the Committee on Judiciary as printed on pages 2165 and 2166 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that the rules be suspended, and those bills considered on the Sixth Order now be placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1002.** — A Bill for an Act directing the legislative council to administer a scientific and technological research and development program, to set out its responsibilities and duties, to provide for its staffing; to set forth legislative intent concerning the coal trust fund; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 36; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
—		●	●	HERMAN	●	●	MATTSON	●	●	UNHJEM	
—		●	●	HICKLE		●	MEIERS	●	●	VANDER VORST	
—		●		HOFFNER	●		MELBY		●	WIG	
●		●		HUHMANN			MERTENS		●	WAGNER	
—		●		HOVE			MURPHY	●	●	WALSH	●
●		●	●	JACOBSEN, R.			MUSHIK	●	●	WEBER	●
●		●	●	JACOBSON, I.	●		NICHOLAS		●	WENTZ	●
●		●	●	KELLY	●	●	OLSON		●	WESSMAN	
—		●	●	KENNELLY		●	OPEDAHL	●	●	WINKLER	
●		●	●	KERMOTT		●	PELTIER		●		
●		●	●	KINGSBURY		●	PETERSON		●	MR. SPEAKER	
●		●	●	KLOUBEC		●	POMEROY	●			
●		●	●	KNUDSON	●	●	REED				
●		●	●	KOSKI	●	●	REITZER	●			
●		●	●	KRETSCHMAR		●	RICHARD	●			
—		●	●	KUCHERA		●	RICHIE		●		
●		●	●	LANG		●	RIEHL		●		
●		●	●	LARDY	●	●	RUED		●		
—		●	●	LARSON, F. # 24		●	SCHINDLER		●		
●		●	●	LARSON, G. # 29		●	SCOFIELD		●		
—		●	●	LARSON, H. # 7		●	SOLBERG		●		
—		●	●	LEE		●	STENEHJEM		●		
●		●	●	LEIBHAN		●	STRINDEN		●		
●		●	●	LIPSIEA		●	SWONTEK		●		
●		●	●	MAXNER	●	●	THOMPSON		●		
●		●	●	MARDSEN		●	THORSgard		●		

● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1033.** Industrial Commission — A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTON		● UNHEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG			● HOFFNER			● WELBY		● VIG
● BERGE			● HOUWANN			● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERWITT			● OPEDAHL		● WINNER
● CONNY			● KINGSBURY			● PELTIER		
● GRABTREE			● KLOUBEC			● PETERSON		● MR. SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED		
● FREDBORG			● LARSON, F. #24			● SCHINDLER		
● GACKLE			● LARSON, G. #29			● SCOFIELD		
● GERL			● LARSON, H. #7			● SOLBERG		
● GORDER			● LEE			● STENEHEW		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSEA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND			● MARSDEN			● THORSGARD		
● HAUSAUER, A. #49			● MARTIN			● TAMM		
● HAUSAUER, R. #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**House Bill No. 1056.** — A Bill for an Act to amend and reenact sections 15-20.1-10, 15-40.1-03, 15-40.1-04, 15-40.1-05, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-10, 15-40.1-11, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-45-01, 15-45-02, 15-47-16, and 15-59-06 of the North Dakota Century Code, relating to state support for public kindergarten programs, and to the payment of state foundation aid payments directly to school districts and to the establishment, length, and funding of kindergarten programs.

Which has been read.

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1056, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 9; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTON		● UNHEM
● BENEDICT			● HICKLE			● WEIERS		● VANDER VORST
● BERG			● HOFFNER			● WELBY		● VIG
● BERGE			● HOUWANN			● WERTENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN, R.			● MURPHY		● WALSH
● BLACK			● JACOBSON, I.			● MUSHIK		● WEBER

• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOITT	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOBUEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEW	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAIKNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

**House Bill No. 1067.** — A Bill for an Act to create and enact chapter 27-25 of the North Dakota Century Code, relating to the creation of a judicial nominating committee.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 26; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN		• MATTSON		• UNHJEM				
• BENEDICT		•	• HICKLE		• MEIERS		• VANDER VORST				
• BERG		•	• HOFFNER	•	• MELBY		• VIG				
• BERGE		•	• HOUMANN		• WERTENS	•	• WAGNER				
• BERGER		•	• HOVE		• MEYER		• WALD				
• BJORNSON		•	• JACOBSEN, R.		• MURPHY		• WALSH				
• BLACK		•	• JACOBSON, I.	•	• MUSSHY	•	• WEBER				
• BOYUM		•	• KELLY	•	• NICHOLAS		• WENTZ				
• BROKAW		•	• KENNELLY		• OLSON		• WESSMAN				
• CHRISTENSEN		•	• KERMOITT		• OPEDAHL	•	• WINKJER				
• CONMY		•	• KINGSBURY		• PELTIER		• MR. SPEAKER				
• CRABTREE		•	• KLOBUEC		• PETERSON						
• DICK		•	• KNUDSON		• POMEROY	•					
• DIETZ		•	• KOSKI	•	• REED						
• DOTZENROD		•	• KRETSCHMAR		• RETZER						
• DUBORD		•	• KUCHERA		• RICHARD	•					
• EAGLES		•	• LANG		• RICHIE						
• ERICKSON		•	• LANGLEY	•	• RIEHL	•					
• FLEMING		•	• LARDY	•	• RUED						
• FREBORG		•	• LARSON, F # 24		• SCHINDLER						
• GACKLE		•	• LARSON, G # 29		• SCOFIELD						
• GERL		•	• LARSON, H # 7		• SOLBERG	•					
• GORDER		•	• LEE		• STENEHJEW						
• GUNDERSON		•	• LEIBHAN		• STRINDEN						
• GUNSCH		•	• LIPSIEA		• SWONTEK						
• HANSON		•	• MAIKNER	•	• THOMPSON						
• HAUGLAND		•	• MARSDEN		• THORSGARD						
• HAUSAUER, A # 49		•	• MARTIN		• TIMM						
• HAUSAUER, R # 25		•	• MARTINSON		• TINJUM	•					
• HEDSTROM		•	• MATHENY		• TWETEN						

So the bill passed and the title was agreed to.

**House Bill No. 1257.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide for impact loans to be administered by the board of university and school lands; and to provide a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 61; nays, 37; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			• HERMAN			• MATSON			• UNHJEM		
• BACKES		•	• HICKLE			• MEIERS		•	• VANDER VORST		
• BENEDICT		•	• HOFFNER		•	• MELBY		•	• VG		
• BERG		•	• HOLMANN			• MERTENS		•	• WAGNER		
• BERGE		•	• HOVE			• MEYER		•	• WALD		
• BERGER		•	• JACOBSEN, R.			• MURPHY		•	• WALSH	•	
• BJORNSON		•	• JACOBSON, I.		•	• MUSHIK		•	• WEBER	•	
• BLACK		•	• KELLY		•	• NICHOLAS		•	• WENTZ	•	
• BOYUM		•	• KENNELLY			• OLSON		•	• WESSMAN	•	
• BROKAW		•	• KERMOITT			• OPEDAHL		•	• WINKJER	•	
• CHRISTENSEN		•	• KINGSBURY		•	• PELTIER			• MR. SPEAKER		
• CONMY		•	• KLOBUEC			• PETERSON					
• CRABTREE		•	• KNUDSON		•	• POWEROY		•			
• DICK		•	• KOSKI		•	• REED		•			
• DIETZ		•	• KRETSCHMAR		•	• RETZER		•			
• DOTZENROD		•	• KUCHERA		•	• RICHARD		•			
• DUBORD		•	• LANG		•	• RICHIE		•			
• EAGLES		•	• LANGLEY		•	• RIEHL		•			
• ERICKSON		•	• LARDY		•	• RUED		•			
• FLEWING		•	• LARSON, F. #24		•	• SCHINDLER		•			
• FREBORG		•	• LARSON, G. #29		•	• SCOFIELD		•			
• GACKLE		•	• LARSON, H. #7		•	• SOLBERG		•			
• GERL		•	• LEE		•	• STENEHJEM		•			
• GORDER		•	• LEIBHAN		•	• STRINDEN		•			
• GUNDERSON		•	• LIPSIEA		•	• SWONTEK		•			
• GUNSCHE		•	• MAIXNER		•	• THOMPSON		•			
• HANSON		•	• MARSDEN		•	• THOMPSON		•			
• HAUGLAND		•	• MARTIN		•	• TIMM		•			
• HAUSAUER, A. #49		•	• MARTINSON		•	• TINJUM		•			
• HAUSAUER, R. #25		•	• MATHEWY		•	• TWETEN		•			
• HEDSTROM		•									

So the bill passed and the title was agreed to.

**House Bill No. 1402.** — A Bill for an Act to amend and reenact subsection 3 of section 12 of House Bill No. 1257, as approved by the forty-sixth legislative assembly, relating to the allocation of revenues from the coal severance tax to counties.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 92; nays, 5; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATSON			• UNHJEM		
• BENEDICT			• HICKLE			• MEIERS			• VANDER VORST		
• BERG		•	• HOFFNER			• MELBY			• VG		
• BERGE			• HOLMANN			• MERTENS		•	• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH	•	
• BLACK			• JACOBSON, I.			• MUSHIK		•	• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOITT			• OPEDAHL			• WINKJER		
• CONMY			• KINGSBURY		•	• PELTIER			• MR. SPEAKER		
• CRABTREE			• KLOBUEC			• PETERSON					
• DICK			• KNUDSON			• POWEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEWING		•	• LARDY			• RUED					
• FREBORG			• LARSON, F. #24			• SCHINDLER					
• GACKLE			• LARSON, G. #29			• SCOFIELD					
• GERL			• LARSON, H. #7			• SOLBERG					
• GORDER			• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSCHE			• LIPSIEA			• SWONTEK					
• HANSON			• MAIXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THOMPSON					
• HAUSAUER, A. #49			• MARTIN			• TIMM					
• HAUSAUER, R. #25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHEWY			• TWETEN					

So the bill passed and the title was agreed to.

**House Bill No. 1639.** — A Bill for an Act to provide minimum raises for all state employees; and providing an effective date.







● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**House Bill No. 1198.** — A Bill for an Act to provide for the award of damages for harm caused by activities associated with the exploration for, the development, and production of oil and gas.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 3.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			● HERMAN			● WATTSON		
●			● HICKLE			● WEIERS		● UNKJEM
●			● HOFFNER			● MELBY		● VANDER VORST
●			● HOUWANN			● NERTENS		● VIG
●			● HOVE			● MEYER		● WAGNER
●			● JACOBSEN, R.			● MURPHY		● WALD
●			● JACOBSON, I.			● MUSHIK		● WALSH
●			● KELLY			● NICHOLAS		● WEBER
●			● KENNELLY			● OLSON		● WENTZ
●			● KERMOFF			● OPEDAHL		● WESSMAN
●			● KINGSBURY			● PELTIER		● WINKJER
●			● KLOUBEC			● PETERSON		● MR. SPEAKER
●			● KJUSON			● POMEROY		
●			● KOSKI			● RETZER		
●			● KRETSCHMAR			● RICHARD		
●			● KUCHERA			● RICHIE		
●			● LANG			● RIEHL		
●			● LANGLEY			● RUED		
●			● LARDY			● SCHINDLER		
●			● LARSON, F. #24			● SCOFIELD		
●			● LARSON, G. #29			● SOLBERG		
●			● LARSON, H. #7			● STENEHJEM		
●			● LEE			● STRINDE		
●			● LEIBMAN			● SWINTEK		
●			● LIPSEA			● THOMPSON		
●			● MAJNER			● THORSgard		
●			● MARSDEN			● TIMM		
●			● MARTIN			● TINJUM		
●			● MARTINSON			● TWETEN		
●			● MATHENY					

So the bill passed and the title was agreed to.

**POINT OF PERSONAL PRIVILEGE**

Rep. Wald: "Mr. Speaker and Members of the Assembly:

"I rise on a point of personal privilege.

"I would like to say to the Assembly I do not think any Legislator this session has worked harder to solve a problem for his constituents than Jack Murphy on House Bill No. 1198. He has tried to rectify a problem in his district, and it is a difficult one to solve. I think the people in his area are indebted to Rep. Murphy for what he has tried to do to solve this difficult problem."

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1209.** — A Bill for an Act to prohibit the sale of agricultural lands to nonresident aliens, to prohibit the recording of instruments of title for nonresident alien purchases of agricultural land, to provide for enforcement by the attorney general, and to require annual reports to the commissioner of agriculture; to amend and reenact section 47-01-11 of the North Dakota Century Code, relating to qualifications for private ownership of property; and to provide a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 27; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	MATTSON			•	UNHJEM
•			•	HICKLE			•	MEIERS			•	VANDER VORST
•			•	HOFFNER	•		•	MELBY			•	VIG
•			•	HOUIMANN			•	MERTENS	•		•	WAGNER
•			•	HOVE			•	MEYER			•	WALD
•			•	JACOBSEN, R	•		•	MURPHY	•		•	WALSH
•			•	JACOBSON, I			•	MUSHIK			•	WEBER
•			•	KELLY	•		•	NICHOLAS			•	WENTZ
•			•	KENNELLY			•	OLSON			•	WESSMAN
•			•	KERMOTT			•	OPEDAHL			•	WINKJER
•			•	KINGSBURY	•		•	PELTIER				
•			•	KLOUBEC			•	PETERSON				MR. SPEAKER
•			•	KNUDSON	•		•	POWERROY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY	•		•	RIEHL				
•			•	LARDY	•		•	RUED	•			
•			•	LARSON, F. # 24			•	SCHINDLER				
•			•	LARSON, G. # 29			•	SCOFIELD	•			
•			•	LARSON, H. # 7			•	SOLBERG				
•			•	LEE	•		•	STENEHJEM				
•			•	LEIHAN			•	STRINDEN				
•			•	LIPSIEA			•	SWIONTEK				
•			•	MAIXNER	•		•	THOMPSON				
•			•	MARSDEN			•	THORSGARD	•			
•			•	MARTIN			•	TIMM				
•			•	MARTINSON			•	TINJUM				
•			•	MATHENY			•	TWETEN	•			

So the bill passed and the title was agreed to.

EXPLANATION OF A VOTE

Rep. Maixner: "Mr. Speaker:

"I would like to explain my vote.

"I voted 'No' on House Bill No. 1209 because the amendments that were insisted upon by the Senate and were approved by the Conference Committee makes the bill useless."

SECOND READING OF HOUSE BILLS

House Bill No. 1519. — A Bill for an Act to amend and reenact section 54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 29; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HERMAN			•	MATTSON			•	UNHJEM
•			•	HICKLE			•	MEIERS			•	VANDER VORST
•			•	HOFFNER	•		•	MELBY			•	VIG
•			•	HOUIMANN			•	MERTENS	•		•	WAGNER
•			•	HOVE			•	MEYER			•	WALD
•			•	JACOBSEN, R	•		•	MURPHY	•		•	WALSH
•			•	JACOBSON, I			•	MUSHIK	•		•	WEBER
•			•	KELLY	•		•	NICHOLAS			•	WENTZ
•			•	KENNELLY			•	OLSON			•	WESSMAN
•			•	KERMOTT			•	OPEDAHL			•	WINKJER
•			•	KINGSBURY	•		•	PELTIER				
•			•	KLOUBEC			•	PETERSON				MR. SPEAKER
•			•	KNUDSON	•		•	POWERROY				
•			•	KOSKI			•	REED				
•			•	KRETSCHMAR			•	RETZER				
•			•	KUCHERA			•	RICHARD				
•			•	LANG			•	RICHIE				
•			•	LANGLEY	•		•	RIEHL				
•			•	LARDY	•		•	RUED	•			
•			•	LARSON, F. # 24			•	SCHINDLER				
•			•	LARSON, G. # 29			•	SCOFIELD				
•			•	LARSON, H. # 7			•	SOLBERG				
•			•	LEE	•		•	STENEHJEM				
•			•	LEIHAN			•	STRINDEN				
•			•	LIPSIEA			•	SWIONTEK				
•			•	MAIXNER	•		•	THOMPSON				



Rep. Scofield  
Rep. Brokaw

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2003  
Senate Bill No. 2040  
Senate Bill No. 2252  
Senate Bill No. 2253  
Senate Bill No. 2269  
Senate Bill No. 2385  
Senate Bill No. 2404  
Senate Bill No. 2410  
Senate Bill No. 2411  
Senate Bill No. 2461

The Speaker signed the same in the presence of the House of Representatives.

## MESSAGES TO THE SENATE

## House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2003	Senate Bill No. 2404
Senate Bill No. 2040	Senate Bill No. 2410
Senate Bill No. 2252	Senate Bill No. 2411
Senate Bill No. 2253	Senate Bill No. 2461
Senate Bill No. 2269	
Senate Bill No. 2385	

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to transmit House Bill No. 1138 which the House has passed over the Governor's veto.

The vote on House Bill No. 1138 is; ayes, 68; nays, 28; absent and not voting, 4.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has reconsidered its action whereby the House did concur in the Senate amendments to House Bill No. 1360, and subsequently does not concur in the Senate amendments to House Bill No. 1360, and has appointed the following Conference Committee to meet with a like committee from the Senate:

Rep. Martinson  
Rep. Conmy  
Rep. Meiers

ROY GILBREATH, Chief Clerk

## Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2487.

And the President has appointed as a conference committee to act with a like committee from the House on Senate Bill No. 2487:

Senator Strinden  
Senator Melland  
Senator Erdman

LEO LEIDHOLM, Secretary

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1004  
House Bill No. 1005  
House Bill No. 1009  
House Bill No. 1024  
House Bill No. 1030

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report:  
Senate Bill No. 2125

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 1046, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MOTION

Rep. Strinden moved that the House stand recessed until 11:30 a.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1007  
House Bill No. 1011  
House Bill No. 1029  
House Bill No. 1048  
House Bill No. 1168  
House Bill No. 1221  
House Bill No. 1384  
House Bill No. 1399  
House Bill No. 1405  
House Bill No. 1447  
House Bill No. 1605  
House Bill No. 1631  
House Bill No. 1694  
House Bill No. 1695  
House Concurrent Resolution No. 3090  
House Concurrent Resolution No. 3092  
House Concurrent Resolution No. 3095  
House Concurrent Resolution No. 3096  
Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1304.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on House Bill No. 1304:

Rep. Martinson  
Rep. Scofield  
Rep. Brokaw

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2487:

Rep. Unhjem  
Rep. R. Hausauer

Rep. Fleming

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

- House Bill No. 1002
- House Bill No. 1033
- House Bill No. 1056
- House Bill No. 1067
- House Bill No. 1402
- House Bill No. 1639

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the Majority conference committee report and subsequently passed House Bill No. 1257.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

- House Bill No. 1027
- House Bill No. 1032
- House Bill No. 1198
- House Bill No. 1209
- House Bill No. 1519
- House Bill No. 1645

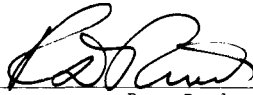
ROY GILBREATH, Chief Clerk

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Industry, Business and Labor to whom was referred Senate

Bill No. 2488, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 3; Absent, 2, that the same

do pass.  do not pass.  be placed on calendar without recommendation.



\_\_\_\_\_  
Chairman

Senate Bill No. 2488 Rep. Rued was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Majority Conference Committee to whom was referred House Bill No. 1010 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1010 be amended as follows:

On page 1 of the engrossed bill, before line 1, after the word "HEALTH" insert the following: ", STATE LABORATORIES DEPARTMENT, AND HUMAN SERVICE CENTERS"

On page 1 of the engrossed bill, line 2, after the word "health" insert the following: ", the state laboratories department, and the human service centers"



- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the following: "; and to repeal section 19-01-02.1 of the North Dakota Century Code, relating to the consumer affairs division of the state laboratories department"
- On page 1 of the engrossed bill, line 17, delete the numerals "9,022,672" and insert in lieu thereof the numerals "8,726,866"
- On page 1 of the engrossed bill, line 18, delete the numerals "2,418,143" and insert in lieu thereof the numerals "2,412,729"
- On page 1 of the engrossed bill, line 21, delete the numerals "3,660,089" and insert in lieu thereof the numerals "3,643,939"
- On page 1 of the engrossed bill, line 22, delete the numerals "310,076" and insert in lieu thereof the numerals "287,428"
- On page 2 of the engrossed bill, line 1, delete the numerals "5,908,044" and insert in lieu thereof the numerals "6,041,723"
- On page 2 of the engrossed bill, line 2, delete the numerals "21,910,784" and insert in lieu thereof the numerals "21,704,445"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,696,966" and insert in lieu thereof the numerals "16,514,444"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,213,818" and insert in lieu thereof the numerals "5,190,001"
- On page 2 of the engrossed bill, line 9, delete the numerals "9,259,636" and insert in lieu thereof the numerals "10,911,933"
- On page 2 of the engrossed bill, delete line 10
- On page 2 of the engrossed bill, line 11, delete the numerals "24,968,969" and insert in lieu thereof the numerals "28,877,578"
- On page 2 of the engrossed bill, line 12, delete the numerals "34,228,605" and insert in lieu thereof the numerals "39,789,511"
- On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,676,114.00, or so much thereof as may be necessary, to the state laboratories department of the state of North Dakota to defray the expenses of the department for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## STATE LABORATORIES DEPARTMENT

Salaries and wages	\$1,261,819
(Includes salary of director not to exceed \$45,400 for the biennium)	
Fees and services	235,570
Data processing	52,812
Supplies and materials	61,780
Equipment	64,133
Total general fund appropriation	<u>\$1,676,114"</u>

- On page 2 of the engrossed bill, line 15, delete the numerals "3,520,818" and insert in lieu thereof the numerals "2,764,032"
- On page 2 of the engrossed bill, line 19, delete the words "and human"
- On page 2 of the engrossed bill, line 20, delete the words "service centers"
- On page 2 of the engrossed bill, line 21, insert a period after the numerals "1981", and delete the words and colon "as follows:"
- On page 2 of the engrossed bill, delete lines 22 through 26

On page 2 of the engrossed bill, line 28, delete the words "and human service centers"

On page 4 of the engrossed bill, delete line 5

On page 4 of the engrossed bill, after line 5, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	\$2,025,558
Less estimated income	1,705,748
Total general fund appropriation	\$ 319,810

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,291,695
Fees and services	240,500
Supplies and materials	21,900
Equipment	4,400
Total all funds	\$1,558,495
Less estimated income	1,307,840
Total general fund appropriation	\$ 250,655

LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 841,006
Fees and services	224,543
Supplies and materials	5,115
Equipment	10,200
Total all funds	\$1,080,864
Less estimated income	894,543
Total general fund appropriation	\$ 186,321

SECTION 5. APPROPRIATION.) There is hereby appropriated out of any funds collected through the issuance of permits or registration certificates for air contaminant sources, the sum of \$183,000.00, or so much as may be necessary, but not to exceed the total amount of funds collected for such permits and certificates, to the department of health of the state of North Dakota, for the purpose of defraying costs of the air pollution control program, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 6. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

South central mental health and retardation center, Jamestown	\$ 12,857
Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	\$114,061"

On page 5 of the engrossed bill, delete lines 6 through 20

On page 5 of the engrossed bill, after line 20, insert the following section:

"SECTION 10. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible."

On page 6 of the engrossed bill, after line 16, insert the following section:

"SECTION 14. REPEAL.) Section 19-01-02.1 of the 1977 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

In addition to the purpose of amendments to House Bill No. 1010 as printed on pages 1579 through 1585 in the Senate Journal, the purpose of amendments for the amendments adopted by the conference committee to House Bill No. 1010 are as follows:

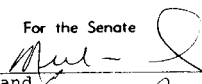
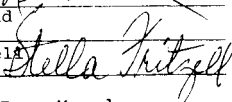
The following positions are recommended by the conference committee on House Bill No. 1010 in the amount of \$255,380 of which \$8,315 is general fund moneys and \$247,065 is special funds.

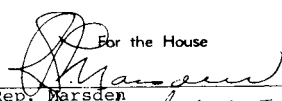
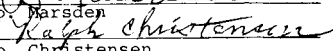
<u>Position</u>	<u>Amount</u>	<u>Program</u>
Account Technician	\$ 25,787	Fiscal Office
Environmental Quality Specialist II	37,926	Environmental Engineering
Environmental Quality Specialist II	34,959	Environmental Engineering
Solid Waste Planner II	36,664	Land Pollution Control
Chemist I	33,342	Land Pollution Control
Secretary II	24,754	Land Pollution Control
Environmental Quality Specialist I	31,605	Water, Supply, and Pollution Control
Environmental Quality Specialist I	30,343	Water, Supply, and Pollution Control
Total	<u>\$255,380</u>	

In addition to salaries and wages this amendment adds for the above positions \$61,401 for fees and services (\$1,644 in general fund moneys and \$59,757 in special funds), \$575 special funds for supplies and materials, and \$4,445 for equipment (\$88 in general fund moneys and \$4,357 in special funds).

State Laboratories Department

The conference committee on House Bill No. 1010 also changed the status of the State Laboratories Department from a division of the State Health Department to a separate department.

For the Senate  
  
 Sen. Melland  
  
 Sen. Fritzell  
 Rep. Marsden

For the House  
  
 Rep. Marsden  
  
 Rep. Christensen

moved that the report be adopted, which motion

prevailed.



- On page 2 of the engrossed bill, line 1, delete the numerals "5,908,044" and insert in lieu thereof the numerals "6,041,723"
- On page 2 of the engrossed bill, line 2, delete the numerals "21,910,784" and insert in lieu thereof the numerals "21,704,445"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,696,966" and insert in lieu thereof the numerals "16,514,444"
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- On page 2 of the engrossed bill, line 9, delete the numerals "9,259,636" and insert in lieu thereof the numerals "10,980,013"
- On page 2 of the engrossed bill, delete line 10
- On page 2 of the engrossed bill, line 11, delete the numerals "24,968,969" and insert in lieu thereof the numerals "28,877,578"
- On page 2 of the engrossed bill, line 12, delete the numerals "34,228,605" and insert in lieu thereof the numerals "39,857,591"
- On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,744,194.00, or so much thereof as may be necessary, to the state laboratories department of the state of North Dakota to defray the expenses of the department for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## STATE LABORATORIES DEPARTMENT

Salaries and wages	\$1,313,643
(Includes salary of director not to exceed \$45,400 for the biennium)	
Fees and services	242,281
Data processing	60,111
Supplies and materials	62,426
Equipment	65,733
Total general fund appropriation	<u>\$1,744,194"</u>

- On page 2 of the engrossed bill, line 15, delete the numerals "3,520,818" and insert in lieu thereof the numerals "2,764,032"
- On page 2 of the engrossed bill, line 19, delete the words "and human"
- On page 2 of the engrossed bill, line 20, delete the words "service centers"
- On page 2 of the engrossed bill, line 21, insert a period after the numerals "1981", and delete the words and colon "as follows:"
- On page 2 of the engrossed bill, delete lines 22 through 26
- On page 2 of the engrossed bill, line 28, delete the words "and human service centers"
- On page 4 of the engrossed bill, delete line 5
- On page 4 of the engrossed bill, after line 5, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	\$2,025,558
Less estimated income	1,705,748
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## NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,291,695
Fees and services	240,500
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SECTION 6. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

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Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	\$114,061"

On page 5 of the engrossed bill, delete lines 6 through 20

On page 5 of the engrossed bill, after line 20, insert the following section:

"SECTION 10. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:



• GERL	• LARSON H #7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCHE	• LIPSEI	• SWONKEA
• HANSON	• MAKNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGAARD
• HAUSAUER A #49	• MARTIN	• TILM
• HAUSAUER R #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

The Minority Report of the Conference Committee failed to pass.

Rep. Strinden moved that the Conference Committee be dissolved, and that a new conference committee be appointed on House Bill No. 1010, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of the following conference committee on House Bill No. 1010:

Rep. Marsden

Rep. R. Christensen

Rep. Fleming

#### Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1550 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill No. 1550 be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act relating to the taxation of property and providing legislative intent concerning property taxation, limitations on increases or forced reductions in property taxes levied by taxing districts for certain years, and statements of full consideration; to create and enact a new subsection to section 57-13-04 of the North Dakota Century Code, relating to the powers and duties of the state board of equalization; to amend and reenact sections 57-02-27 and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the assessment of property, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; providing a penalty; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATEMENT OF LEGISLATIVE FINDINGS - LEGISLATIVE INTENT.) Although the laws of this state require the assessment of all taxable property at its true and full value, it is the finding of the legislative assembly that actual assessments are much less than true and full value. It is the intent of the legislative assembly that the state board of equalization shall, from the effective date of this Act, establish equity of taxation within the guidelines established by this Act.

SECTION 2. PROPERTY TO BE VALUED AT TRUE AND FULL VALUE.) Beginning with the year 1980, all assessors and boards of equalization shall place the value of all items of taxable property at the true and full value of the property and the assessed valuation on such property for the year 1980 and each year thereafter shall be determined pursuant to section 7 of this Act. For the purposes of this Act, the term "true and full value"



shall have the same meaning as provided in subsection 4 of section 57-02-01.

SECTION 3. LIMITATIONS ON INCREASES OR FORCED REDUCTIONS IN PROPERTY TAXES LEVIED BY TAXING DISTRICTS FOR YEARS 1980 and 1981 - EXCEPTIONS.)

1. Each taxing district may levy in 1980 and 1981 at least as much in dollars as the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
  - a. Less an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land or taxable improvements to real property which is removed from the assessment rolls of that taxing district after the year 1979 but was included in the assessment for the year 1979.
  - b. Plus an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for 1979 and any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
2. No taxing district shall be permitted to levy in 1980 and 1981 taxes expressed in dollars in excess of the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
  - a. Plus an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land and taxable improvements to real property which was not taxable in 1979 or was omitted from the assessment rolls for that year but which is included in the assessment for the years 1980 or 1981.
  - b. Plus an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for 1979 and any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
3. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 may be increased to reflect increased mill levies authorized by the forty-sixth legislative assembly or if the electors of the taxing district authorize additional levies after the effective date of this Act at either a special or regular election as provided by law.

## JOURNAL OF THE HOUSE

4. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 shall not apply to the Fargo school district or to any school district in which the electors have approved unlimited mill levies as provided by law.
5. The provisions of this section shall supersede any applicable mill levy limitations otherwise provided by law for the period provided in subsections 1 and 2, but the provisions of this section shall not apply to any of the following:
  - a. Any irrevocable tax to pay bonded indebtedness levied pursuant to section 184 of the Constitution of North Dakota.
  - b. The twenty-one mill levy for schools provided in section 57-15-24.
  - c. The one-mill levy for the state medical center authorized by article 60 of the amendments to the Constitution of North Dakota.
6. The provisions of this section shall not apply to any city which has adopted a home rule charter unless the provisions of the charter specifically provide that state laws related to property tax levy limitations shall apply.

SECTION 4. STATEMENTS OF FULL CONSIDERATION TO BE FILED WITH STATE BOARD OF EQUALIZATION OR REGISTER OF DEEDS - PROCEDURE - SECRECY OF INFORMATION - PENALTY.)

1. Any grantee or his authorized agent who presents a deed in the office of the county register of deeds shall certify on the face of the deed either of the following:
  - a. A statement that a report of the full consideration paid for the property conveyed has been filed with the state board of equalization.
  - b. A statement of the full consideration paid for the property conveyed.
2. The register of deeds shall not record any deed unless it contains either of the statements required by subsection 1.
3. The register of deeds shall accumulate and at least monthly forward to the state board of equalization a report containing the information filed in his office pursuant to subsection 1.
4. The state board of equalization shall prescribe the necessary forms for the statements and reports to be used in carrying out the purposes of this Act, and the forms will contain a space for the explanation of special circumstances which may have contributed to the amount of the consideration.
5. For purposes of this section, the word "deed" means an instrument or writing whereby any real property or interest therein shall be granted, conveyed, or otherwise transferred to the grantee, purchaser, or other person.

6. The state board of equalization shall guard the secrecy of information contained on statements filed with the board pursuant to subsection 1, and any information provided local officials shall be limited to such data as is necessary to perform their official duties and shall not include the names of any grantors or grantees. Any reports made available to the public must be made in a manner that will not reveal the names of any grantors or grantees.
7. Any person who shall, in the statements provided for in subsection 1, willfully falsify the consideration paid for the transferred real property or interest therein or who falsely certifies that he has filed a report of full consideration with the state board of equalization shall be guilty of a class B misdemeanor.

SECTION 5. AMENDMENT.) Section 57-02-27 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-27. PROPERTY TO BE ASSESSED VALUED AT FULL VALUE - LIMITATION ON ASSESSMENT OF ANNEXED AGRICULTURAL LANDS.) All property subject to taxation based on the value thereof shall be assessed valued at its true and full value ~~in money~~ as defined in subsection 4 of section 57-02-01. In determining the true and full value of real and personal property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price at which said property would sell at auction, or at forced sale, or in the aggregate with all the property in the town or district, but he shall value each article or description by itself, and at such sum or price as he believes the same to be fairly worth in money. In ~~assessing~~ valuing any tract, or lot of real property, there shall be determined the value of the land, exclusive of improvements, and the value of all taxable improvements and structures thereon, and the aggregate value of the property, including all taxable structures and other improvements, excluding the value of crops growing upon cultivated lands. In valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell for at a fair voluntary sale for cash. Agricultural lands within the corporate limits of a city, whether or not platted, shall constitute agricultural property and be so classified and valued for ad valorem property tax purposes until such lands are put to another use. Such valuation shall be uniform with the ~~assessed value~~ valuation of adjoining unannexed agricultural land.

SECTION 6. AMENDMENT.) Section 57-02-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-28. BASIS FOR COMPUTATION OF TAX.) The value of all property subject to a general property tax, not exempted by law nor subject to any gross sales or other lieu tax, to be used in the computation of the tax levied for the payment of any bonded or improvement warrant indebtedness shall be the ~~full-and-true~~ assessed value thereof, but the net value of such property to be used in the computation of all other taxes levied thereon shall be fifty percent of the ~~true-and-full~~ assessed value thereof. ~~Assessors and boards of review shall assess-and-return-all-taxable-property-at-its-full-and-true-value,-and-the-county-auditor,-after-equalization of~~

the property. For purposes of this section, "assessed value" means the value established by the state board of equalization, shall make the computation necessary to ascertain said fifty percent value pursuant to section 7 of this Act.

SECTION 7.) A new subsection to section 57-13-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Establish the assessed value to be used on each of the classes of taxable property, based upon the de facto classes developed prior to the effective date of this Act, by city and township assessors, county directors of tax equalization, and the board based upon the actual average assessment levels, stated as percentages, for each class of property for the previous year. The assessed values so established shall be based upon the returns of assessments of taxable property provided by the counties plus information compiled by the board for property assessed by the board pursuant to section 179 of the Constitution of North Dakota. The percentages so determined shall be certified to county directors of tax equalization on or before October thirty-first of each year. The board may make adjustments in the percentage of assessed valuation to be applied to any class of property, or to specific types of property within a class of property, if required to do so pursuant to a federal law. If the board finds the range of differences between the percentages established pursuant to this subsection increasing as compared to the relationships between the percentages on the various classes of property which existed on the effective date of this Act, the board shall report such fact to the subsequent legislative assembly accompanied by any appropriate proposed legislation to bring the relationships to within the range of the relative levels which existed on the effective date of this Act.

SECTION 8. AMENDMENT.) Subsection 1 of section 57-13-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Equalize the assessment of land real property by adding to the aggregate value thereof in any assessment district in a county and in every county in the state in which the board may believe the valuation too low, such rate percent as will raise the same to its proper relative value, and by deducting from the aggregate assessed value thereof, in any assessment district in a county and in every county in the state in which the board may believe the value too high, such percent as will reduce the same to its proper relative value. City lots shall be equalized in the manner provided for equalizing other lands real property. In performing its duties pursuant to this subsection, the board shall take into consideration the provisions of section 57-01-06.1;

SECTION 9. AMENDMENT.) Section 57-55-04 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-55-04. TAXES - HOW DETERMINED - DISBURSEMENT.) The tax for each mobile home shall be determined by the

director of tax equalization by placing an evaluation on such mobile home based upon its true and full value and applying the same assessed valuation as established by the state board of equalization for other property in the same classification based on use, pursuant to standards and guides as determined by the state tax commissioner and applying such evaluation to the preceding year's total mill levies applying to property within the taxing district wherein the mobile home is located. If a mobile home is acquired or moved into this state during the calendar year, and a tax decal has not been previously issued on such mobile home in this state for such year, the tax shall be determined by computing the remaining number of months of the current year to the nearest full month and multiplying such number by one-twelfth of the amount which would be due for the full year. The taxes collected pursuant to the provisions of this chapter shall be disbursed in the same year they are collected and in the same manner as real estate taxes for the preceding year are disbursed.

SECTION 10. EFFECTIVE DATE.) The provisions of this Act shall be effective on and after January 1, 1980."

And renumber the lines and pages accordingly

For the Senate	For the House
Sen. Goodman <u><i>Goodman</i></u>	Rep. A. Hausauer <u><i>A. Hausauer</i></u>
Sen. Shablow <u><i>Shablow</i></u>	Rep. Timm <u><i>Timm</i></u>
Sen. Wright <u><i>Wright</i></u>	Rep. Weber <u><i>Weber</i></u>

Representative Hausauer moved that the report be adopted, which motion failed on a verification vote.

**MOTION**

Rep. Strinden moved that the conference committee be dissolved, and a new conference committee be appointed on House Bill No. 1550, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

Speaker Wagner announced the appointment of the following conference committee on House Bill No. 1550:

- Rep. A. Hausauer
- Rep. Timm
- Rep. Weber

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on House Bill No. 1010.

And the Speaker has appointed as a new conference committee on House Bill No. 1010:

- Rep. Marsden
- Rep. R. Christensen
- Rep. Fleming

ROY GILBREATH, Chief Clerk

**MESSAGE FROM THE SENATE**

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 1010:

- Senator Melland
- Senator Strinden
- Senator Walsh

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit House Bill No. 1138 which the Senate has passed over the Governor's veto.

The vote on House Bill No. 1138 is; ayes, 34; nays, 15; absent and not voting, 1.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on:

House Bill No. 1304:

Senator Jones  
Senator Albers  
Senator Rait

House Bill No. 1360:

Senator Christensen  
Senator Cussons  
Senator Miller

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2011  
Senate Bill No. 2016  
Senate Bill No. 2026  
Senate Bill No. 2028  
Senate Bill No. 2031  
Senate Bill No. 2033  
Senate Bill No. 2056  
Senate Bill No. 2057  
Senate Bill No. 2058  
Senate Bill No. 2072  
Senate Bill No. 2113

LEO LEIDHOLM, Secretary

## MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on House Bill No. 1550.

And the Speaker has appointed as a new conference committee on House Bill No. 1550:

Rep. A. Hausauer  
Rep. Timm  
Rep. Weber

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has not adopted the conference committee report on Senate Bill No. 2430.

And the President has appointed as a new conference committee on Senate Bill No. 2430:

Senator Lodoen  
Senator Reiten  
Senator Shablow

LEO LEIDHOLM, Secretary

## APPOINTMENT OF CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of the following conference committee on Senate Bill No. 2430:

Rep. Kretschmar

Rep. Conmy  
Rep. Kelly

MOTION

Rep. Strinden moved that the House stand recessed until 1:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, on Senate Bill No. 2430:

Rep. Kretschmar  
Rep. Conmy  
Rep. Kelly

ROY GILBREATH, Chief Clerk  
MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2297  
Senate Bill No. 2310  
Senate Bill No. 2367  
Senate Bill No. 2383

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1028 \_\_\_\_\_
- HB NO. 1044 \_\_\_\_\_
- HB NO. 1199 \_\_\_\_\_
- HB NO. 1588 \_\_\_\_\_
- HB NO. 1565 \_\_\_\_\_
- HB NO. 1581 \_\_\_\_\_
- HB NO. 1614 \_\_\_\_\_
- HB NO. 1621 \_\_\_\_\_
- HCR NO. 3094 \_\_\_\_\_

and find the same correctly } Enrolled

Chairman

Representative Hanson } Rep. Stenehjem moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2159 has had the same under

consideration and recommends: that the House recede from its amendments to Senate Bill 2159, and that it be further amended as attached:

on page 1 of the reengrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 1 of section 27-20-13, subsection 2 of section 27-20-37, and section 50-25.1-08 of the North Dakota Century Code, relating to informal adjustment of minors, to taking minors into custody, to the modification or vacation of orders of the juvenile court, and to the appointment of guardians ad litem.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 1 of section 27-20-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. A child may be taken into custody:
  - a. Pursuant to an order of the court under this chapter;
  - b. Pursuant to the laws of arrest;
  - c. By a law enforcement officer or a juvenile supervisor, or by order of the juvenile supervisor made pursuant to subsection 1 (h) of section 27-20-06, if there are reasonable grounds to believe (1) that the child is suffering from illness or injury or is in immediate danger from his surroundings, and that his removal is necessary, or (2) that the child has run away from his parents, guardian, or other custodian.  
An order of the juvenile supervisor made pursuant to this subsection shall be reduced to writing within twenty-four hours of its issuance.

SECTION 2. AMENDMENT.) Subsection 2 of section 27-20-37 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. Except an order committing a delinquent or unruly child to the state industrial school, an order terminating parental rights, or an order of dismissal, an order of the court may also be changed, modified, or vacated on the ground that changed circumstances so require in the best interest of the child. An order terminating parental rights and the parent and child relationship may be vacated by the court upon motion of the parent if the child is not on placement for adoption and the person having custody of the child consents in writing to the vacation of the decree. An order granting probation to a child found to be delinquent or unruly may be revoked on the ground that the conditions of probation have not been observed.

SECTION 3. AMENDMENT.) Section 50-25.1-08 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-25.1-08. GUARDIAN AD LITEM.) The court, in every case involving an abused or neglected child which results in a judicial proceeding ~~or proceedings for informal adjustment under 27-20-10,~~ shall appoint a guardian ad litem for the child in those proceedings."

and renumber the lines and pages accordingly



For the Senate	For the House
<u>Hal Christensen</u>	<u>Representative Conny</u>
Senator Christenson	Representative Conny
<u>Walter Secum</u>	<u>Rep. Thompson</u>
Senator Secum	Representative Thompson
<u>Senator Lashkowitz</u>	<u>Rep. Lardy</u>
Senator Lashkowitz	Representative Lardy
<u>Representative Conny</u>	

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2159 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred

Senate Bill No. 2233 has had the same under

consideration and recommends:

That the Senate accede to the House amendments

For the Senate	For the House
<u>Senator Nelson</u>	<u>Rep. Kloubec</u>
Senator Nelson	Rep. Kloubec
<u>Senator Redlin</u>	<u>Rep. Crabtree</u>
Senator Redlin	Rep. Crabtree
<u>Rep. Kloubec</u>	<u>Rep. Malxner</u>
Rep. Kloubec	Rep. Malxner

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Mr. Speaker: Your Conference Committee to whom was referred

Senate Bill No. 2263 has had the same under

consideration and recommends:

That the Senate accede to the House amendments

For the Senate	For the House
<u>Senator Christensen</u>	<u>Representative Stenehjem</u>
Senator Christensen	Representative Stenehjem
<u>Senator Sandness</u>	<u>Representative Hedstrom</u>
Senator Sandness	Representative Hedstrom
<u>Senator Miller</u>	<u>Representative Hoffart</u>
Senator Miller	Representative Hoffart
<u>Representative Stenehjem</u>	

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Mr. Speaker: Your Conference Committee to whom was referred

Senate Bill No. 2309 has had the same under

consideration and recommends:

That the Senate accede to the House amendments

For the Senate _____ Senator Wright _____ Senator Goodman _____ Senator Redlin _____	For the House _____ Representative Timm _____ Representative Martin _____ Representative Kelly _____
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Representative Timm moved that the report be adopted, which motion

prevailed.

Mr. SPEAKER : Your Conference Committee to whom was referred SENATE Bill No. 2350 has had the same under consideration and recommends:

That the Senate accede to the House amendments and that Senate Bill No. 2350 be further amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 39-09 of the North Dakota Century Code, relating to limitations on the reduction of speed zone speed limits; and to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, as contained in sections 1 and 2 of House Bill No. 1449, as approved by the forty-sixth legislative assembly, relating to fines and points assessed against driver's licenses for violation of speed limits, and to the definition of moving violation, and removing certain violations related to motorcycles from that legislation; and to amend and reenact paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to points assessed against driving records for speeding violations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 39-06.1-06 of the North Dakota Century Code as amended by section 1 of House Bill No. 1449, as approved by the forty-sixth legislative assembly, is hereby amended and reenacted to read as follows:

39-06.1-06. AMOUNT OF STATUTORY FEES.) The fees required for a noncriminal disposition pursuant to either section 39-06.1-02 or section 39-06.1-03 shall be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee in the amount of ten dollars.
2. For a moving violation as defined in section 39-06.1-09, a fee in the amount of twenty dollars.
3. For a violation of section 39-09-02, or an equivalent ordinance, involving a speed in excess of fifty-five miles per hour, the penalty shall be a fee and a point assessment against the driver's license as follows:

Speed (mph)	Fee (\$)	Points
56 - 60	\$ 5	0
61 - 65	\$ 5 plus \$1/each mph over 60	1
66 - 70	\$10 plus \$1/each mph over 65	2
71 - 75	\$15 plus \$2/each mph over 70	3

76 - 80	\$25 plus \$3/each mph over	75	4
81 - 90	\$40 plus \$3/each mph over	80	6
91 - 100	\$70 plus \$3/each mph over	90	8
101 +	\$100 plus \$5/each mph over	100	12

The provisions of paragraph (11) of subdivision a of subsection 3 of section 39-06.1-10 shall only apply to violations involving speed limits less than fifty-five miles per hour.

4. For a violation of section 39-09-01, or an ordinance defining careless driving, a fee in the amount of thirty dollars.
5. For a violation of section 39-09-02, or an equivalent ordinance, which violation is not provided for in subsection 3 of this section, the penalty shall be a fee as follows:
  - a. From one to five miles per hour in excess of the lawful limit, a fee in the amount of five dollars.
  - b. From six to ten miles per hour in excess of the lawful speed limit, a fee in the amount of ten dollars.
  - c. From eleven to twenty-five miles per hour in excess of the lawful speed limit, a fee in the amount of ten dollars, plus an additional fee in the amount of one dollar for each mile per hour above ten miles per hour in excess of the lawful speed limit.
  - d. Twenty-six or more miles per hour in excess of the lawful speed limit, a fee in the amount of thirty dollars, plus an additional fee in the amount of two dollars for each mile per hour above twenty-five miles per hour in excess of the lawful speed limit.

SECTION 2. AMENDMENT.) Section 39-06.1-09 of the 1977 Supplement to the North Dakota Century Code as contained in section 2 of House Bill No. 1449, as approved by the forty-sixth legislative assembly, is hereby amended and reenacted to read as follows:

39-06.1-09. "MOVING VIOLATION" DEFINED.) For the purposes of section 39-06.1-06 and section 39-06.1-13, a "moving violation" means a violation of section 39-04-22; subsection 1 of section 39-04-37; sections 39-05-12; 39-06-01; 39-06-14; 39-06-16; 39-08-09; 39-08-18; 39-09-05; 39-09-09; 39-12-04; 39-12-05; 39-12-06; 39-12-09; 39-24-02; or 39-24-09, except subdivisions b and c of subsection 5, or equivalent ordinances; or a violation of the provisions of chapters 39-10 ("general rules of the road") or 39-21 ("equipment of vehicles"), or equivalent ordinances, except those sections within those chapters which are specifically listed in subsection 1 of section 39-06.1-08.

SECTION 3. A new section to chapter 39-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

SPEED ZONES - REDUCTION LIMITATION.) No street, road, or highway in the state highway system or any other township, county, or state road or highway shall be posted in a manner which reduces the maximum speed limit on the street, road, or highway by more than twenty miles per hour between any two signs so posted in a speed zone.

JOURNAL OF THE HOUSE

SECTION 4. AMENDMENT.) Paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- (11) A violation of section 39-09-02, or equivalent ordinance, where charge is speeding in violation of speed limits set at less than fifty-five miles per hour:
  - (a) From nine to fifteen miles per hour in excess of the lawful limit 2-points 1 point
  - (b) From sixteen to twenty-five miles per hour in excess of the lawful limit 4-points 3 points
  - (c) Twenty-six or more miles per hour in excess of the lawful limit" 6 points

And renumber the lines, sections, and pages accordingly

<p>For the Senate</p> <p>SENATOR TENNEFOS <i>J. Tennefos</i></p> <p>SENATOR SOLBERG <i>R. Solberg</i></p> <p>SENATOR LASHKONITZ <i>J. Lashkonitz</i></p> <p>REPRESENTATIVE ERICKSON</p>	<p>For the House</p> <p>REPRESENTATIVE ERICKSON <i>R. Erickson</i></p> <p>REPRESENTATIVE HANSON <i>L. Hanson</i></p>
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\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

SENATE Bill No. 2350 was placed on the SIXTH order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2354 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2354 be further amended as follows:

- 1 On page 1, line 15, delete the words and comma "and shall not"
- 2 On page 1, delete line 16
- 3 On page 1, delete "ten years"
- 4 On page 1, line 17, after the period, insert the following:
- 5 "Each candidate for the office of sheriff shall file
- 6 a notarized affidavit with the certificate of nomination
- 7 certifying under oath that the candidate has not been
- 8 convicted of a felony within the last ten years."
- 9 On page 1, line 18, after the word "process" insert the words
- 10 "for one week"

- 11 On page 1, line 20, after the word "course" insert the words
- 12 "for two weeks"
- 13 On page 1, line 21, after the word "state" delete the underscore
- 14 under the comma

And renumber the lines and pages accordingly

For the Senate	For the House
<u>Senator Iszter</u>	<u>Representative Boyum</u>
<u>Senator Holmberg</u>	<u>Representative Thompson</u>
<u>Senator Schirado</u>	<u>Representative Dotzenrod</u>

prevailed.

Senate Bill No. 2354 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

Mr. SPEAKER: Your Conference Committee to whom was refer-

red SENATE Bill No. 2405 has had the same under

consideration and recommends: that the Senate accede to the House amendments.

For the Senate	For the House
<u>Senator Albers</u>	<u>Representative Nicholas</u>
<u>Senator Iszter</u>	<u>Representative Vander Vorst</u>
<u>Senator Barth</u>	<u>Representative Meyer</u>

prevailed.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2412 has had the same under

consideration and recommends: that the House recede from its amendments and that Senate Bill 2412 be amended as follows:

on page 1, line 2 of the engrossed bill, delete the word "criminal" and insert in lieu thereof the word "judicial"

on page 1, line 20 of the engrossed bill, after the word "party" delete the words "or a person"

on page 1, delete all of lines 21 and 22 of the engrossed bill

on page 2, line 10 of the engrossed bill, delete the word "judicial" and after the word "proceeding" insert the words "before any court, department, board, commission, agency, or licensing authority of the state, or any department, board, commission, agency, or licensing authority of a political subdivision"

on page 2 of the engrossed bill, line 12, delete the word "shall" and insert in lieu thereof the words "may at the request of the deaf person if substantial justice is served thereby"

on page 2 of the engrossed bill, after line 24 insert the following new subsections:

- "3. Whenever any deaf person is a party to or receiving services from any health, welfare, or educational agency under the authority of the state or political subdivision of the state, the appointing authority

may at the request of the deaf person if substantial justice is served thereby appoint a qualified interpreter for the deaf to interpret or translate the actions of any personnel providing such service and to assist the deaf person in communicating with each person.

4. Whenever a deaf person is interested in any administrative or judicial proceeding in which an interpreter would be required for a principal party in interest, the person may at the request of the deaf person if substantial justice is served thereby be entitled to utilize an interpreter to translate the proceeding and to assist in the presentation or testimony.
5. The ruling of the presiding officer of the administrative proceedings relative to authorization of an interpreter shall be an appealable order."

on page 3 of the engrossed bill, line 4, after the word "compensated" insert the words "from the funds of the appointing authority "

and renumber the lines and pages accordingly.

For the Senate	For the House
<u><i>Asa Christensen</i></u>	<u>(Refused to sign)</u>
Senator Christensen	Representative Wentz
<u><i>Walter Sorum</i></u>	<u><i>Carlene Benedict</i></u>
Senator Sorum	Representative Benedict
<u><i>Senator Lashkowitz</i></u>	<u><i>Reed</i></u>
Senator Lashkowitz	Representative Reed

Representative Wentz moved that the report be adopted, which motion failed.

**MOTION**

Rep. Striden moved that the conference committee on Senate Bill No. 2412 be dissolved, and a new conference committee be appointed, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner announced the appointment of the following conference committee on Senate Bill No. 2412:

- Rep. Wentz
- Rep. Reed
- Rep. Benedict

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2455 has had the same under

consideration and recommends:

That the Senate accede to the House amendments

For the Senate	For the House
<u><i>Warrington</i></u>	<u><i>Crabtree</i></u>
Senator Warrington	Representative Crabtree
<u><i>Goodman</i></u>	<u><i>Kelly</i></u>
Senator Goodman	Representative Kelly
<u><i>Redlin</i></u>	<u><i>Bjornson</i></u>
Senator Redlin	Representative Bjornson

Representative Crabtree moved that the report be adopted, which motion prevailed.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2463 has had the same under

consideration and recommends:

That the Senate accede to the House amendments

For the Senate: Senator Solberg, Senator Peterson, Senator Dotzenrod. For the House: Rep. Erickson, Rep. Olson, Rep. Meyer. moved that the report be adopted, which motion prevailed.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2011 has had the same under

consideration and recommends:

that the Senate accede to the House amendments.

For the Senate: Senator Smykowski, Senator Fritzell, Senator Tallackson. For the House: Representative Hausauer, Representative Bunsch, Representative Solberg. moved that the report be adopted, which motion prevailed.

Senate Bill No. 2011 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2016 has had the same under

consideration and recommends:

that the House recede from their amendments and that the engrossed bill be amended.

On page 1 of the engrossed bill, line 8, delete the numerals "400,000" and insert in lieu thereof the numerals "663,675.00"

On page 1 of the engrossed bill, line 10, after the word "Dakota" insert the words and comma "for defraying the expenses thereof,"

On page 1 of the engrossed bill, delete line 12 and insert in lieu thereof the following lines:

Table with 2 columns: Description and Amount. Rows include Salaries and wages (\$82,809), Fees and services (25,000), Supplies and materials (3,940), Equipment (1,926), Land, structures, and major improvements (150,000), Grants, benefits, and claims (400,000).

On page 1 of the engrossed bill, line 13, delete the numerals "400,000" and insert in lieu thereof the numerals "663,675"

On page 2 of the engrossed bill, delete lines 1 through 13 and insert the following section:

"SECTION 3. APPROPRIATION.) It is the intent of the legislative assembly that should funds be made available from federal or other sources other than the state general fund for defraying the costs of construction relating to the educational broadcasting system under the supervision of the educational broadcasting council, that such funds are hereby appropriated and may be spent upon approval of the emergency commission."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment restores \$263,675 for the Educational Broadcasting Council which was deleted in the Senate. The total appropriation for the Educational Broadcasting Council is \$27,124 less than the executive budget. This amendment provides a separate line item appropriation of \$400,000 for grants which is \$6,600 less than the executive budget.

For the Senate	For the House
<i>Stella Fritzell</i> _____ Senator Fritzell	<i>Michael Unhjem</i> _____ Representative Unhjem
<i>Gregory Phipps</i> _____ Senator Phipps	<i>Robert Ruchera</i> _____ Representative Ruchera
<i>William Unhjem</i> _____ Senator Unhjem	<i>Rep. Fleming</i> _____ Representative Fleming
Rep. Unhjem	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2016 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2026 has had the same under

consideration and recommends:

That the House recede from their amendments and the engrossed bill be amended as follows:

On page 1, line 7 of the engrossed bill delete the amount "\$1,495,000" and insert in lieu thereof the amount "\$2,000,000"

On page 1, line 12 of the engrossed bill delete the amount "\$1,495,000" and insert in lieu thereof the amount "\$2,000,000"

On page 1, line 13 of the engrossed bill delete the amount "\$1,495,000" and insert in lieu thereof the amount "\$2,000,000"

And renumber the lines and pages accordingly.

For the Senate	For the House
<i>Russell J. Tharr</i> _____ Senator Tharr	<i>Michael Hausauer</i> _____ Representative Hausauer
<i>Senator Naades</i> _____ Senator Naades	<i>Malcolm Sweten</i> _____ Representative Sweten
<i>Senator Walsh</i> _____ Senator Walsh	<i>Charles J. Mertens</i> _____ Representative Mertens

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2026 was placed on the 6th order of business on the calendar for the succeeding legislative day.



Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2028 has had the same under

consideration and recommends:

That the House recede from its amendments, and that engrossed Senate Bill No. 2028 be amended as follows:

On page 1 of the engrossed bill, line 9, delete the numerals "1,695,950" and insert in lieu thereof the numerals "1,730,950"

On page 1 of the engrossed bill, line 18, delete the numerals "1,529,762" and insert in lieu thereof the numerals "1,564,762"

On page 1 of the engrossed bill, line 19, delete the numerals "1,695,950" and insert in lieu thereof the numerals "1,730,950"

On page 1 of the engrossed bill, line 21, delete the numerals "164,100" and insert in lieu thereof the numerals "199,100"

On page 2 of the engrossed bill, after line 7 insert the following section:

"SECTION 3. LEGISLATIVE INTENT.) The sum of \$35,000.00 included in section 1 of this Act within the line item for grants, benefits, and claims is to be utilized to establish an endowment fund for which the income is hereby appropriated for the furthering of the cultural arts in the state of North Dakota. The principal sum in said endowment shall not be available for any other purpose except by a specific act of the legislative assembly."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the grants, benefits, and claims line item for the Council on Arts and Humanities by \$35,000 from the state general fund and provides for a separate section in Senate Bill No. 2028 providing that these moneys are to be utilized to establish an endowment fund for the furthering of the cultural arts in North Dakota. Funds had been deleted by the Senate for this purpose and the House had added in \$50,000 for the endowment fund.

For the Senate

For the House

Russell Thorne  
Senator Thorne  
John Dineen  
Senator Dineen  
Richard Erdman  
Senator Erdman

Alaska Eagles  
Representative Eagles  
Michael Hansen  
Representative Hansen  
Corin Muzik  
Representative Muzik

Representative Eagles moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2028 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2031 has had the same under

consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2031 be amended as follows:

On page 1 of the engrossed bill, line 8, delete the numerals "5,929,285" and insert in lieu thereof the numerals "6,153,234"

- On page 1 of the engrossed bill, line 13, delete the numerals "2,536,022" and insert in lieu thereof the numerals "2,662,293"
- On page 1 of the engrossed bill, line 14, delete the numerals "556,120" and insert in lieu thereof the numerals "602,330"
- On page 1 of the engrossed bill, line 17, delete the numerals "299,273" and insert in lieu thereof the numerals "323,891"
- On page 1 of the engrossed bill, line 18, delete the numerals "112,995" and insert in lieu thereof the numerals "139,845"
- On page 1 of the engrossed bill, line 21, delete the numerals "5,929,285" and insert in lieu thereof the numerals "6,153,234"
- On page 1 of the engrossed bill, line 22, delete the numerals "1,200,000" and insert in lieu thereof the numerals "1,423,949"
- On page 2 of the engrossed bill, after line 1, insert the following section:

"SECTION 2. LANDS AND MINERALS TRUST FUND - TRANSFER.)  
The sum of \$223,949.00 or so much thereof as may be necessary at such times as may be requested by the state engineer of the state water commission shall be transferred by the state treasurer from the lands and minerals trust fund created by section 15-08.1-08 of the North Dakota Century Code to the state water commission for the biennium beginning July 1, 1979, and ending June 30, 1981."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

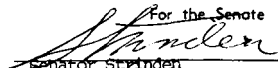
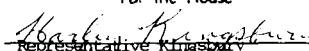
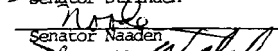
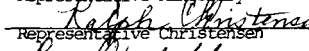
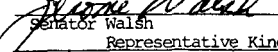
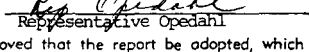
Salaries and wages is increased by \$126,271 by adding \$4,003 to provide adequate funds for 6.5 percent annual salary increases and fringe benefits including family medical insurance; and by adding \$122,268 for three positions of a Hydrologist III, a Hydrologist II, and an Engineering Technician IV.

Fees and services is increased by \$46,210 by adding \$35,810 to provide adequate travel and other fees for the level of operations recommended in the executive budget; and by \$10,400 for the three additional positions.

Supplies and materials is increased by \$24,618 by adding \$14,618 to provide adequate printing, vehicle supplies, and pipe and drilling supplies for the level of operation recommended in the executive budget; and by adding \$10,000 for the three additional positions.

Equipment is increased by \$26,850 for the three additional positions.

Estimated income is increased \$223,949 since the above increases are to be funded from the lands and minerals trust fund as provided by the section added in these amendments.

For the Senate	For the House
	
Senator Stindlen	Representative Kingsbury
	
Senator Naaden	Representative Christensen
	
Senator Walsh	Representative Opedahl
Representative Kingsbury	moved that the report be adopted, which motion prevailed

Senate Bill No. 2031 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2033 has had the same under

consideration and recommends:

that the House recede from its amendments and that the engrossed bill be amended.

- On page 1 of the engrossed bill, line 9, delete the numerals "12,657,338" and insert in lieu thereof the numerals "12,707,338"
- On page 1 of the engrossed bill, line 15, delete the numerals "1,870,268" and insert in lieu thereof the numerals "1,897,882"
- On page 1 of the engrossed bill, line 19, delete the numerals "300,000" and insert in lieu thereof the numerals "322,386"
- On page 2 of the engrossed bill, line 2, delete the numerals "12,657,338" and insert in lieu thereof the numerals "12,707,338"
- On page 2 of the engrossed bill, line 3, delete the numerals "8,745,633" and insert in lieu thereof the numerals "8,895,633"
- On page 2 of the engrossed bill, line 4, delete the numerals "3,911,705" and insert in lieu thereof the numerals "3,811,705"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Parks and Recreation Department salaries and wages is increased by \$27,614 for an administrative officer position deleted by the Senate. The equipment line item is increased by \$22,386 for purchase of VHF radio systems for the various parks as determined by the department. The estimated income is increased by \$150,000 for additional revenue expected from raising the annual vehicle entrance fee from \$5 to \$7 and the overnight camping fee from \$3 to \$5 for those areas which are modern.

For the Senate

For the House

Frank Thane  
 Senator Thane  
Sam Hansen  
 Senator Hansen  
W. W. Erdman  
 Senator Erdman

Representative Marsden  
 Representative Marsden  
Representative Thorsgard  
 Representative Thorsgard  
Representative Solberg  
 Representative Solberg

Representative Marsden moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2033 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2056 has had the same under

consideration and recommends:

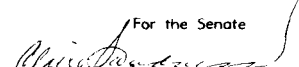
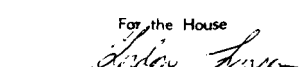
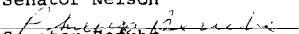
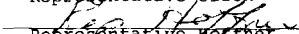
That the Senate accede to the House amendments and that Senate Bill No. 2056 be further amended as follows:

On page 8 of the engrossed bill, line 10, delete the words: "The school district" and insert in lieu thereof the following new language: "The transportation shall be furnished as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident shall be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant. The reimbursement shall not be for more than six round trips home per year at a rate not to exceed that paid state officials"

On page 8 of the engrossed bill, delete all of lines 11 and 12

On page 8 of the engrossed bill, line 13, delete the word "instruction"

And renumber the lines and pages accordingly.

For the Senate	For the House
	
Senator Sandness	Representative Larson
(REFUSED TO SIGN)	Representative Olson
Senator Nelson	Representative Olson
	
Senator Berube	Representative Norther

Representative Larson moved that the report be adopted, which motion prevailed.

Senate Bill No. 2056 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2057 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill 2057 be amended as follows:

On page 1, line 1, delete the words "to chapter"

On page 1, line 2, delete the numerals "25-05"

On page 1, line 15, delete the word "Persons" and insert in lieu thereof the words "Residents not more than"

On page 1, line 16, delete the words "and under"

On page 1, line 17, delete the words "not more than six"

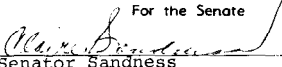
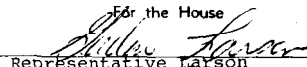
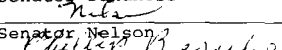
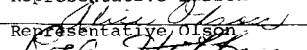
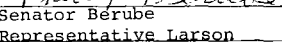
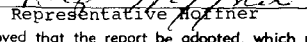
On page 1, delete all of line 18

On page 1, line 19, delete the words "The state school shall provide either"

On page 1, delete all of line 20 and insert in lieu thereof the following: "as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident shall be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant. The reimbursement shall not be for more than six round trips home per year at a rate not to exceed that paid"

- On page 2, line 5, delete the following: "to chapter 25-05"
- On page 2, line 8, delete the word "patients" and insert in lieu thereof the words "residents not more than"
- On page 2, line 9, delete the words "and under" and delete the word "the" and after the word "Haven" insert a comma
- On page 2, line 10, delete the words "state hospital" and delete the words "not more than six round"
- On page 2, delete all of line 11
- On page 2, line 12, delete the words "Haven state hospital shall provide either" and delete the word "or" and insert in lieu thereof "as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident shall be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant. The reimbursement shall not be for more than six round trips home per year at a rate not to exceed that paid "
- On page 2, line 13, delete the words "reimbursement for mileage at the rate allowed for"

And renumber the lines and pages accordingly

For the Senate	For the House
	
Senator Sandness	Representative Larson
	
Senator Nelson	Representative Olson
	
Senator Berube	Representative Hoffman

Representative Larson moved that the report be adopted, which motion prevailed.

Senate Bill No. 2057 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2058 has had the same under

consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2058 be amended as follows:

- On page 2 of the engrossed bill, line 7, delete the words "not more than six round trips home per year at the"
- On page 2 of the engrossed bill, delete all of line 8
- On page 2 of the engrossed bill, line 9, delete the words "or reimbursement for mileage at the rate allowed" and insert in lieu thereof the following: "as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident shall be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it

in providing transportation for the applicant. The reimbursement shall not be for more than six round trips home per year at a rate not to exceed that paid"

On page 2 of the engrossed bill, line 10, delete the word "for"

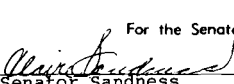
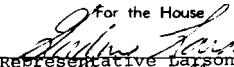
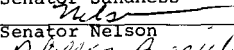
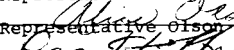
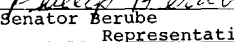
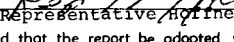
On page 2 of the engrossed bill, line 33, delete the words "not more"

On page 2 of the engrossed bill, delete all of line 34

On page 2 of the engrossed bill, line 35, delete the words "The school shall provide either" and on the same line delete the words "or reimbursement" and insert in lieu thereof the following: "as provided by rules and regulations of the department of public instruction. The rules and regulations of the department of public instruction shall have the force and effect of law on other state agencies and public school districts. The school district of which the applicant is a resident shall be reimbursed by the state special education fund for at least eighty percent of the costs incurred by it in providing transportation for the applicant. The reimbursement shall not be for more than six round trips home per year at a rate not to exceed that paid"

On page 3 of the engrossed bill, line 1, delete the words "for mileage at the rate allowed for"

And renumber the lines and pages accordingly

For the Senate	For the House
 _____ Senator Sandness	 _____ Representative Larson
 _____ Senator Nelson	 _____ Representative Olson
 _____ Senator Berube	 _____ Representative Horner

Representative Larson moved that the report be adopted, which motion prevailed.

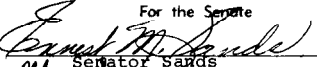
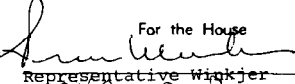
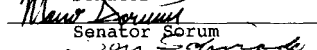
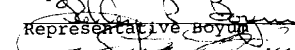
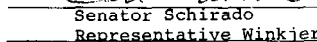
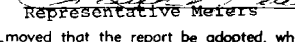
Senate Bill No. 2058 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2072 has had the same under

consideration and recommends: that the Senate accede to the House amendments and further amend the engrossed Senate Bill 2072 as follows:

on page 4 of the engrossed bill, line 24, after the period, insert the following: "The daily compensation of any temporary judge who is receiving retirement benefits from a retirement program funded in all or part by the state, excluding federal social security benefits, shall be reduced by an amount equal to five percent of the gross monthly benefits received from any such retirement program."

and renumber the lines and pages accordingly

For the Senate	For the House
 _____ Senator Sands	 _____ Representative Winkjer
 _____ Senator Sorum	 _____ Representative Boyum
 _____ Senator Schirado	 _____ Representative Meyers

Representative Winkjer moved that the report be adopted, which motion prevailed.

Senate Bill No. 2072 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2113 has had the same under

consideration and recommends:

That the House recede from its amendments and that Senate Bill 2113 be further amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for responsibility of inpatient and outpatient care to persons afflicted or suspected of being afflicted with tuberculosis; to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to biennial reports and assistant superintendent at the San Haven state hospital; to amend and reenact subsection 5 of section 25-01-01 and sections 25-04-01 and 25-04-03 of the North Dakota Century Code, concerning the Grafton state school, and the San Haven state hospital and the powers and duties of the assistant superintendent; to repeal subsection 6 of section 25-01-01 and chapter 25-05 of the North Dakota Century Code, relating to the state sanitorium and to the care of tubercular persons.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION OF LEGISLATIVE INTENT.) It is hereby declared that it is the intent of the legislative assembly, as follows: It is the policy of the state of North Dakota to treat persons having tuberculosis in a communicable and contagious stage as dangerous to the health and welfare of the citizens of the state. It is also the policy of the state to declare that all cases of tuberculosis in a communicable or contagious stage should be treated in a licensed hospital, or at home if such home treatment is approved by the state health officer under the guidelines of the state health council. To this end, it is declared that isolation provisions to achieve treatment of such communicable or contagious tuberculous persons should be accomplished to the fullest extent regardless of such person's ability to pay. It is further declared that such persons with communicable or contagious tuberculosis shall be given full opportunity to enter treatment voluntarily and to seek treatment from physicians and hospitals of their own choice at their own expense. In order to prevent effectively the spread of this disease it is necessary that the state:

1. Further the discovery, care, supervision and treatment of persons having tuberculosis in a communicable or contagious stage.
2. Encourage the use of all available public and private facilities to that end.
3. Regard this tuberculosis program as one of public health and one to be dealt with according to public health requirements rather than those of indigency.

SECTION 2. CARE AND TREATMENT OF TUBERCULOSIS PATIENTS OR SUSPECTS PROVIDED WITHOUT CHARGE BY STATE.) Care and treatment provided by the state of North Dakota for persons suffering from tuberculosis, including diagnosis, tests, studies, and analyses for the discovery of tuberculosis shall be available without cost or charge to anyone who is suffering from tuberculosis or is suspected of having tuberculosis. Any such person who volunteers to assume and pay for the cost of such care and treatment or for the cost of such diagnosis, test, studies or analyses shall be permitted to do so; but no state, county or other public official shall request or require such payment or make or cause to be made any inquiry or investigation for the purpose of determining the ability of such person or of his legally responsible relatives to pay therefor. This section shall in no way bar freedom of the individual to seek treatment from a physician or in an institution of his choice at his own expense.

SECTION 3. STATE HAS PRIOR CLAIM ON PATIENT BENEFITS.) Notwithstanding any provision contained in this Act, the state of North Dakota shall have prior claim on benefits for the care and treatment of tuberculosis, including diagnosis, tests, studies, and analyses, accruing to patients for whom care and treatment is provided by the state of North Dakota under entitlement by the federal government, medical or hospital insurance contracts, workmen's compensation or the medical care and disability provisions of programs under the supervision of the social service board of North Dakota.

SECTION 4. STATE HEALTH OFFICER - DESIGNEE - RESPONSIBILITY.) The state health officer or his designee, under the guidelines of the state health council, is responsible for the inpatient and outpatient care of persons afflicted or suspected of being afflicted with tuberculosis in a contagious state. If the state health officer determines that suspected or actual tuberculous patients may be adequately cared for on an inpatient basis by contract basis with general hospitals, authority for contracting with such hospitals is granted to the state health officer. In addition, the state health officer is authorized to establish and maintain the necessary outpatient clinics for diagnostic workup and evaluation on all suspected or actual tuberculous patients in the state. The state health officer shall pay the contract fee to general hospitals and provide funds to the outpatient evaluation clinics from funds to be appropriated for this purpose by the legislative assembly. The state's claim on patient benefits as provided in section 3 shall apply insofar as applicable to tuberculous patients in general hospitals and for services rendered in outpatient clinics. The state health officer or his designee, under the guidelines of the state health council, shall have the power to:

1. Do any act necessary and proper in the performance of the functions imposed upon the state health officer by the provisions of this chapter.
2. Issue temporary orders and compel obedience thereto.
3. Administer oaths.

SECTION 5. REPORTS - TEMPORARY ORDERS FOR THE CUSTODY OF PERSONS.) Upon a report to or the receipt of information by the state health officer or any physician in the state that any person is afflicted with



tuberculosis and as a source of infection endangers other persons, a report shall be made to the state health officer. Upon the receipt of such information by the state health officer, an investigation shall be made and if the state health officer is convinced that an active case of infectious tuberculosis in an communicable and contagious stage which endangers other persons exists, the state health officer shall request such person to voluntarily seek appropriate care and treatment. If the person refuses to accept voluntary care and treatment, the state health officer, under the guidelines of the state health council, is authorized to issue a temporary order for care and treatment as is determined by the state health officer. If the state health officer's temporary order is ignored, the state health officer may issue an order directing the sheriff or any constable of the county where the alleged tubercular person resides to compel the attendance of the alleged tubercular person and may provide for suitable housing and care of the person until a hearing is held pursuant to section 8 of this Act.

Prior to issuing a temporary order pursuant to this section, the state health officer or his designee, under the guidelines of the state health council, shall hear all relevant testimony for or against the temporary order and the examination and hearing on the order shall be in the presence of the alleged tubercular person. The alleged tubercular person and any relative may resist the order and the parties may be represented by counsel.

SECTION 6. PHYSICIAN'S EXAMINATION - FINDINGS - ORDER.) The state health officer, under the guidelines of the state health council, may appoint a practicing physician to make a personal examination of the alleged tubercular person and to make such thorough investigation of his condition as will enable the state health officer to determine whether or not such person has active, infectious tuberculosis in a communicable and contagious stage and is dangerous to the public health. As soon as practical after the return of the physician's statement to the state health officer, the state health officer shall conclude his investigation and make his determination. If the state health officer finds that the alleged tubercular person does not have active, infectious tuberculosis and is not dangerous to public health he shall make an order dismissing the case. If the state health officer, under the guidelines of the state health council, finds that the person does have active, infectious tuberculosis and is dangerous to public health he shall issue his temporary order which shall:

1. State his findings that such person does have active, infectious tuberculosis and is dangerous to public health; and
2. Authorize the medical facility specified in the temporary order to receive and keep such person in its facility for necessary and appropriate care, treatment, quarantine, and isolation until a hearing is held pursuant to section 8 of this Act.

SECTION 7. SHERIFF'S EXECUTION OF STATE HEALTH OFFICER'S TEMPORARY ORDER.) The temporary order of the state health officer, in duplicate, together with the findings of the physician and the findings of the state health officer shall be delivered to the sheriff who shall execute the same by conveying the person named therein to the medical facility specified in the order and delivering him together with the findings of the

## JOURNAL OF THE HOUSE

physician and the state health officer's findings and the duplicate of the order to the person in charge of such medical facility. The person in charge, over his official signature, shall acknowledge the delivery on the original order and the sheriff shall return the order to the state health officer. Return to the state health officer may be by certified mail. The sheriff shall be allowed reasonable travel expenses, paid by the county, in the same manner and at the same rate as the expenses of other county officials are paid.

SECTION 8. HEARING - ORDER.) Unless waived by the alleged tubercular person, a hearing shall be held by a law-trained county justice or a judge of a county court of increased jurisdiction of the county in which the alleged tubercular person resides within one hundred twenty hours, exclusive of weekends and holidays, after the date of the state health officer's temporary order. The court may consider all relevant evidence, including the results of a physical examination made pursuant to section 6 of this Act, and the state health officer and the alleged tubercular person shall be afforded an opportunity to testify, to present and cross-examine witnesses, and to be represented by counsel. Upon the request of the state health officer, the state's attorney of the county wherein the hearing is held shall represent the state health officer without additional compensation.

If, upon completion of the hearing, the court finds that the allegation that the person has active, infectious tuberculosis in a communicable and contagious stage has not been sustained by clear and convincing evidence, the court shall dismiss the case and order that the alleged tubercular be discharged if he had been in custody prior to the hearing. If the court finds that the allegation has been sustained by clear and convincing evidence, the court shall issue an order which shall:

1. State its findings that the person does have active, infectious tuberculosis in a communicable and contagious stage and is dangerous to public health; and
2. Authorize the medical facility specified in the order to receive and keep such person in its facility for necessary and appropriate care, treatment, quarantine, and isolation for so long as the disease remains in a communicable and contagious stage and the danger to public health exists.

SECTION 9. APPEAL TO DISTRICT COURT - HABEAS CORPUS - HEARING.) An appeal from an order of the county justice or judge of a county court with increased jurisdiction authorizing a specified medical facility to receive a person for care, treatment, quarantine and isolation may be taken to the district court of the county. In such a proceeding, the state's attorney of the county wherein the appeal is taken, without additional compensation, shall represent the state health officer. The clerk of court of the county in which the appeal is taken shall notify the state's attorney of the filing of such appeal. The hearing shall be limited to a review of the procedures, findings, and conclusions of the lower court. All persons placed in the custody of the state health officer under the provisions of this chapter for care, treatment, quarantine and isolation shall be entitled to the benefit of the writ of habeas corpus and a determination as to whether a person in such custody has active, infectious tuberculosis in a communicable and contagious stage and is dangerous to public health shall be made at the hearing. If the court

shall decide that the person does have active, infectious tuberculosis and is dangerous to public health, such decision shall not preclude a subsequent application for a writ or the issuing of a writ upon a subsequent application, if it shall be alleged that such person shall have been restored to health.

SECTION 10. DISCHARGE - RELEASE.) All orders of the state health officer or of a county justice or judge of a county court with increased jurisdiction authorizing the reception and retention in custody for care, treatment, quarantine and isolation of persons having active and infectious tuberculosis endangering public health shall be effective only during the continuation of such condition and any person who is cured or who no longer has tuberculosis in a communicable and contagious stage shall be discharged immediately from custody. Such discharge shall be made by the state health officer or his designee, under the guidelines of the state health council. The person in charge of a medical facility may also release any person admitted to the medical facility under the provisions of this chapter at such times and under such conditions as deemed advisable after consultation with the state health officer or his designee.

SECTION 11. LIABILITY OF OFFICERS.) The order of the state health officer authorizing the admission of any person to the custody of a medical facility and the reception and detention of such person at such medical facility as a patient, accompanied by the state health officer's findings as provided in this chapter shall protect the state health officer or his designee and the other personnel of the medical facility from all liability, civil or criminal, on account of the reception and detention of such person therein, if such detention is in accordance with the laws of the state of North Dakota.

SECTION 12. EXCEPTION - QUARANTINE.) Any person who shall observe quarantine regulations as established by the state health officer, under the guidelines of the state health council, shall not be subject to confinement under the provisions of this chapter.

SECTION 13. TUBERCULAR INDIAN JURISDICTION.) Nothing in this chapter shall require the admission of an enrolled Indian, resident on any reservation in this state, to any off-reservation institution except upon written request and authorization of the superintendent of the reservation on which said Indian is enrolled. However, in the public interest and with the objective of eradication of tuberculosis in the state of North Dakota, an Indian with active infectious tuberculosis off any reservation shall be subject to this chapter. It shall be the responsibility of the Indian Affairs Commission pursuant to the commission's powers and duties, stated in section 54-36-03, to work closely with the tribal councils and other reservation officials to adopt any agreements found necessary in assisting the state health officer in carrying out his responsibilities under this chapter so that all residents of this state will benefit, and eradication of tuberculosis in North Dakota can be achieved.

SECTION 14. CARE OF TUBERCULAR PATIENTS - ACCEPTANCE OF FEDERAL FUNDS - GENERAL HOSPITAL.) The state health officer, or his designee, under the guidelines of the state health council, is hereby authorized to contract with public or private agencies for the care of tubercular patients. The state health officer is hereby authorized to accept any federal funds or to enter into any federal programs on behalf of tubercular patients in North Dakota. The state health

officer may, under the guidelines of the state health council, also utilize general hospitals in the placement of recalcitrant tuberculous patients.

SECTION 15.) A new section to chapter 25-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

BIENNIAL REPORT - ASSISTANT SUPERINTENDENT.) The assistant superintendent of San Haven shall submit to the superintendent a biennial report including the number and type of resident being served and the conditions and needs of the institution and any other information which the director of institutions may require. The superintendent upon his review of the report will submit it to the director of institutions who shall include it in his required biennial report. The director may authorize the printing of copies of the separate report of such institution not exceeding one thousand in number. The charges for the printing of such separate copies shall be paid in the same manner as payment is made for printing reports of the various departments of the state.

SECTION 16. AMENDMENT.) Subsection 5 of section 25-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. "State school" shall mean the Grafton state school and ~~such portion of the state institution at San Haven that is designated for the care of the mentally deficient~~ San Haven.

SECTION 17. AMENDMENT.) Section 25-04-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-04-01. STATE SCHOOL - MAINTAINED - NAME.) An institution for the mentally deficient shall be maintained at or near the city of Grafton in the county of Walsh. Such institution shall be known and designated as Grafton state school. There shall be maintained near Dunseith, in the county of Rolette, a division of the Grafton state school which shall be known as San Haven.

SECTION 18. AMENDMENT.) Section 25-04-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-04-03. QUALIFICATIONS OF SUPERINTENDENT.) The superintendent of Grafton state school shall be a skilled administrator with professional training and experience relating to the needs of the mentally retarded. The superintendent shall designate a qualified and duly licensed physician as chief of medical staff and such chief of staff shall have the power, with advice and consent of the superintendent, to employ and discharge additional physicians, nurses, and professional assistants and shall be responsible for defining their qualifications and duties. All other employees shall be appointed and removed by the superintendent or a personnel director to be named by him. The salaries of all employees shall be fixed by the director within the limits of the legislative appropriations made for such purpose. The superintendent of the Grafton state school shall also serve as the superintendent of San Haven. The superintendent shall appoint an assistant superintendent who shall be the chief administrative officer of San Haven. The superintendent shall designate a qualified and duly licensed physician as chief of medical staff who will with the advice and consent of the superintendent employ the necessary physicians. All other employees shall be appointed by the assistant superintendent with

the advice and consent of the superintendent. The assistant superintendent shall make certain that records on each resident be maintained as required by the director of institutions and the superintendent. The assistant superintendent, with the advice and consent of the superintendent and the director of institutions, shall determine the salaries of all employees at San Haven within the limits of legislative appropriations.

SECTION 19. REPEAL.) Subsection 6 of section 25-01-01 and chapter 25-05 of the North Dakota Century Code are hereby repeal."

And renumber the lines and pages accordingly

For the Senate	For the House
<i>Leland Roen</i> _____ Senator Roen	<i>M. Kermott</i> _____ Representative Kermott
<i>Robert Abers</i> _____ Senator Abers	<i>W. Herman</i> _____ Representative Herman
<i>J. Hoffner</i> _____ Senator Hoffner	<i>W. Brokaw</i> _____ Representative Brokaw
Representative Kermott	

moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2113 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2297 has had the same under

consideration and recommends:

That the House recede from its amendments and that Senate Bill 2297 be further amended as follows:

On page 1, line 8, of the engrossed bill delete the word "majority" and insert in lieu thereof the words "fifty-five percent"

On page 2, line 9, of the engrossed bill delete the word "majority" and insert in lieu thereof the words "fifty-five percent"

And renumber the lines and pages accordingly.

For the Senate	For the House
<i>Leland Roen</i> _____ Senator Roen	<i>W. Wessman</i> _____ Representative Wessman
<i>James M. Cussons</i> _____ Senator Cussons	<i>W. Gorder</i> _____ Representative Gorder
<i>Rait</i> _____ Senator Rait	<i>W. Hanson</i> _____ Representative Hanson
Representative Wessman	

moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2297 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2367 has had the same under

consideration and recommends:

That the House recede from its amendments and that Senate Bill 2367 be further amended as follows:

On page 1 of the engrossed bill, after line 11, insert the following:  
 "1. That portion of section five, township one hundred thirty-nine north, range sixty-three west, which runs in a northwest-southeast direction, being bound by that certain township road on the north and east and by the burlington northern railroad right of way on the west and south. This tract of land comprises approximately eighty-six acres."

On page 1 of the engrossed bill, delete lines 12 through 19

On page 2 of the engrossed bill, line 2, after the word "officer" insert the words ", with the concurrence of a representative of the Bank of North Dakota and the commissioner of university and school lands,"

On page 2 of the engrossed bill, line 4, after the word "officer" insert the words ", the representative of the Bank of North Dakota, and the commissioner of university and school lands"

And renumber the lines, sections, subsections and pages accordingly.

For the Senate	For the House
<u>Jon Albers</u>	<u>Arthur Melby</u>
Senator Albers	Representative Melby
<u>James W. Cussons</u>	<u>William G. Gorder</u>
Senator Cussons	Representative Gorder
<u>Senator Rait</u>	<u>Arthur Hanson</u>
Representative Melby	Representative Hanson

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2367 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2383 has had the same under consideration and recommends:

That the Senate accede to the House amendments and that engrossed Senate Bill 2383 be further amended as follows:

On page 4, line 1, of the engrossed bill, strike the words "The other" and insert in lieu thereof the words "At least", and on the same line delete the strike-through over the word "four"

And renumber the lines and pages accordingly

For the Senate	For the House
<u>Senator Peterson</u>	<u>Representative Stenehjem</u>
Senator Cussons	Representative Haugland
<u>Senator Orange</u>	<u>Representative Meiers</u>
Representative Stenehjem	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2383 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

Rep. Marsden moved that the amendments to Senate Bill No. 2006 as recommended by the Conference Committee as printed on pages 2149 and 2150 of the House Journal be adopted, which motion prevailed.

Rep. Unhjem moved that the amendments to Senate Bill No. 2038 as recommended by the Conference Committee as printed on pages 2161, 2162 and 2163 of the House Journal be adopted, which motion prevailed.

Rep. Christensen moved that the amendments to Senate Bill No. 2043 as recommended by the Conference Committee as printed on pages 2163 and 2164 of the House Journal be adopted, which motion prevailed.

Rep. Kretschmar moved that the amendments to Senate Bill No. 2054 as recommended by the Conference Committee as printed on page 2164 of the House Journal be adopted, which motion prevailed.

Rep. Erickson moved that the amendments to Senate Bill No. 2131 as recommended by the Conference Committee as printed on page 2141 of the House Journal be adopted, which motion prevailed.

Rep. Wald moved that the amendments to Senate Bill No. 2153 as recommended by the Conference Committee as printed on pages 2141 and 2142 of the House Journal be adopted, which motion prevailed.

Rep. Black moved that the amendments to Senate Bill No. 2286 as recommended by the Conference Committee as printed on page 2142 of the House Journal be adopted, which motion prevailed.

Rep. Hanson moved that the amendments to Senate Bill No. 2450 as recommended by the Conference Committee as printed on page 2142 of the House Journal be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate respectfully requests the return of House Bill No. 1384.

LEO LEIDHOLM, Secretary

MOTION

Rep. Stenhjem moved that the House reconsider its action whereby House Bill No. 1384 was deemed properly enrolled thereby nullifying any action subsequent to the enrolling of House Bill No. 1384, which motion prevailed.

MOTION

Rep. Strinden moved that the House accede to the Senate's request for the return of House Bill No. 1384, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return House Bill No. 1384, which the Senate has requested.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1007

H. B. No 1011

H. B. No. 1029















● BJORNSON	● JACOBSEN, R	● MURPHY	● WALSH
● BLACK	● JACOBSON, I	● MUSHIK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOTT	● OPEDAHL	● WINKLER
● COMMY	● KINGSBURY	● PELTIER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DuBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUED	
● FREBORG	● LARSON, F # 24	● SCHINDLER	
● GACKLE	● LARSON, G # 29	● SCOFIELD	
● GERL	● LARSON, H # 7	● SOLBERG	
● GORDER	● LEE	● STENEHJEM	
● GUNDERSON	● LEIBHAN	● STRINDEN	
● GUNSON	● LIPSIA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A # 49	● MARTIN	● TIMM	
● HAUSAUER, R # 25	● MARTINSON	● TINJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Senate Bill No. 2113.** — A Bill for an Act to provide for responsibility of inpatient and outpatient care to persons afflicted or suspected of being afflicted with tuberculosis; to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to biennial reports and assistant superintendent at the San Haven state hospital; to amend and reenact subsection 5 of section 25-01-01 and sections 25-04-01 and 25-04-03 of the North Dakota Century Code, concerning the Grafton state school, and the San Haven state hospital and the powers and duties of the assistant superintendent; to repeal subsection 6 of section 25-01-01 and chapter 25-05 of the North Dakota Century Code, relating to the state sanitorium and to the care of tubercular persons.

Which has been read.

Rep. Unhjem moved that the House waive the reading of the title to Senate Bill No. 2113, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 8; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE				
YEAS	N-V	NAYS		YEAS	N-V	NAYS		YEAS	N-V	NAYS		
● BACKES	●			● HERMAN				● MATSON	●			● UNHJEM
● BENEDECT				● HICKLE				● MEIERS				● VANDER VORST
● BERG				● HOFFNER				● MELBY				● VIG
● BERGE				● HOUWMANN				● MERTENS				● WAGNER
● BERGER				● HOVE				● MEYER	●			● WALD
● BJORNSON				● JACOBSEN, R				● MURPHY				● WALSH
● BLACK				● JACOBSON, I				● MUSHIK				● WEBER
● BOYUM				● KELLY				● NICHOLAS				● WENTZ
● BROKAW				● KENNELLY				● OLSON		●		● WESSMAN
● CHRISTENSEN				● KERMOTT				● OPEDAHL				● WINKLER
● COMMY				● KINGSBURY		●		● PELTIER		●		
● CRABTREE				● KLOUBEC				● PETERSON				● MR. SPEAKER
● DICK				● KNUDSON				● POMEROY				
● DIETZ				● KOSKI				● REED		●		
● DOTZENROD				● KRETSCHMAR		●		● RETZER				
● DuBORD				● KUCHERA		●		● RICHARD				
● EAGLES				● LANG		●		● RICHIE				
● ERICKSON				● LANGLEY				● RIEHL		●		
● FLEMING				● LARDY				● RUED				
● FREBORG				● LARSON, F # 24				● SCHINDLER				
● GACKLE		●		● LARSON, G # 29				● SCOFIELD				
● GERL				● LARSON, H # 7				● SOLBERG				
● GORDER				● LEE		●		● STENEHJEM		●		
● GUNDERSON				● LEIBHAN				● STRINDEN				
● GUNSON				● LIPSIA				● SWONTEK				
● HANSON				● MAIXNER				● THOMPSON				
● HAUGLAND				● MARSDEN				● THORSGARD				
● HAUSAUER, A # 49				● MARTIN				● TIMM				
● HAUSAUER, R # 25				● MARTINSON				● TINJUM				
● HEDSTROM				● MATHENY				● TWETEN				



• GACKLE	• LARSON, G. # 29	• SCOFIELD
• GERL	• LARSON, H. # 7	• SOLBERG
• GORDER	• LEE	• STENEHJEM
• GUNDERSON	• LEIBHAN	• STRINDEN
• GUNSCH	• LIPSIEA	• SWONTEK
• HANSON	• MAXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER, A. # 49	• MARTIN	• TIMM
• HAUSAUER, R. # 25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2350.** — A Bill for an Act to create and enact a new section to chapter 39-09 of the North Dakota Century Code, relating to limitations on the reduction of speed zone speed limits; and to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, as contained in sections 1 and 2 of House Bill No. 1449, as approved by the forty-sixth legislative assembly, relating to fines and points assessed against driver's licenses for violation of speed limits, and to the definition of moving violation, and removing certain violations related to motorcycles from that legislation; and to amend and reenact paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to points assessed against driving records for speeding violations.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 11; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN	•		• MATTSON	•		• UNHJEM		
• BENEDICT			• HICKLE			• MEERS			• VANDER VORST		
• BERG			• HOFFNER			• MELBY			• YG		
• BERGE	•		• HOLMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN, R.			• MURPHY			• WALSH		
• BLACK			• JACOBSON, I.			• MUSHIK			• WEBER	•	
• BOYUM			• KELLY			• NICHOLAS	•		• WENTZ	•	
• BROKAW			• KENNELLY			• OLSON			• WESSMAN		
• CHRISTENSEN			• KERMOTT			• OPEDAHL			• WINKJER		
• CONMY	•		• KINGSBURY			• PELTIER		•			
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON			• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• REITZER					
• DUBORD			• KUCHERA			• RICHARD					
• EAGLES			• LANG		•	• RICHIE					
• EPICKSON			• LANGLEY	•		• RIED					
• FLEMING			• LARDY			• RUD					
• FREBORG			• LARSON, F. # 24			• SCHINDLER					
• GACKLE			• LARSON, G. # 29			• SCOFIELD					
• GERL			• LARSON, H. # 7			• SOLBERG					
• GORDER			• LEE	•		• STENEHJEM		•			
• GUNDERSON		•	• LEIBHAN			• STRINDEN					
• GUNSCH			• LIPSIEA		•	• SWONTEK		•			
• HANSON			• MAXNER			• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSgard					
• HAUSAUER, A. # 49			• MARTIN			• TIMM					
• HAUSAUER, R. # 25			• MARTINSON			• TINJUM					
• HEDSTROM			• MATHENY		•	• TWETEN					

So the bill passed and the title was agreed to.

**Senate Bill No. 2354.** — A Bill for an Act to amend and reenact section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 17; nays, 78; absent and not voting, 5.



NORTH DAKOTA HOUSE OF REPRESENTATIVES															
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE									
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS							
BACKES		•	•	HERMAN		•	•	MATTSON		•	•	UNHJEM		•	
BENEDICT		•	•	HICKLE		•	•	MEIERS		•	•	•	•	VANDER VORST	
BERG		•	•	HOFFNER		•	•	MELBY		•	•	•	•	VIG	
• BERGE		•	•	HOUWMANN		•	•	MERTENS		•	•	•	•	WAGNER	
• BERGER		•	•	HOVE		•	•	MAYER		•	•	•	•	WALD	
• BJORNSON		•	•	JACOBSEN, R.		•	•	MURPHY		•	•	•	•	WALSH	
• BLACK		•	•	JACOBSON, I.		•	•	MUSHIK		•	•	•	•	WEBER	
• BOYUM		•	•	KELLY		•	•	NICHOLAS		•	•	•	•	WENTZ	
• BROKAW		•	•	KENNELLY		•	•	OLSON		•	•	•	•	WESSMAN	
• CHRISTENSEN		•	•	KERMOTT		•	•	OPEDAHN		•	•	•	•	•	WINKJER
• CONMY		•	•	KINGSBURY		•	•	•	•	•	•	•	•	•	•
• CRABTREE		•	•	KLOUBEC		•	•	PETTERSON		•	•	•	•	•	•
• DICK		•	•	•	•	•	•	POMEROY		•	•	•	•	•	•
• DIETZ		•	•	KOSKI		•	•	•	•	•	•	•	•	•	•
• DOTZENROD		•	•	KRETSCHMAR		•	•	•	•	•	•	•	•	•	•
• DUBORD		•	•	KUCHERA		•	•	•	•	•	•	•	•	•	•
• EAGLES		•	•	LANG		•	•	•	•	•	•	•	•	•	•
• ERICKSON		•	•	LANGLEY		•	•	•	•	•	•	•	•	•	•
• FLEMING		•	•	LARDY		•	•	•	•	•	•	•	•	•	•
• FREBORG		•	•	LARSON, F. # 24		•	•	•	•	•	•	•	•	•	•
• GACKLE		•	•	LARSON, G. # 29		•	•	•	•	•	•	•	•	•	•
• GERL		•	•	LARSON, H. # 7		•	•	•	•	•	•	•	•	•	•
• GORDER		•	•	LEE		•	•	•	•	•	•	•	•	•	•
• GUNDERSON		•	•	LEIBAN		•	•	•	•	•	•	•	•	•	•
• GUNTSCH		•	•	LIPSIA		•	•	•	•	•	•	•	•	•	•
• HANSON		•	•	MAIXNER		•	•	•	•	•	•	•	•	•	•
• HAUGLAND		•	•	MARSDEN		•	•	•	•	•	•	•	•	•	•
• HAUSAUER, A. # 49		•	•	MARTIN		•	•	•	•	•	•	•	•	•	•
• HAUSAUER, R. # 25		•	•	MARTINSON		•	•	•	•	•	•	•	•	•	•
• HEDSTROM		•	•	MATHEWY		•	•	•	•	•	•	•	•	•	•

So the bill lost.

**Senate Bill No. 2367.** — A Bill for an Act to authorize the state health officer of the state department of health to sell three tracts of land owned by the state of North Dakota and used by the state hospital.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 36; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES															
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE									
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS							
•		•	•	HERMAN		•	•	MATTSON		•	•	•	•	UNHJEM	
•		•	•	HICKLE		•	•	MEIERS		•	•	•	•	VANDER VORST	
•		•	•	HOFFNER		•	•	MELBY		•	•	•	•	VIG	
•		•	•	HOUWMANN		•	•	MERTENS		•	•	•	•	WAGNER	
•		•	•	HOVE		•	•	MAYER		•	•	•	•	WALD	
•		•	•	JACOBSEN, R.		•	•	MURPHY		•	•	•	•	WALSH	
•		•	•	JACOBSON, I.		•	•	MUSHIK		•	•	•	•	WEBER	
•		•	•	KELLY		•	•	NICHOLAS		•	•	•	•	WENTZ	
•		•	•	KENNELLY		•	•	OLSON		•	•	•	•	WESSMAN	
•		•	•	KERMOTT		•	•	OPEDAHN		•	•	•	•	WINKJER	
•		•	•	KINGSBURY		•	•	•	•	•	•	•	•	•	•
•		•	•	KLOUBEC		•	•	PETTERSON		•	•	•	•	•	•
•		•	•	•	•	•	•	POMEROY		•	•	•	•	•	•
•		•	•	KOSKI		•	•	•	•	•	•	•	•	•	•
•		•	•	KRETSCHMAR		•	•	•	•	•	•	•	•	•	•
•		•	•	KUCHERA		•	•	•	•	•	•	•	•	•	•
•		•	•	LANG		•	•	•	•	•	•	•	•	•	•
•		•	•	LANGLEY		•	•	•	•	•	•	•	•	•	•
•		•	•	LARDY		•	•	•	•	•	•	•	•	•	•
•		•	•	LARSON, F. # 24		•	•	•	•	•	•	•	•	•	•
•		•	•	LARSON, G. # 29		•	•	•	•	•	•	•	•	•	•
•		•	•	LARSON, H. # 7		•	•	•	•	•	•	•	•	•	•
•		•	•	LEE		•	•	•	•	•	•	•	•	•	•
•		•	•	LEIBAN		•	•	•	•	•	•	•	•	•	•
•		•	•	LIPSIA		•	•	•	•	•	•	•	•	•	•
•		•	•	MAIXNER		•	•	•	•	•	•	•	•	•	•
•		•	•	MARSDEN		•	•	•	•	•	•	•	•	•	•
•		•	•	MARTIN		•	•	•	•	•	•	•	•	•	•
•		•	•	MARTINSON		•	•	•	•	•	•	•	•	•	•
•		•	•	MATHEWY		•	•	•	•	•	•	•	•	•	•

So the bill passed and the title was agreed to.

**Senate Bill No. 2383.** — A Bill for an Act to amend and reenact sections 25-15-01, 25-15-02, 25-15-03, 25-15-04, 25-15-05, 25-15-06, and 25-15-07 of the North Dakota Century Code, relating to vocational rehabilitation facilities for the handicapped.



So the bill passed, the title was agreed to, and the emergency clause was declared carried.

**Senate Bill No. 2044.** — A Bill for an Act to require state agencies, departments, and institutions to obtain the approval of the budget section of the legislative council prior to employing persons through programs provided under the Federal Comprehensive Employment and Training Act of 1973.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 62; nays, 33; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN			WATTSON			UNHJEM		
BENEDICT		•	HICKLE			WEIERS	•		VANDER VORST		
BERG		•	HOFFNER		•	MELBY			VIG		
BERGE		•	HOFMANN			MERTENS			WAGNER		
BERGER			HOVE			MEYER	•		WALD		
BJORNSON			JACOBSEN, R			MURPHY			WALSH		•
BLACK			JACOBSON, I		•	MUSHIK			WEBER		•
BOYUM			KELLY		•	NICHOLAS	•		WENTZ		•
BROKAW		•	KENNELLY			OLSON			WESSMAN		•
CHRISTENSEN			KERMOTT			OPEDAHL		•	WINKJER		•
CONMY			KINGSBURY			PELTIER					
CRABTREE			KLOUBEC			PETERSON			MR. SPEAKER		
DICK		•	KNUDSON			POMEROY		•			
DIETZ	•		KOSKI		•	REED		•			
DOTZENROD		•	KRETSCHMAR			RETZER		•			
DUBORD		•	KUCHERA		•	RICHARD		•			
EAGLES		•	LANG		•	RICHIE		•			
ERICKSON			LANGLEY		•	RIEHL		•			
FLEMING		•	LARDY		•	RUCO		•			
FREBORG			LARSON, F # 24			SCHINDLER		•			
GACKLE			LARSON, G # 29			SCOFIELD		•			
GERL		•	LARSON, H # 7			SOLBERG		•			
GORDER			LEE		•	STENEHJEM		•			
GUNDERSON		•	LEIBHAN			STRINDEN		•			
GUNSCH			LIPSIA			SWIONTEK		•			
HANSON			MAIXNER			THOMPSON		•			
HAUGLAND			MARSDEN			THORSGARD		•			
HAUSAUER, A # 49			MARTIN			TIMM		•			
HAUSAUER, R # 25			MARTINSON			TINJUM		•			
HEDSTROM			MATHEWY			TWETEN	•				

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that the House stand recessed until 4:00 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report:

- Senate Bill No. 2011
- Senate Bill No. 2233
- Senate Bill No. 2263
- Senate Bill No. 2309
- Senate Bill No. 2405
- Senate Bill No. 2455
- Senate Bill No. 2463

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

- House Bill No. 1384

LEO LEIDHOLM, Secretary

## AMENDMENTS TO HOUSE BILL NO. 1384

- On page 1, line 5, after the word "fuels" insert the words "and motor vehicle fuels blended with methanol derived from biomass residue"
- On page 1, line 10, after the semicolon insert the following: "to provide for a transfer of funds;"
- On page 1, line 22, after the word "alcohol" insert the words "and methanol derived from biomass residue"
- On page 2, line 11, after the word "fuels" insert the words "and motor vehicle fuels blended with methanol derived from biomass residue"
- On page 2, line 13, after the word "fuel" insert the words "and fuel blended with methanol derived from biomass residue"
- On page 2, line 17, after the word "fuels" insert the words and comma ", motor vehicle fuels blended with methanol derived from biomass residue,"
- On page 2, line 18, delete the word "its" and insert in lieu thereof the word "their"
- On page 2, line 20, delete the letters "wtih" and insert in lieu thereof the word "with"
- On page 2, line 23, after the word "alcohol" insert the words "and methanol derived from biomass residue"
- On page 2, line 29, delete the words and comma ", subject to"
- On page 2, line 30, delete the words and comma "confirmation by the senate,", and after the word "each" insert the words and comma ", arranged so that at least three terms expire every year"
- On page 2, line 34, delete the words "The governor shall announce his appointments to the"
- On page 2, delete line 35
- On page 3, line 1, delete the words "December of each even-numbered year, and commission" and insert in lieu thereof the word "Commission"
- On page 3, line 3, delete the word "following" and insert in lieu thereof an underscored period
- On page 3, delete line 4
- On page 3, line 11, after the word "with" insert the words "public entities or"
- On page 4, line 5, delete the word "one-half" and insert in lieu thereof the word "one-eighth"
- On page 4, line 6, delete the word "one-half" and insert in lieu thereof the word "one-eighth"
- On page 4, line 8, after the period insert the following: "Those persons who have a valid tax assignment permit issued by the state tax commissioner under the provisions of section 57-50-11.1 shall be charged one-eighth cent per gallon by the dealer and the one-eighth cent charge shall be remitted to the state tax commissioner by the dealer when the dealer submits the tax assigned invoices for credit."
- On page 6, line 6, delete the word "all" and insert in lieu thereof the words "out of any"

On page 6, line 7, after the comma insert the following: "from public or private sources, the sum of \$200,000.00,"

On page 6, line 14, delete the numerals "200,000.00" and insert in lieu thereof the numerals "50,000.00"

On page 6, after line 18, insert the following section:

"SECTION 12. TRANSFER.) There shall be transferred prior to July 1, 1981, to the general fund in the state treasury out of the agriculturally derived alcohol motor vehicle fuel tax fund the sum of \$50,000.00, upon order of the agricultural products utilization commission, to repay the general fund appropriation provided by section 11 of this Act."

And renumber the lines and pages accordingly

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

- Senate Bill No. 2012
- Senate Bill No. 2013
- Senate Bill No. 2021
- Senate Bill No. 2150
- Senate Bill No. 2417
- Senate Bill No. 2432

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently failed to pass Senate Bill No. 2354.

ROY GILBREATH, Chief Clerk

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2310 has had the same under

consideration and recommends:

the the Senate acced to the House amendments and that the House amendments be further amended as follows:

In the House amendments, Section 3, after the words "sixty percent majority of the votes cast in" delete the word "each" and insert in lieu thereof the word "any"

And renumber the lines and pages accordingly.

For the Senate

For the House

Senator Olson

Representative Johnson

Senator Hanson

Representative Peterson

Senator Tallackson

Representative Opedahl

Rep. R. Hausauer moved that the report be adopted, which motion prevailed.

Senate Bill No. 2310 was placed on the 6th order of business on the calendar for the succeeding legislative day.



● BENEDICT	● HICKLE	● MEIERS	● VANDER VORST
● BERG	● HOFFNER	● MELBY	● VIG
● BERGE	● HOUMANN	● MERTENS	● WAGNER
● BERGER	● HOVE	● MEYER	● WALD
● BJORNSON	● JACOBSEN, R.	● MURPHY	● WALSH
● BLACK	● JACOBSON, I.	● MUSHK	● WEBER
● BOYUM	● KELLY	● NICHOLAS	● WENTZ
● BROKAW	● KENNELLY	● OLSON	● WESSMAN
● CHRISTENSEN	● KERMOY	● OPEDAHL	● WINKLER
● CONMY	● KINGSBUR	● PELTER	
● CRABTREE	● KLOUBEC	● PETERSON	● MR. SPEAKER
● DICK	● KNUDSON	● POMEROY	
● DIETZ	● KOSKI	● REED	
● DOTZENROD	● KRETSCHMAR	● RETZER	
● DUBORD	● KUCHERA	● RICHARD	
● EAGLES	● LANG	● RICHIE	
● ERICKSON	● LANGLEY	● RIEHL	
● FLEMING	● LARDY	● RUEO	
● FREBORG	● LARSON, F. # 24	● SCHINDLER	
● GACKLE	● LARSON, G. # 25	● SCOFIELD	
● GERI	● LARSON, H. # 7	● SOLBERG	
● GORDER	● LEE	● STENEHEM	
● GUNDERSON	● LEIBMAN	● STRINDEN	
● GUNSCH	● LUPICA	● SWONTEK	
● HANSON	● MAIXNER	● THOMPSON	
● HAUGLAND	● MARSDEN	● THORSGARD	
● HAUSAUER, A. # 49	● MARTIN	● TMM	
● HAUSAUER, R. # 25	● MARTINSON	● TNJUM	
● HEDSTROM	● MATHENY	● TWETEN	

So the bill passed and the title was agreed to.

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1215 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill 1215 be amended as follows:

On page 1 of the engrossed bill, line 4 delete "paddle wheel,"

On page 1, line 5 delete "twenty-one,"

On page 5, line 29 after the word "organization" insert the following: "; however, none of the net proceeds may be used for capital improvements or the purchase of furnishings" and after the period on line 29 insert the following:  
 "For purposes of this section, a capital improvement is defined as the construction, renovation, remodeling or repair of a building which tends to enhance its value, beauty or utility or to adapt it for further purposes. For purposes of this section, a furnishing is defined as furniture, draperies, or equipment."

On page 9, line 24 delete "one year" and insert in lieu thereof "three months"

On page 9, line 26 delete ", other than"

On page 9 delete all of line 27

On page 9, line 28 delete "own use,"

On page 9, line 29 delete "one year" and insert in lieu thereof "three months"

On page 10, line 16 delete "paddle wheel, twenty--"

On page 10, line 17 delete "one,"

On page 10, line 20 delete "paddle wheel,"

On page 10, delete all of lines 31 through 34

- On page 11, delete all of lines 1 through 22
- On page 11, line 30 after the period insert the following: "The maximum wager on any sports pool shall not exceed five dollars. The amounts paid to sports pool participants in prizes shall not exceed two-thirds of the gross proceeds."
- On page 13, line 15 delete the word "before" and insert in lieu thereof the words "on a quarterly basis"
- On page 13, line 16 delete the words "April first of each year for the preceding calendar year"
- On page 14, line 18 delete the words "or retailer"
- On page 15, line 19 delete the word "may" and insert in lieu thereof the word "shall"
- On page 15, line 20 after the word "to" insert the following words "but not limited to"
- On page 15, line 32 after "Act;" insert the following: "to define capital improvements and furnishings;"

And renumber the lines, sections and pages accordingly

For the Senate	For the House
Sen. Sands <i>Walter H. Sands</i>	Rep. Kretschmar <i>Wm E. Kretschmar</i>
Sen. Holmberg <i>Geo. Holmberg</i>	Rep. Stenehjem <i>Wm. Stenehjem</i>
Sen. Lashkowitz <i>Wm. Lashkowitz</i>	Rep. Dotzenrod <i>Wm. Dotzenrod</i>
Rep. Kretschmar	

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1215 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

#### MOTION

Rep. Striden moved that the rules be suspended, and that the amendments to House Bill No. 1215 be considered at this time, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

Rep. Kretschmar moved that the amendments to House Bill No. 1215 as recommended by the Conference Committee be adopted, which motion prevailed.

#### MOTION

Rep. Striden moved that the rules be suspended, and that House Bill No. 1215 be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1215.** — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct bingo, raffles, pull tabs, jars, punchboards, and sports pools; and to provide for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games, bookkeeping requirements, expense requirements, a tax based on adjusted gross proceeds, examination of books and records, licensure



of distributors, form and display of licensure, and rules and regulations; to provide a criminal penalty for the violation of this Act; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 30; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES			• HERMAN			• MATTSO			• LINHJEM		
• BENEDICT		•	• HCKLE			• MEIERS			• VANDERVORST		
• BERG			• HOFFNER			• MELBY			• VIG		
• BERGE		•	• HOUMANN			• MERTENS			• WAGNER		
• BERGER			• HOVE			• MEYER	•		• WALD		
• BJORNSON			• JACOBSEN, R			• MURPHY		•	• WALSH		
• BLACK			• JACOBSON, T			• MUSHIK			• WEBER		•
• BOYUM			• KELLY			• NICHOLAS			• WENTZ	•	
• BROKAW		•	• KENNELLY			• OLSON			• WESSMAN		•
• CHRISTENSEN		•	• KERMOTT			• OPEDAHL			• WINKJER		•
• CONNY			• KINGSBURY			• PELTIER		•			
• CRABTREE		•	• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK			• KNUDSON		•	• POMEROY					
• DIETZ			• KOSKI			• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER		•			
• DUBORD			• KUCHERA			• RICHARD		•			
• EAGLES			• LANG		•	• RICHIE					
• ERICKSON		•	• LANGLEY			• RIEHL					
• FLEMING			• LARDY		•	• RUED					
• FREIBORG		•	• LARSON, F # 24		•	• SCHINDLER					
• GACKLE			• LARSON, G # 29			• SCOFIELD		•			
• GER			• LARSON, H # 7			• SOLBERG					
• GORDER		•	• LEE		•	• STENEHEM					
• GUNDERSON			• LEIHAN			• STRINDEN					
• GUNSCH			• LIPSIA		•	• SWINTEK					
• HANSON			• MAIXNER			• THOMPSON		•			
• HAUGLAND		•	• MARSDEN		•	• THORSGARD		•			
• HAUSAUER, A # 49			• MARTIN			• TIMM					
• HAUSAUER, R # 25			• MARTINSON		•	• TINJUM					
• HEDSTROM			• MATHENY			• TWETEN		•			

So the bill passed and the title was agreed to.

MESSAGES TO THE SENATE

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

- Senate Bill No. 2007
- Senate Bill No. 2016
- Senate Bill No. 2026
- Senate Bill No. 2028
- Senate Bill No. 2031
- Senate Bill No. 2033
- Senate Bill No. 2044
- Senate Bill No. 2056
- Senate Bill No. 2058
- Senate Bill No. 2297
- Senate Bill No. 2350
- Senate Bill No. 2367
- Senate Bill No. 2383

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

- Senate Bill No. 2057
- Senate Bill No. 2072
- Senate Bill No. 2113
- Senate Bill No. 2159

ROY GILBREATH, Chief Clerk





development under the coordination and supervision of the weather modification board, and reports by the weather modification board to the governor ; and to provide an appropriation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68 ; nays, 26 ; absent and not voting, 6.

REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT		●	● HICKLE			● MEIERS			● VANDER VORST		●
● BERG	●		● HOFFNER			● MELBY		●	● VIG		●
● BERGE		●	● HOUMANN		●	● MERTENS		●	● WAGNER		●
● BERGER			● HOVE			● MEYER	●		● WALD		●
● BJORNSON		●	● JACOBSEN, R.		●	● MURPHY			● WALSH		●
● BLACK			● JACOBSON, I.		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY			● NICHOLAS	●		● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		●
● CONMY			● KINGSBURY			● PELTIER		●			
● CRABTREE			● KLOUBEK			● PETERSON			● MR. SPEAKER		
● DICK			● KRUSDON			● POMEROY					
● DITZ			● KOSKI			● REED					
● DOTZENROD			● KRETZSCHMAR		●	● RETZGER					
● DUBORD			● KUICHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING		●	● LARDY			● RUED					
● FREBORG			● LARSON, F. #24			● SCHINDLER		●			
● GACKLE		●	● LARSON, G. #29			● SCOFIELD					
● GERL			● LARSON, H. #7			● SOLBERG					
● GORDER	●		● LEE	●		● STENEHJEM					
● GUNDERSON		●	● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA		●	● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON		●			
● HAUGLAND			● MARSDEN		●	● THORSgard					
● HAUSAUER, A. #49			● MARTIN			● TMM					
● HAUSAUER, R. #25			● MARTINSON			● TRJUM					
● HEDSTROM			● MATHEWY			● TWETEN					

So the bill passed and the title was agreed to.

**EXPLANATIONS OF VOTE**

Rep. Berg requested that the record show he had wanted to vote 'Aye' on Senate Bill No. 2043.

Rep. Koski requested that the record show he had intended to vote "Aye" and voted "Nay" in error.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2054.** — A Bill for an Act to amend and reenact sections 12.1-16-01 and 12.1-32-01 of the North Dakota Century Code, relating to murder and the classification of criminal offenses, and making murder a class AA felony with a maximum penalty of life imprisonment.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81 ; nays, 12 ; absent and not voting, 7.

REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT		●	● HICKLE			● MEIERS			● VANDER VORST		●
● BERG			● HOFFNER			● MELBY			● VIG		●
● BERGE		●	● HOUMANN		●	● MERTENS		●	● WAGNER		●
● BERGER			● HOVE			● MEYER	●		● WALD		●
● BJORNSON		●	● JACOBSEN, R.		●	● MURPHY			● WALSH		●
● BLACK			● JACOBSON, I.		●	● MUSHIK		●	● WEBER		●
● BOYUM		●	● KELLY			● NICHOLAS	●		● WENTZ		●
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKLER		●
● CONMY			● KINGSBURY			● PELTIER		●			
● CRABTREE			● KLOUBEK			● PETERSON			● MR. SPEAKER		

● DICK	● KNUDSON	● POMEROY
● DIETZ	● KOSKI	● REED
● DOTZENROD	● KRETSCHMAR	● RETZER
● DUBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ECKERSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEW
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSCHE	● LIPSIEK	● SWIONTEK
● HANSON	● MAXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSgard
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHEWY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2084.** — A Bill for an Act to create and enact four new sections to the North Dakota Century Code, relating to senate confirmation of gubernatorial appointments; and to amend and reenact sections 15-65-01, 15-65-02, 15-65-03, and 15-65-04 of the North Dakota Century Code, relating to the creation, membership, and duties of the public broadcasting council.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 58; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HERMAN		●	MATTSON		●		UNHJEW
●			●	HICKLE		●	MEIERS		●		VANDERVORST
●			●	HOFNER		●	MEYER		●		VIG
●			●	HOLMANN			WESTENS				WAGNER
●			●	HOVE			MEYER				WALD
●			●	JACOBSEN, R		●	MURPHY				WALSH
●			●	JACOBSON, I		●	MUSHK				WEBER
●			●	KELLY		●	NICHOLAS				WENTZ
●			●	KENNELLY		●	OLSON				WESSMAN
●			●	KERMOTT			OPEDAH				WRINKER
●			●	KINGSBURY			PELTIER				
●			●	KLOUBEC			PETERSON				MR. SPEAKER
●			●	KNUDSON		●	POMEROY				
●			●	KOSKI		●	REED				
●			●	KRETSCHMAR		●	RETZER				
●			●	KUCHERA		●	RICHARD				
●			●	LANG		●	RICHIE				
●			●	LANGLEY		●	RIEHL				
●			●	LARDY		●	RUED				
●			●	LARSON, F # 24		●	SCHINDLER				
●			●	LARSON, G # 29		●	SCOFIELD				
●			●	LARSON, H # 7		●	SOLBERG				
●			●	LEE		●	STENEHJEW				
●			●	LEIBMAN		●	STRINDEN				
●			●	LIPSIEK		●	SWIONTEK				
●			●	MAXNER		●	THOMPSON				
●			●	MARSDEN		●	THORSgard				
●			●	MARTIN		●	TIMM				
●			●	MARTINSON		●	TINJUM				
●			●	MATHEWY		●	TWETEN				

So the bill lost.

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1228, 1384, and subsequently passed the same.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**  
**Senate Chamber**

Mr. Speaker: I have the honor to transmit Senate Bill No. 2070 which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2070 is; ayes, 39; nays, 9; absent and not voting, 2.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2092 which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2092 is; ayes, 34; nays, 15; absent and not voting, 1.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1352 which the Senate has passed over the Governor's veto.

The vote on House Bill No. 1352 is; ayes, 38; nays, 11; absent and not voting, 1.

LEO LEIDHOLM, Secretary  
MESSAGE TO THE SENATE

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed House Bill No. 1215.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed Senate Bill No. 2310.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Concurrent Resolution No. 3005

LEO LEIDHOLM, Secretary

AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3005

On page 5 of the concurrent resolution as introduced, line 32, after the first comma and before the word "Sundays" insert the words "Saturdays and"

On page 6 of the concurrent resolution as introduced, line 1, after the first comma and before the word "Sundays" insert the words "Saturdays and"

And renumber the lines accordingly

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 1550:

Senator Goodman  
Senator Wright  
Senator Shablow

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed Senate Bill No. 2460.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on Senate Bill No. 2412:



● DOTZENROD	● KRETSCHMAR	● RETZER
● DuBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 29	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENEHJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIEA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A # 49	● MARTIN	● TIMM
● HAUSAUER, R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**Senate Bill No. 2249.** — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to licensing of wholesale motor vehicle dealers; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 7; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES	●		● HERMAN			● MATTSON			● UNHJEM		
● BENEDICT			● HICKLE			● MEIERS			● VANDER VORST		
● BERG			● HOFFNER			● MELBY			● VIG		
● BERGE			● HOUMANN			● MERTENS			● WAGNER		
● BERGER			● HOVE			● MEYER	●		● WALD		
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		
● BLACK			● JACOBSON, I			● NISHIK			● WEBER		●
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		
● BROKAW		●	● KENNELLY			● OLSON			● WESSMAN		●
● CHRISTENSEN			● KERMOTT			● OPEDAHL			● WINKJER		
● CONMY			● KINGSBURY			● PELTIER		●			
● CRABTREE			● KLOUBEC			● PETERSON	●		● MR. SPEAKER		
● DICK			● KNUDSON			● POMEROY					
● DIETZ			● KOSKI			● REED					
● DOTZENROD			● KRETSCHMAR			● RETZER					
● DuBORD			● KUCHERA			● RICHARD					
● EAGLES			● LANG			● RICHIE					
● ERICKSON			● LANGLEY			● RIEHL					
● FLEMING			● LARDY			● RUED					
● FREBORG			● LARSON, F # 24			● SCHINDLER					
● GACKLE			● LARSON, G # 29			● SCOFIELD					
● GERL		●	● LARSON, H # 7			● SOLBERG					
● GORDER			● LEE			● STENEHJEM					
● GUNDERSON			● LEIBHAN			● STRINDEN					
● GUNSCH			● LIPSIEA			● SWONTEK					
● HANSON			● MAIXNER			● THOMPSON		●			
● HAUGLAND			● MARSDEN			● THORSGARD					
● HAUSAUER, A # 49			● MARTIN			● TIMM					
● HAUSAUER, R # 25			● MARTINSON			● TINJUM					
● HEDSTROM			● MATHENY			● TWETEN					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bill No. 2276 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2286.** — A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to the fees charged and collected by the sheriff on behalf of the county.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 6; absent and not voting, 3.



NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS	●	● VANDER VORST
● BERG		●	● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS	●	● WAGNER
● BERGER		●	● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOIT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED	●	
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARDY			● RUED	●	
● FREBORG			● LARSON, F # 24			● SCHINDLER		
● GACKLE			● LARSON, G # 29			● SCOFIELD		
● GERL			● LARSON, H # 7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM	●	
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● WAIXNER			● THOMPSON		
● HAUGLAND			● WARDEN			● THORSKARD		
● HAUSAUER, A # 49			● MARTIN			● TIMM		
● HAUSAUER, R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Senate Bill No. 2384.** — A Bill for an Act to provide a new subsection to section 15-38.1-14 of the North Dakota Century Code, pertaining to executive sessions under the Teachers' Representation and Negotiation Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 56; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTSOON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG		●	● HOFFNER			● MELBY		● VIG
● BERGE			● HOUMANN			● MERTENS	●	● WAGNER
● BERGER		●	● HOVE			● MEYER	●	● WALD
● BJORNSON			● JACOBSEN, R			● MURPHY		● WALSH
● BLACK			● JACOBSON, I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOIT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED	●	
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DUBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY	●		● RIEHL		
● FLEMING			● LARDY			● RUED	●	
● FREBORG			● LARSON, F # 24			● SCHINDLER		
● GACKLE			● LARSON, G # 29			● SCOFIELD		
● GERL			● LARSON, H # 7			● SOLBERG		
● GORDER			● LEE	●		● STENEHJEM	●	
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCHE			● LIPSIEA			● SWONTEK		
● HANSON			● WAIXNER			● THOMPSON		
● HAUGLAND			● WARDEN			● THORSKARD		
● HAUSAUER, A # 49			● MARTIN			● TIMM		
● HAUSAUER, R # 25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill lost.

**Senate Bill No. 2450.** — A Bill for an Act to provide for parimutuel horse racing conducted by nonprofit charitable, fraternal, religious,



Rep. Strinden moved that the House stand recessed until 5:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2006  
Senate Bill No. 2038  
Senate Bill No. 2043  
Senate Bill No. 2054  
Senate Bill No. 2131  
Senate Bill No. 2153  
Senate Bill No. 2249  
Senate Bill No. 2286

ROY GILBREATH, Chief Clerk

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently failed to pass:

Senate Bill No. 2084

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2001  
Senate Bill No. 2008  
Senate Bill No. 2484

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has not adopted the conference committee report on:

Senate Concurrent Resolution No. 4015

The President has appointed as a new conference committee on:

Senate Concurrent Resolution No. 4015:

Senator Christensen  
Senator Sorum  
Senator Schirado

LEO LEIDHOLM, Secretary

**MOTIONS**

Rep. Conmy moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3005, which motion prevailed.

Rep. Kretschmar moved that the rules be suspended, and that House Concurrent Resolution No. 3005 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE**

**CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3005.** — A concurrent resolution creating a new article III of the Constitution of the State of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to executive branch organization, to the powers and duties of the

governor, and to gubernatorial succession; to repeal article III, consisting of sections 71 through 84, of the Constitution of the State of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to the powers and duties of the governor, and to gubernatorial succession; and providing an effective date.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 17.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			HERMAN			WATSON	●		●	UNHJEM	
●			HICKLE			WEIERS			●	VANDER VORST	
●			HOFFNER			WELBY			●	VIG	
●			HOLMANN			WERTENS	●			WAGNER	
●			HOVE			MEYER	●			WALD	
●			JACOBSON R			MURPHY	●			WALSH	
●			JACOBSON I			MUSHIK	●			WEBER	
●			KELLY			NICHOLAS	●			WENTZ	
●			KENNELLY			OLSON	●			WESSMAN	
●			KERMOTT			OPEDAHL	●			WINKJER	
●			KINGSBURY			PELTIER	●				
●			KLOUBEC			PETERSON	●			MR SPEAKER	
●			KNUDSON			POWERDY	●				
●			KOSKI			REED	●				
●			KRETSCHMAR			REITZER	●				
●			KUCHERA			RICHARD	●				
●			LANG			RICHE	●				
●			LANGLEY			RIEHL	●				
●			LARDY			RUED	●				
●			LARSON F #24			SCHINDLER	●				
●			LARSON #29			SCOFIELD	●				
●			LARSON M #7			SOLBERG	●				
●			LEE			STENEHJEM	●				
●			LEIBMAN			STRINDEN	●				
●			LIPSIEA			SWONTEK	●				
●			MAIXNER			THOMPSON	●				
●			MARSDEN			THORSGARD	●				
●			MARTIN			TIMM	●				
●			MARTINSON			TINJUM	●				
●			MATHENY			TWETEN	●				

So the House Concurrent Resolution was declared adopted.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner appointed the following to a Conference Committee on Senate Concurrent Resolution No. 4015:

- Rep. Bjornson
- Rep. Reed
- Rep. Hoffner

**Report of Conference Committees**

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Conference Committee to whom was referred \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. 2460 \_\_\_\_\_ has had the same under consideration and recommends:

That the House recede from its amendments and that reengrossed Senate Bill No. 2460 be amended as follows:

- On page 1 of the reengrossed bill, line 5, after the comma insert the word "and"
- On page 1 of the reengrossed bill, line 6, delete the comma and words ", and the natural resources council"
- On page 1 of the reengrossed bill, line 9, after the second comma insert the word "and"

- On page 1 of the reengrossed bill, line 10, delete ", and section 54-54-49.1-02"
- On page 1 of the reengrossed bill, line 12, delete the words "state planning division" and insert in lieu thereof the words "federal aid coordinator office"
- On page 1 of the reengrossed bill, line 16, after the semicolon insert the words "to require the legislative council to review the effect of consolidation of offices into the office of federal aid coordinator;"
- On page 1 of the reengrossed bill, line 17, after the word "appropriation" insert the words "for the federal aid coordinator office and the natural resources council"
- On page 1 of the reengrossed bill, line 21, after the word "APPOINTMENT" insert the following: "- LOCATION OF OFFICE"
- On page 2 of the reengrossed bill, line 13, after the period insert the following: "If possible, the entire federal aid coordinator office shall be housed at one location on the state capitol grounds, subject to sufficient space being made available by the director of institutions. If sufficient space is not available to house the entire office in one location on the state capitol grounds, the entire office may be housed at one location in the city of Bismarck."
- On page 11 of the reengrossed bill, delete lines 12 through 34
- On page 12 of the reengrossed bill, line 18, delete the numerals "1,378,047" and insert in lieu thereof the numerals "1,185,136"
- On page 12 of the reengrossed bill, line 19, delete the numerals "1,080,411" and insert in lieu thereof the numerals "1,010,487"
- On page 12 of the reengrossed bill, line 21, delete the numerals "243,386" and insert in lieu thereof the numerals "235,606"
- On page 12 of the reengrossed bill, line 22, delete the numerals "16,413" and insert in lieu thereof the numerals "15,313"
- On page 12 of the reengrossed bill, line 27, underscore the numerals "1,257,670"
- On page 12 of the reengrossed bill, delete lines 29 and 30
- On page 12 of the reengrossed bill, line 31, delete the numerals "20,377,311" and insert in lieu thereof the numerals "19,971,295"
- On page 12 of the reengrossed bill, line 32, delete the numerals "19,877,311" and insert in lieu thereof the numerals "19,555,878"
- On page 12 of the reengrossed bill, line 33, delete the numerals "500,000" and insert in lieu thereof the numerals "415,417"
- On page 12 of the reengrossed bill, after line 33, insert the following section:

"SECTION 22. APPROPRIATION - NATURAL RESOURCES COUNCIL.)  
 There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the natural resources council of the state of North Dakota for the purposes of defraying the expenses thereof, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

Salaries and wages	\$ 192,911
Fees and services	69,924
Supplies and materials	7,780
Equipment	1,100

Grants, benefits, and claims	134,301
Total all funds	\$ 406,016
Less estimated income	321,433
Total general fund appropriation	\$ 84,583

On page 13 of the reengrossed bill, after line 6, insert the following section:

"SECTION 24. LEGISLATIVE COUNCIL TO REVIEW THE OPERATIONS OF THE FEDERAL AID COORDINATOR OFFICE.) The legislative council committee conducting the study of reorganizing the executive branch of state government pursuant to 1979 Senate Concurrent Resolution No. 4001 shall review the operations of the federal aid coordinator office. The federal aid coordinator shall report to that legislative council committee on the effect of the consolidation of agencies into the federal aid coordinator office as provided by this Act. That committee shall report the results of the review of the federal aid coordinator office to the forty-seventh legislative assembly along with its report and recommendations resulting from its study pursuant to Senate Cnccurrent Resolutor. No. 4001."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes the provisions that would bring the Natural Resources Council under the federal aid coordinator office. It provides a separate appropriation for the Natural Resources Council. The appropriation for the Natural Resources Council is \$32,477 less than the executive budget of which \$16,408 is from the general fund and \$16,069 is from federal funds. The total appropriation to the federal aid coordinator is \$199,523 less than the executive budget, of which \$102,500 is from the general fund and \$97,023 is federal funds for the agencies consolidated under the federal aid coordinator which are the Office of Energy Management, Office of Economic Opportunity, State Planning Division, and Special Projects Coordinator. This amendment also provides that during the 1979-81 biennium, the Legislative Council is to review the effect of the consolidation of these agencies into the federal aid coordinator office.

For the Senate

*[Signature]*  
 Senator Melland  
 \_\_\_\_\_  
*[Signature]*  
 Senator Hanson  
 \_\_\_\_\_  
 Refused to sign  
 Senator Erdman  
 \_\_\_\_\_

For the House

*[Signature]*  
 Representative Marsden  
 \_\_\_\_\_  
*[Signature]*  
 Representative Eagles  
 \_\_\_\_\_  
 Refused to sign  
 Representative Mushik  
 \_\_\_\_\_

~~Representative Nordsen~~ moved that the report be adopted, which motion prevailed.

Rep. Mushik requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 61; nays, 37; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	HERMAN		•	MATTSON		•	UNHJEM		
		•	HICKLE			MEIERS		•	VANDER VORST		
		•	HOFFNER		•	MELBY		•	VIG		
•			HOUWMANN			MERTENS		•	WAGNER		
		•	HOVE			MEYER	•		WALD		
•			JACOBSEN R			MURPHY			WALSH		•
•			JACOBSON I		•	MUSHIK			WEBER		•
		•	KELLY			NICHOLAS		•	WENTZ		
		•	KENNELLY			OLSON			WESSMAN		•
•			KERMOTT			OPEDAHL		•	WINKER		



• GACKLE	• LARSON, G. #29	• SCOFIELD
• GERL	• LARSON, H. #7	• SOLBERG
• GORDER	• LEE	• STENHJEM
• GUNDERSON	• LEIBMAN	• STRINDEN
• GUNSCHE	• LIPSIEA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSgard
• HAUSAUER A. #40	• MARTIN	• TIMM
• HAUSAUER R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill passed and the title was agreed to.

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1304 has had the same under consideration and recommends:

That the House accede to the Senate amendments and that HB 1304 be further amended as follows:

On the Senate amendments to engrossed HB 1304 after Section 4, subdivision 3, ending in the words "formulas provided by law shall be considered." insert the following new section:  
 "SECTION 5. LEGISLATIVE INTENT AND GUIDELINES ON IMPACT GRANTS.) The legislative assembly intends that the moneys appropriated to, and distributed by, the coal development impact office for grants are to be used by grantees to meet initial impacts affecting basic governmental services, and directly necessitated by coal development impact. As used in this section, "basic governmental services" do not include activities relating to marriage or guidance counseling, services or programs to alleviate other sociological impacts, or services or facilities to meet secondary impacts. All grant applications and presentations to the coal development impact office shall be made by an appointed or elected government official."

And renumber the lines, sections, and pages accordingly

For the Senate	For the House
<u>Sen. Jones</u>	<u>Rep. Martinson</u>
<u>Sen. Albers</u>	<u>Rep. Scofield</u>
<u>Refused to sign</u>	<u>Refused to sign</u>
<u>Sen. Rait</u>	<u>Rep. Brokaw</u>

Rep. Martinson moved that the report be adopted, which motion

prevailed.

House Bill No. 1304 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1304, as amended in Conference Committee, be adopted, and that House Bill No. 1304 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1304.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, creating a coal impact office and setting out the powers and duties of the director; to amend and reenact sections 57-62-04 and 57-62-05 of the North Dakota Century Code, providing for a coal development impact office and setting forth the powers and duties of the director.

Which has been read.



ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 67; nays, 31; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
		●				●				
BACKES			●	HERMAN		●	MATSON	●	UNHJEM	
●	BENEDICT			●	HICKLE		●	MEIERS	●	VANDER VORST
	●			●	HOFFNER	●	●	MELBY	●	VIG
●	BERGE			●	HOUJMAN		●	MERTENS	●	WAGNER
●	●			●	HOVE		●	MEYER	●	WALD
●	●			●	JACOBSEN, R		●	MURPHY	●	WALSH
●	BLACK			●	JACOBSON, I		●	MUSHK	●	WEBER
●	●			●	KELLY	●	●	NICHOLAS	●	WENTZ
●	BOYUM			●	●	●	●	OLSON	●	WESSMAN
●	●			●	●	●	●	OPEDAH	●	WINKJER
●	CHRISTENSEN			●	KERNWOTT		●	●	●	●
●	●			●	KINGSBURY		●	●	●	●
●	●			●	KLOUBEC		●	●	●	●
●	CRAFTREE			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	DICK			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	DRETZ			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	DOTZENROD			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	DUBORD			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	EAGLES			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	ERICKSON			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	FLEMING			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	FREIBORG			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	GACKLE			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	GERL			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	GORDER			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	GUNCERSON			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	GUNSCH			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	HANSON			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	HAUGLAND			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	HAUSAUER A #49			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	HAUSAUER R #25			●	●		●	●	●	●
●	●			●	●		●	●	●	●
●	HEDSTROM			●	●		●	●	●	●
●	●			●	●		●	●	●	●

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bill No. 2450 be placed at the foot of the calendar, which motion prevailed.

MESSAGES TO THE SENATE  
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Concurrent Resolution No. 4015:

- Rep. Bjornson
- Rep. Reed
- Rep. Hoffner

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Concurrent Resolution No. 3005, and subsequently passed the same.

ROY GILBREATH, Chief Clerk  
SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1075 passed the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit House Bill No. 1075 with the certification signed by the Speaker certifying the bill was passed over the Governor's veto, and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1028  
 House Bill No. 1044  
 House Bill No. 1199  
 House Bill No. 1588  
 House Bill No. 1565  
 House Bill No. 1581  
 House Bill No. 1614  
 House Bill No. 1621

House Concurrent Resolution No. 3094

The Speaker signed the same in the presence of the House of Representatives.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1028  
 House Bill No. 1044  
 House Bill No. 1199  
 House Bill No. 1588  
 House Bill No. 1565  
 House Bill No. 1581  
 House Bill No. 1614  
 House Bill No. 1621

House Concurrent Resolution No. 3094

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2012  
 Senate Bill No. 2013  
 Senate Bill No. 2021  
 Senate Bill No. 2150  
 Senate Bill No. 2417  
 Senate Bill No. 2432

The Speaker signed the same in the presence of the House of Representatives.

#### MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2012  
 Senate Bill No. 2013  
 Senate Bill No. 2021  
 Senate Bill No. 2150  
 Senate Bill No. 2417  
 Senate Bill No. 2432

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2384

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

- House Bill No. 1002
- House Bill No. 1004
- House Bill No. 1005
- House Bill No. 1006
- House Bill No. 1009
- House Bill No. 1024
- House Bill No. 1027
- House Bill No. 1030
- House Bill No. 1032
- House Bill No. 1033

LEO LEIDHOLM, Secretary  
 SECOND READING OF A SENATE  
 CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4009.** — A concurrent resolution for the amendment of section 161 of the Constitution of the State of North Dakota, relating to the leasing of lands granted to the state for educational and charitable purposes; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 53; nays, 45; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
—	BACKES	•	•	HERMAN	•	•	MATTSON	•	•	UNHJEW	•
—	BENEDICT	•	•	HICKLE	•	•	MEERS	•	•	VANDER VORST	•
•	BERG	•	•	HOFFNER	•	•	MELBY	•	•	VIG	•
•	BERGE	•	•	HOUHANN	•	•	MERTENS	•	•	WAGNER	•
•	BERGER	•	•	HOVE	•	•	MEYER	•	•	WALD	•
—	BJORNSON	•	•	JACOBSEN, R.	•	•	MURPHY	•	•	WALSH	•
•	BLACK	•	•	JACOBSON, I.	•	•	MUSHIK	•	•	WEBER	•
—	BOYUM	•	•	KELLY	•	•	NICHOLAS	•	•	WENTZ	•
—	BROKAW	•	•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•
•	CHRISTENSEN	•	•	KERMOTT	•	•	OPEDAHL	•	•	WINKJER	•
•	CONMY	•	•	KINGSBURY	•	•	PELTIER	•	•	MR SPEAKER	•
•	CRABTREE	•	•	KLOUBEC	•	•	PETERSON	•	•		
•	DICK	•	•	KNUDSON	•	•	POMEROY	•	•		
•	DIETZ	•	•	KOSKI	•	•	REED	•	•		
•	DOTZENROD	•	•	KRETSCHMAR	•	•	RETZER	•	•		
—	DUBORD	•	•	KUCHERA	•	•	RICHARD	•	•		
•	EAGLES	•	•	LANG	•	•	RICHIE	•	•		
•	ERICKSON	•	•	LANGLEY	•	•	RICHL	•	•		
•	FLEMING	•	•	LARDY	•	•	RUED	•	•		
•	FREBORG	•	•	LARSON, F # 24	•	•	SCHINDLER	•	•		
•	GACKLE	•	•	LARSON, G # 29	•	•	SCOFIELD	•	•		
•	GERL	•	•	LARSON, H # 7	•	•	SOLBERG	•	•		
•	GORDER	•	•	LEE	•	•	STENEHJEM	•	•		
•	GUNDERSON	•	•	LEIBHAN	•	•	STRINDEN	•	•		
•	GUNSCH	•	•	LIPSIEA	•	•	SWIONTEK	•	•		
•	HANSON	•	•	MAIXNER	•	•	THOMPSON	•	•		
•	HAUGLAND	•	•	MARSDEN	•	•	THORSgard	•	•		
•	HAUSAUER A # 49	•	•	MARTIN	•	•	TMM	•	•		
•	HAUSAUER R # 25	•	•	MARTINSON	•	•	TINJUM	•	•		
•	HEDSTROM	•	•	MATHENY	•	•	TWETEN	•	•		

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4028.** — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Was read the second time.

Rep. Peterson moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 46; nays, 46; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•				HERMAN	•		MATTSON	•		UNHJEM	•
•			•	HICKLE	•		MEIERS	•	•	VANDER VORST	•
				HOFFNER	•	•	MELBY	•		VG	•
•				HOLMANN	•		MERTENS	•		WAGNER	•
			•	HOVE	•	•	MEYER	•	•	WALD	•
			•	JACOBSEN, R.	•	•	MURPHY	•		WALSH	•
			•	JACOBSON, I.	•	•	MUSHIK	•		WEBER	•
				KELLY	•	•	NICHOLAS	•		WENTZ	•
			•	KENNELLY	•	•	OLSON	•		WESSMAN	•
•			•	KERMOTT	•		OPEDAH	•	•	WINKJER	•
			•	KINGSBURY	•		PELTIER	•			
			•	KLOUBEC	•		PETERSON	•	•	MR. SPEAKER	•
•				KNUDSON	•		POMEROY	•			
•				KOSKI	•	•	REED	•			
			•	KRETSCHMAR	•	•	RETZER	•			
			•	KUCHERA	•	•	RICHARD	•			
			•	LANG	•	•	RICHIE	•			
•			•	LANGLEY	•		RIEHL	•			
				LARDY	•	•	RUED	•			
•			•	LARSON, F. # 24	•	•	SCHINDLER	•			
•			•	LARSON, G. # 29	•	•	SCOFIELD	•			
				LARSON, H. # 7	•	•	SOLBERG	•			
•				LEE	•		STENEJEM	•			
•			•	LEIBHAN	•	•	STRINDEN	•			
•			•	LIPSIE	•	•	SWONTEK	•			
			•	MAIXNER	•	•	THOMPSON	•			
			•	MARSDEN	•	•	THORSGARD	•			
•			•	MARTIN	•	•	TIMM	•			
•			•	MARTINSON	•		TINJUM	•			
•			•	MATHENY	•	•	TWETEN	•			

So the Senate Concurrent Resolution was declared lost.

MOTION

Rep. Strinden moved that Senate Concurrent Resolution No. 4051 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4064.** — A concurrent resolution directing the Legislative Council to conduct a performance review in the area of higher education during the 1979-81 biennium.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 17; nays, 78; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•				HERMAN	•		MATTSON	•		UNHJEM	•
•				HICKLE	•		MEIERS	•	•	VANDER VORST	•
			•	HOFFNER	•	•	MELBY	•		VG	•
				HOLMANN	•		MERTENS	•		WAGNER	•
			•	HOVE	•	•	MEYER	•	•	WALD	•
			•	JACOBSEN, R.	•	•	MURPHY	•		WALSH	•
			•	JACOBSON, I.	•	•	MUSHIK	•		WEBER	•
				KELLY	•	•	NICHOLAS	•		WENTZ	•
			•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•
•			•	KERMOTT	•		OPEDAH	•	•	WINKJER	•
			•	KINGSBURY	•		PELTIER	•			
			•	KLOUBEC	•		PETERSON	•	•	MR. SPEAKER	•
•				KNUDSON	•		POMEROY	•			
•				KOSKI	•	•	REED	•			
			•	KRETSCHMAR	•	•	RETZER	•			
			•	KUCHERA	•	•	RICHARD	•			
			•	LANG	•	•	RICHIE	•			
•			•	LANGLEY	•		RIEHL	•			
				LARDY	•	•	RUED	•			
•			•	LARSON, F. # 24	•	•	SCHINDLER	•			
•			•	LARSON, G. # 29	•	•	SCOFIELD	•			
				LARSON, H. # 7	•	•	SOLBERG	•			
•				LEE	•		STENEJEM	•			
•			•	LEIBHAN	•	•	STRINDEN	•			
•			•	LIPSIE	•	•	SWONTEK	•			
			•	MAIXNER	•	•	THOMPSON	•			
			•	MARSDEN	•	•	THORSGARD	•			
•			•	MARTIN	•	•	TIMM	•			
•			•	MARTINSON	•		TINJUM	•			
•			•	MATHENY	•	•	TWETEN	•			

So the Senate Concurrent Resolution was declared lost.

**Senate Concurrent Resolution No. 4066.** — A concurrent resolution for the amendment of section 186 of the Constitution of the State of North Dakota, relating to the expenditure of public moneys by appropriation only, exceptions, requiring itemized written statements for bills, claims, accounts, or demands against the state, limiting expenditures to state revenues and reserves, providing a ceiling for appropriations, providing for the filing and publishing of an accurate financial statement of the state's financial condition; and providing an effective date.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 10; nays, 81; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•	•	WELBY	•		VIG	•	
BERGE		•	HOUIMANN	•		WERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		WEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				
DIETZ	•		KOSKI	•		REED	•				
DOTZENROD	•		KRETSCHMAR	•		RETZER	•				
DuBORD	•		KUCHERA	•		RICHARD	•				
EAGLES	•		LANG	•		RICHIE	•				
ERICKSON	•		LANGLEY	•		RIEHL	•				
FLEMING	•		LARDY	•		RUED	•				
FREIBORG	•		LARSON, F. # 24	•		SCHINDLER	•				
GACKLE	•		LARSON, # 29	•		SCOFFIELD	•				
GERL	•		LARSON, H. # 7	•		SOLBERG	•				
GORDER	•		LEE	•		STENEHJEM	•				
GUNDERSON	•		LEIBHAN	•		STRINDEN	•				
GUNSCH	•		LIPSIEA	•		SWONTEK	•				
HANSON	•		MAIXNER	•		THOMPSON	•				
HAUGLAND	•		MARSDEN	•		THORSGARD	•				
HAUSAUER, A. # 49	•		MARTIN	•		TIMM	•				
HAUSAUER, R. # 25	•		MARTINSON	•		TINJUM	•				
HEDSTROM	•		MATHEWY	•		TWETEN	•				

So the Senate Concurrent Resolution was declared lost.

**Senate Concurrent Resolution No. 4070.** — A concurrent resolution directing the Legislative Council to conduct a study of crime prevention methods with respect to controlled substances.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 6; nays, 82; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		HERMAN	•		MATTSON	•		UNHJEM	•	
BENEDICT		•	HICKLE	•		MEIERS	•		VANDER VORST	•	
BERG	•		HOFFNER	•	•	WELBY	•		VIG	•	
BERGE		•	HOUIMANN	•		WERTENS	•		WAGNER	•	
BERGER	•		HOVE	•		WEYER	•		WALD	•	
BJORNSON	•		JACOBSEN, R.	•		MURPHY	•		WALSH	•	
BLACK	•		JACOBSON, I.	•		MUSHIK	•		WEBER	•	
BOYUM	•		KELLY	•		NICHOLAS	•		WENTZ	•	
BROKAW	•		KENNELLY	•		OLSON	•		WESSMAN	•	
CHRISTENSEN	•		KERMOTT	•		OPEDAHL	•		WINKJER	•	
CONNY	•		KINGSBURY	•		PELTIER	•				
CRABTREE	•		KLOUBEC	•		PETERSON	•		MR. SPEAKER	•	
DICK	•		KNUDSON	•		POMEROY	•				

DIETZ	•	KOSKI	•	REED	•
DOTZENROD	•	KRETSCHMAR	•	RETZER	•
DuBORD	•	KUCHERA	•	RICHARD	•
EAGLES	•	LANG	•	RICHIE	•
ERICKSON	•	LANGLEY	•	RIEHL	•
FLEMING	•	LARDY	•	RUED	•
FREBORG	•	LARSON, F. #24	•	SCHINDLER	•
GACKLE	•	LARSON, G. #20	•	SCOFIELD	•
GERL	•	LARSON, H. #7	•	SOLBERG	•
GORDER	•	LEE	•	STENEHJEM	•
GUNDERSON	•	LEIBHAN	•	STRINDEN	•
GUNSCH	•	LIPSIEA	•	SWONTEK	•
HANSON	•	MAXNER	•	THOMPSON	•
HAUGLAND	•	MARSDEN	•	THORSGARD	•
HAUSAUER, A. #49	•	MARTIN	•	TIMM	•
HAUSAUER, R. #25	•	MARTINSON	•	TINJUM	•
HEDSTROM	•	MATHEHY	•	TWETEN	•

So the Senate Concurrent Resolution was declared lost.

**Senate Concurrent Resolution No. 4072.** — A concurrent resolution directing the Legislative Council to conduct a study of general fund revenues and expenditures during the next biennium.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 77; nays, 11; absent and not voting, 12.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS			
•			•	HERMAN	•	•	MATTSON	•	•	UMHJEM	
•		•	•	HICKLE	•	•	MEIERS	•	•	•	VANDER VORST
•			•	HOFFNER	•	•	MELBY	•	•	•	VIG
•			•	HOLMANN	•	•	MERTENS	•	•	•	WAGNER
•		•	•	HOVE	•	•	MEYER	•	•	•	WALD
•			•	JACOBSEN, R	•	•	MURPHY	•	•	•	WALSH
•			•	JACOBSON, I	•	•	MUSHIK	•	•	•	WEBER
•			•	KELLY	•	•	NICHOLAS	•	•	•	WENTZ
•			•	KENNELLY	•	•	OLSON	•	•	•	WESSMAN
•			•	KERMOTT	•	•	OPEDAHL	•	•	•	WINKJER
•			•	KINGSBURY	•	•	PELTIER	•	•	•	MR. SPEAKER
•			•	KLOUBEC	•	•	PETERSON	•	•	•	
•			•	KNUDSON	•	•	POMEROY	•	•	•	
•			•	KOSKI	•	•	REED	•	•	•	
•			•	KRETSCHMAR	•	•	RETZER	•	•	•	
•			•	KUCHERA	•	•	RICHARD	•	•	•	
•			•	LANG	•	•	RICHIE	•	•	•	
•			•	LANGLEY	•	•	RIEHL	•	•	•	
•			•	LARDY	•	•	RUED	•	•	•	
•		•	•	LARSON, F. #24	•	•	SCHINDLER	•	•	•	
•			•	LARSON, G. #20	•	•	SCOFIELD	•	•	•	
•			•	LARSON, H. #7	•	•	SOLBERG	•	•	•	
•			•	LEE	•	•	STENEHJEM	•	•	•	
•			•	LEIBHAN	•	•	STRINDEN	•	•	•	
•			•	LIPSIEA	•	•	SWONTEK	•	•	•	
•			•	MAXNER	•	•	THOMPSON	•	•	•	
•			•	MARSDEN	•	•	THORSGARD	•	•	•	
•			•	MARTIN	•	•	TIMM	•	•	•	
•			•	MARTINSON	•	•	TINJUM	•	•	•	
•			•	MATHEHY	•	•	TWETEN	•	•	•	

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4085.** — A concurrent resolution directing the Garrison Diversion Overview Committee to conduct a study of the Garrison Diversion Project and its present and potential effects on North Dakota, which study is to emphasize the problems concerning the acquisition of fish and wildlife mitigation and enhancement acreage and the feasibility of constructing a pipeline to deliver municipal and industrial water to users.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●			●	HERMAN		●	MATTSON		●	UNHJEM
●			●	HICKLE		●	MEIERS		●	VANDER VORST
●			●	HOFFNER		●	MELBY		●	YIG
●			●	HOUJMAN		●	MERTENS		●	WAGNER
●			●	HOVE		●	MEYER	●	●	WALD
●			●	JACOBSEN, R.		●	MURPHY	●	●	WALSH
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER
●			●	KELLY		●	NICHOLAS		●	WENTZ
●			●	KENNELLY		●	OLSON		●	WESSMAN
●			●	KERMOTT		●	OPEDAHL		●	WINKJER
●			●	KINGSBURY		●	PELTIER			
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER
●			●	KNUDSON		●	POMEROY			
●			●	KOSKI		●	REED			
●			●	KRETSCHMAR		●	RETZER	●		
●			●	KUCHERA		●	RICHARD	●		
●			●	LANG		●	RICHIE			
●			●	LANGLEY		●	RIEHL			
●			●	LARDY	●	●	RUED			
●			●	LARSON, F. # 24		●	SCHINDLER			
●			●	LARSON, G. # 29		●	SCOFIELD			
●			●	LARSON, H. # 7		●	SOLBERG			
●			●	LEE	●	●	STENEHJEM			
●			●	LEIBHAN		●	STRINDEN			
●			●	LIPSIA	●	●	SWONTEK			
●			●	MAXNER		●	THOMPSON			
●			●	MARSDEN		●	THORSGARD			
●			●	MARTIN	●	●	TIMM			
●			●	MARTINSON		●	TINJUM			
●			●	MATHENY		●	TWETEN			

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4086.** — A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES										
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●			●	HERMAN		●	MATTSON		●	UNHJEM
●			●	HICKLE		●	MEIERS		●	VANDER VORST
●			●	HOFFNER		●	MELBY		●	YIG
●			●	HOUJMAN		●	MERTENS	●	●	WAGNER
●			●	HOVE		●	MEYER	●	●	WALD
●			●	JACOBSEN, R.		●	MURPHY	●	●	WALSH
●			●	JACOBSON, I.		●	MUSHIK		●	WEBER
●			●	KELLY		●	NICHOLAS		●	WENTZ
●			●	KENNELLY		●	OLSON		●	WESSMAN
●			●	KERMOTT		●	OPEDAHL		●	WINKJER
●			●	KINGSBURY		●	PELTIER			
●			●	KLOUBEC		●	PETERSON		●	MR. SPEAKER
●			●	KNUDSON		●	POMEROY			
●			●	KOSKI		●	REED			
●			●	KRETSCHMAR		●	RETZER	●		
●			●	KUCHERA		●	RICHARD	●		
●			●	LANG		●	RICHIE			
●			●	LANGLEY		●	RIEHL			
●			●	LARDY		●	RUED			
●			●	LARSON, F. # 24		●	SCHINDLER			
●			●	LARSON, G. # 29		●	SCOFIELD			
●			●	LARSON, H. # 7		●	SOLBERG			
●			●	LEE	●	●	STENEHJEM			
●			●	LEIBHAN		●	STRINDEN			
●			●	LIPSIA	●	●	SWONTEK			
●			●	MAXNER		●	THOMPSON			
●			●	MARSDEN		●	THORSGARD			
●			●	MARTIN	●	●	TIMM			
●			●	MARTINSON		●	TINJUM			
●			●	MATHENY		●	TWETEN			

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4087.** — A concurrent resolution urging the President and the Congress of the United States to undertake the necessary actions to provide for the reimbursement of

the states by the federal government for all costs incurred in implementing new or expanded federal programs.

Was read the second time.

The question being on the final adoption of the resolution.

So the Senate Concurrent Resolution was declared adopted on a voice vote.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1304

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2460

ROY GILBREATH, Chief Clerk

SECOND READING OF A SENATE  
CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4088.** — A concurrent resolution directing the Legislative Council to study the rights of children.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 74; nays, 15; absent and not voting, 11.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES ●			HERMAN ●			MATTSON ●			UNNEM ●		
BENEDICT ●			HICKLE ●			WEIERS ●			VANDER VORST ●		
BERG ●			HOFFNER ●			WELBY ●			YIG ●		
BERGE ●			HOLMANN ●			WERTENS ●			WAGNER ●		
BERGER ●			HOVE ●			MEYER ●			WALD ●		
BJORNSON ●			JACOBSEN R ●			MURPHY ●			WALSH ●		
BLACK ●			JACOBSON J ●			MUSHK ●			WEBER ●		
BOYUM ●			KELLY ●			NICHOL ●			WENTZ ●		
BROKAW ●			KENNELLY ●			OLSON ●			WESSMAN ●		
CHRISTENSEN ●			KERMOTT ●			OPEDAH ●			WINKLER ●		
CONNY ●			KINGSBURY ●			PELTIER ●			MR. SPEAKER ●		
CRABTREE ●			KLOUBEC ●			PETERSON ●					
DICK ●			KNUDSON ●			POMEROY ●					
DIETZ ●			KOSKI ●			REED ●					
DOTZENROD ●			KRETSCHMAR ●			RETZER ●					
DUBORD ●			KUCHERA ●			RICHARD ●					
EAGLES ●			LANG ●			RICHE ●					
ERICKSON ●			LANGLEY ●			RIEHL ●					
FLEMING ●			LARDY ●			RUED ●					
FREBORG ●			LARSON F. # 24 ●			SCHINDLER ●					
GACKLE ●			LARSON G. # 29 ●			SCOFIELD ●					
GERL ●			LARSON H. # 7 ●			SOLBERG ●					
GORDER ●			LEE ●			STENEHEJEM ●					
GUNDERSON ●			LEHMAN ●			STRINDEN ●					
GUNSON ●			LIPSA ●			SWONTEK ●					
HANSON ●			MAIXNER ●			THOMPSON ●					
HAUGLAND ●			MARSDEN ●			THORSGARD ●					
HAUSAUER A. # 48 ●			MARTIN ●			TIMM ●					
HAUSAUER R. # 25 ●			MARTINSON ●			TINJUM ●					
HEDSTROM ●			MATHENY ●			TWETEN ●					

So the Senate Concurrent Resolution was declared adopted.

**Senate Concurrent Resolution No. 4089.** — A concurrent resolution directing the Legislative Council to study the state's judicial system.

Was read the second time.





communities. Senate Bill 2070 deprives these officials of that part of our governmental process.

Therefore, I veto Senate Bill 2070.

Sincerely yours,  
ARTHUR A. LINK  
Governor

State of North Dakota  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Wayne G. Sanstead

President of the Senate

Senate Chambers

Bismarck, North Dakota 58505

Dear Mr. President:

Senate Bill 2092 allows creditors to collect a late payment service charge in the amount of 1½% per month (18% per year) on overdue accounts. This is not legal under present law. Current law only permits creditors to collect interest or service charges if they are agreed to in a written contract by the debtor.

At the outset, it should be made clear that this legislation will have no effect on retail sales installment contracts. Whenever a consumer purchases goods or services on an installment basis, he or she must sign a contract for the interest and service charges that are added to the price of the goods or services. This would remain the case under Senate Bill 2092.

Senate Bill No. 2092 would affect debts for goods or services where the consumer has not agreed to pay for interest or service charges. Generally, these debts are for necessities and are involuntarily rather than voluntarily incurred. The most common types of debts that this bill applies to are medical, hospital, and fuel bills.

This bill permits creditors to charge interest at the rate of 18% per year by calling it a "service charge" or "late payment" charge. I submit there is no relationship between the creditor's actual cost of carrying an overdue account and the 18% carrying charge contained in this bill. For example, a hospital bill of \$5,000 is not at all unusual today. If a person fell behind in making payments on a hospital bill, the creditor could, from the thirty-first day after the obligation became due, begin charging monthly "service charges" of \$75 (\$900 in a year). Many families would be hard-pressed to pay that service charge alone and would be literally unable to reduce the principal of the debt. This legislation would have the undesirable result of forcing many families who are struggling to pay large medical bills into bankruptcy.

It is apparent that the people who will be hardest hit by this legislation are those who can ill-afford the cost of additional interest on their involuntary debts. It is those who are on fixed or low incomes who are least able to afford the kind of medical insurance that would protect them from large medical and hospital bills.

Because I cannot support legislation that treads most heavily on those with limited resources, I veto Senate Bill 2092.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTION

Rep. Strinden moved that Senate Bills Nos. 2070 and 2092 be placed on the calendar for the purpose of reconsideration as vetoed measures pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Striden moved that Senate Bills Nos. 2070 and 2092 be placed at the foot of the calendar, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

House Bill No. 1056

House Bill No. 1067

House Bill No. 1198

House Bill No. 1209

House Bill No. 1257

House Bill No. 1302

House Bill No. 1402

House Bill No. 1493

House Bill No. 1519

House Bill No. 1628

House Bill No. 1639

House Bill No. 1645

House Concurrent Resolution No. 3071

LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Concurrent Resolution No. 4064

Senate Concurrent Resolution No. 4066

Senate Concurrent Resolution No. 4070

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4072

Senate Concurrent Resolution No. 4085

Senate Concurrent Resolution No. 4086

Senate Concurrent Resolution No. 4087

Senate Concurrent Resolution No. 4089

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Concurrent Resolution No. 4088

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1028

House Bill No. 1044

House Bill No. 1199

House Bill No. 1565

House Bill No. 1581

House Bill No. 1588

House Bill No. 1614

House Bill No. 1621

House Concurrent Resolution No. 3094

Which the President has signed.

LEO LEIDHOLM, Secretary

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House stand adjourned until 8:00 a.m., Thursday, March 29, 1979, which motion prevailed.

ROY GILBREATH, Chief Clerk

SIXTY-FIRST DAY

Bismarck, March 29, 1979

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

The prayer was offered by Rev. Robert Lynne, Good Shepherd Lutheran Church, Bismarck, North Dakota.

The roll was called and all members were present except Reps. Gerl, Koski, Kretschmar, Lee, Retzer, Richard, Richie and Walsh.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixtieth Day and finds the same to be correct.

*Arthur A. Link*  
Rep. Swontek

Chairman

Rep. Roumann moved that the report be adopted, which motion prevailed.

PRESENTATION OF PETITIONS AND COMMUNICATIONS  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 27, 1979, I signed the following House Bills:

- House Bill No. 1001
- House Bill No. 1003
- House Bill No. 1036
- House Bill No. 1217
- House Bill No. 1222
- House Bill No. 1507
- House Bill No. 1624

Sincerely yours,  
ARTHUR A. LINK  
Governor

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1360 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that House Bill 1360 be amended as follows:

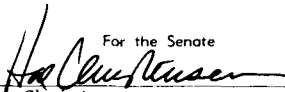

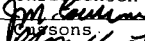
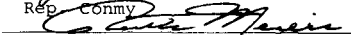
On page 1, of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to prohibit discrimination in employment practices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. EMPLOYMENT DISCRIMINATION - DECLARATION OF POLICY - LIMITATION OF ACTIONS.) It is the policy of North Dakota to prohibit discrimination because of race, color, religion, sex, or national origin in all employment practices including hiring, firing, promotion, compensation and other terms, privileges, and conditions of employment. The department of labor shall receive complaints under this Act and shall have sixty days to negotiate settlements to the extent acceptable to the parties involved. Notwithstanding the provisions of chapter 28-01, any action or proceeding under this Act must be commenced within three years after the act of alleged discrimination occurs unless discovery of the alleged act of discrimination was prevented by the fraudulent conduct of the person who allegedly perpetrated the discrimination. This Act shall not apply to employers with fifteen or fewer employees.

SECTION 2. DISTRICT COURT JURISDICTION.) The district courts of the state of North Dakota shall have jurisdiction to try actions claiming a violation of section 1 hereof."

And renumber the lines and pages accordingly

For the Senate	For the House
	
Sen. Christensen	Rep. Conmy
Sen. 	Rep. 
Sen. Miller-Heinrich	Rep. Meiers
Rep. Martinson	

prevailed.

House Bill No. 1360 was placed on the 6th.

order of business on the calendar for the succeeding legislative day.

#### MOTIONS

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1360, as amended in Conference Committee, be adopted, and that House Bill No. 1360 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1360.** — A Bill for an Act to create and enact a new section to the North Dakota Century Code, relating to prohibiting discrimination in employment practices.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll

was called and there were ayes, 81; nays, 15; absent and not voting, 4.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKES			● HERMAN			● MATTONSON			● UNHJEM					
● BENEDICT			● HICKLE		●	● MEIERS			● VANDER VORST					
● BERG	●		● HOFFNER			● MELBY		●	● VIG					
● BERGE			● HOUMANN			● MERTENS			● WAGNER					
● BERGER			● HOVE			● MEYER			● WALD		●			
● BJORNSON			● JACOBSEN, R			● MURPHY		●	● WALSH		●			
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		●			
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		●			
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●			
● CHRISTENSEN			● KERWOTT			● OPEDAH			● WINKER		●			
● CONMY			● KINGSBURY			● PELTIER								
● CRABTREE			● KLOBECK			● PETERSON			● MR. SPEAKER					
● DICK			● KUUDSON			● POMEROY								
● DIETZ			● KOSKI			● REED								
● DOTZENROD			● KRETSCHMAR			● RETZER								
● DUBORD			● KUCHERA			● RICHARD	●							
● EAGLES			● LANG			● RICHIE								
● ERICKSON			● LANGLEY			● RIEHL								
● FLEMING			● LAROY			● RUED								
● FREBORG		●	● LARSON, F. # 24			● SCHINDLER								
● GACKLE			● LARSON, G. # 29			● SCOFIELD								
● GERL	●		● LARSON, H. # 7			● SOLBERG								
● GORDER			● LEE	●		● STENEHEM								
● GUNDERSON			● LEBMAN			● STRINDEN								
● GUNSON			● LIPSICA			● SWIONTEK								
● HANSON			● MAIXNER			● THOMPSON								
● HAUGLAND			● MARSDEN			● THORSBARD								
● HAUSAUER, A # 49			● MARTIN			● TIMM								
● HAUSAUER, P. # 25			● MARTINSON			● TINJUM								
● HEDSTROM			● MATHENY			● TWETEN								

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1360 be messaged to the Senate immediately, which motion prevailed.

Report of Conference Committees

Mr. Speaker : Your Conference Committee to whom was referred House Bill No. 1438 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate

For the House

*J. M. Garrison*  
Sen. Garrison  
*Robert Albers*  
Sen. Albers

*Rep. Martinson*  
Rep. Martinson  
*Rep. Scofield*  
Rep. Scofield

Refused to sign  
Sen. Rait

Refused to sign  
Rep. Pomeroy

Rep. Martinson moved that the report be adopted,

Rep. Backes requested a recorded roll call vote, which request was granted.

ROLL CALL

The roll was called, and there were ayes, 39; nays, 59; absent and not voting, 2.

REGULAR SESSION									ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BACKES			● HERMAN			● MATTONSON			● UNHJEM					
● BENEDICT			● HICKLE		●	● MEIERS			● VANDER VORST					
● BERG	●		● HOFFNER			● MELBY		●	● VIG		●			
● BERGE			● HOUMANN			● MERTENS			● WAGNER					
● BERGER			● HOVE			● MEYER			● WALD		●			
● BJORNSON			● JACOBSEN, R			● MURPHY			● WALSH		●			
● BLACK			● JACOBSON, I			● MUSHIK			● WEBER		●			
● BOYUM			● KELLY			● NICHOLAS			● WENTZ		●			
● BROKAW			● KENNELLY			● OLSON			● WESSMAN		●			

• CHRISTENSEN	• KERMOTT	OPEDAH	•	• WINKLER
• CONNY	• KINGSBURY	• PELTIER	•	
• CRABTREE	• KLOUBEC	• PETERSON	•	• MR SPEAKER
• DICK	• KNUDSON	• POMEROY	•	
• DIETZ	• KOSKI	• REED	•	
• DOTZENROD	• KRETSCHMAR	• RETZER	•	
• DUBORD	• KUCHERA	• RICHARD	•	
• EAGLES	• LANG	• RICHIE	•	
• ERICKSON	• LANGLEY	• RIEHL	•	
• FLEWING	• LARDY	• RUED	•	
• FREBORG	• LARSON, F #24	• SCHINDLER	•	
• GACKLE	• LARSON, G #29	• SCOFIELD	•	
• GERL	• LARSON, H #7	• SOLBERG	•	
• GORDER	• LEE	• STENEHJEM	•	
• GUNDERSON	• LEIBHAN	• STRINDEN	•	
• GUNSCH	• LIPSIA	• SWONTEK	•	
• HANSON	• MAXNER	• THOMPSON	•	
• HAUGLAND	• MARDEN	• THORSgard	•	
• HAUSAUER, A #49	• MARTIN	• TIMM	•	
• HAUSAUER, R #75	• MARTINSON	• TINJUM	•	
• HEDSTROM	• MATHENY	• TWETEN	•	

The motion failed.

Rep. Strinden moved that the conference committee on House Bill No. 1438 be dissolved, and that a new conference committee be appointed, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of the following conference committee on House Bill No. 1438:

Rep. Martinson

Rep. Scofield

Rep. Pomeroy

#### Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2001 has had the same under consideration and recommends:

That the House recede from its amendments and that reengrossed Senate Bill No. 2001 be amended as follows:

On page 2 of the reengrossed bill, line 22, delete the numerals "480,100" and insert in lieu thereof the numerals "489,658"

On page 2 of the reengrossed bill, after line 26, insert the following line:

"Election law administration 177,000"

On page 2 of the reengrossed bill, line 28, delete the numerals "579,144" and insert in lieu thereof the numerals "765,702"

On page 3 of the reengrossed bill, after line 17, insert the following line:

"Gambling enforcement 142,750"

On page 3 of the reengrossed bill, line 20, delete the numerals "2,861,561" and insert in lieu thereof the numerals "3,004,311"

On page 3 of the reengrossed bill, line 22, delete the numerals "2,548,656" and insert in lieu thereof the numerals "2,691,406"

On page 4 of the reengrossed bill, line 7, delete the numerals "4,003,979" and insert in lieu thereof the numerals "4,095,209"

On page 4 of the reengrossed bill, line 8, delete the numerals "737,249" and insert in lieu thereof the numerals "777,749"

On page 4 of the reengrossed bill, line 12, delete the numerals "17,070" and insert in lieu thereof the numerals "20,773"

On page 4 of the reengrossed bill, line 13, delete the numerals "5,788,435" and insert in lieu thereof the numerals "5,923,868"



- On page 4 of the reengrossed bill, line 16, delete the numerals "544,624" and insert in lieu thereof the numerals "553,124"
- On page 4 of the reengrossed bill, line 21, delete the numerals "654,785" and insert in lieu thereof the numerals "663,285"
- On page 5 of the reengrossed bill, line 2, underscore the numerals "50,000"
- On page 5 of the reengrossed bill, delete line 3
- On page 5 of the reengrossed bill, line 4, delete the numerals "5,663,771" and insert in lieu thereof the numerals "3,653,771"
- On page 5 of the reengrossed bill, line 5, delete the numerals "2,090,611" and insert in lieu thereof the numerals "380,611"
- On page 5 of the reengrossed bill, line 6, delete the numerals "3,573,160" and insert in lieu thereof the numerals "3,273,160"
- On page 5 of the reengrossed bill, line 9, delete the numerals "1,071,511" and insert in lieu thereof the numerals "1,100,950"
- On page 5 of the reengrossed bill, line 10, delete the numerals "481,350" and insert in lieu thereof the numerals "516,350"
- On page 5 of the reengrossed bill, line 13, delete the numerals "1,609,676" and insert in lieu thereof the numerals "1,674,115"
- On page 5 of the reengrossed bill, line 15, delete the numerals "1,478,657" and insert in lieu thereof the numerals "1,543,096"
- On page 6 of the reengrossed bill, line 17, delete the numerals "19,070,398" and insert in lieu thereof the numerals "19,608,078"
- On page 6 of the reengrossed bill, line 19, delete the numerals "22,010,838" and insert in lieu thereof the numerals "22,548,518"
- On page 7 of the reengrossed bill, line 10, delete the following:  
"July 1, 1979," and insert in lieu thereof the words "the effective date of this Act"
- On page 8 of the reengrossed bill, after line 14, insert the following section:

"SECTION 10. APPROPRIATION - HIGHWAY DEPARTMENT.) There is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$300,000.00, or so much thereof as may be necessary, and \$1,710,000.00 of federal funds, or so much thereof as may be necessary, to the state highway department for the purpose of providing financial assistance for the continuation of operations and maintenance of any railroad within the state as provided for in the Railroad Revitalization and Regulatory Reform Act of 1976, or other federal legislation, and in accordance with the provisions of House Bill No. 1103 passed by the forty-sixth legislative assembly. The highway department shall make grants of financial assistance pursuant to this appropriation only after such grants have been approved by the public service commission."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Secretary of State

This amendment increases the salaries and wages of the Secretary of State by \$9,558 to provide funds to upgrade several employees in the Secretary of State's office. Also, a line item of \$177,000 is added to provide funds for administration of the state's election laws pursuant to the provisions of House Bill No. 1138. This amount is to be used at the discretion of the Secretary of State.

Attorney General

A line item of \$142,750 is added to the Attorney General's appropriation to be used at the discretion of the Attorney General for enforcement of the state's gambling laws.

Tax Commissioner

Increases salaries and wages of the Tax Commissioner by \$91,230 to restore funding for three corporate tax auditors which were deleted by the Senate. The fees and services line item is increased \$40,500 and equipment is increased \$3,703 for costs related to the three positions.

Insurance Commissioner

Salaries and wages are increased \$8,500 to add \$2,500 because of expected reclassification of an employee; and to add \$6,000 to upgrade certain employees above the minimum of their classification. The Insurance Commissioner's appropriation includes sufficient funds to maintain current staff levels.

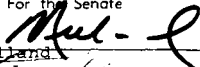
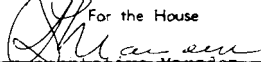
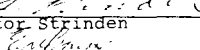
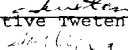
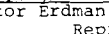
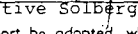
It is the intent of the Legislative Assembly that the State Auditor contract with a person or firm having expertise in insurance operations to conduct the expanded scope portion of the audit of the operations of the Insurance Commissioner.

Public Service Commission

This amendment deletes the \$300,000 general fund appropriation and \$1,710,000 federal fund appropriation for railroad assistance from the Public Service Commission appropriation. Such funds are appropriated to the Highway Department in a separate section of this Act.

Agriculture Commissioner

This amendment increases salaries and wages by \$29,439 from the Senate version by adding \$23,118 for a final adjustment to provide adequate funds for 6.5 percent annual salary increases over current salaries based on recent revisions to the salary base and for adequate fringe benefits and by adding \$6,321 to correct the executive budget. Fees and services is increased by \$35,000 for travel for dairy inspectors and for dairy inspection contract fees.

For the Senate	For the House
	
_____ Senator Melland	_____ Representative Marsden
	
_____ Senator Strinden	_____ Representative Tweten
	
_____ Senator Erdman	_____ Representative Solberg

Representative Marsden moved that the report be adopted, which motion prevailed.

Senate Bill No. 2001 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

## MOTION

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2001, as amended in Conference Committee, be adopted, and that Senate Bill No. 2001 as amended be placed on second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2001.** Elected State Officials — A Bill for an Act making an appropriation for defraying the expenses of various elected officials of the state of North Dakota; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 5; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● HERMAN			● MATTONSON			● UNHJEM		
● BAKES			● HICKLE			● MEIERS			● VANDER VORST		
● BENEDET			● HOFFNER			● MELBY		●	● VIG		
● BERG			● HOUIMANN			● MERTENS		●	● WAGNER		
● BERGE			● HOVE			● MEYER			● WALD		
● BERGER			● JACOBSEN, R.			● MURPHY			● WALSH		
● BJORNSON			● JACOBSON, I.			● MUSHIK			● WEBER		
● BLACK			● KELLY			● NICHOLAS			● WENTZ		
● BOYUM	●		● KENNELLY			● OLSON			● WESSMAN		
● BROKAW			● KERMOTT			● OPEDAHL			● WINKLER		
● CHRISTENSEN			● KINGSBURY			● PETERSON			● MR. SPEAKER		
● CONMY			● KLOUBEC			● POMEROY					
● CRABTREE			● KNUDSON			● REED					
● DICK			● KOSKI			● RETZER					
● DIETZ			● KRETSCHMAR			● RICHARD					
● DOTZENROD			● KUCHERA			● RICHE					
● DUBORD			● LANG			● RIEHL					
● EAGLES			● LANGLEY			● RUED					
● ERICKSON			● LARDY			● SCHINDLER					
● FLEMING			● LARSON, F. # 24			● SCOFIELD					
● FREBORG			● LARSON, G. # 29			● SOLBERG					
● GACKLE			● LARSON, H. # 7			● STENEHJEM					
● GERL	●		● LEE	●		● STRINDEN					
● GORDER			● LEIBHAN			● SWINTEK					
● GUNDERSON			● LIPSIA			● THOMPSON					
● GUNSCH			● MAIXNER	●		● THORSGARD					
● HANSON			● MARSDEN			● TIMM					
● HAUGLAND			● MARTIN			● TINJUM					
● HAUSAUER A. # 49			● MARTINSON			● TWETEN					
● HAUSAUER R. # 25			● MATHENY								
● HEDSTROM											

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**MOTION**

Rep. Strinden moved that the House stand in recess until 9:30 a.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1550 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill No. 1550 be amended as follows:

That the Senate recede from its amendments and that House Bill No. 1550 be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act relating to the taxation of property and providing legislative intent concerning property taxation, limitations on increases or forced reductions in property taxes levied by taxing districts for certain years, and statements of full consideration; to create and enact a new subsection to section 57-13-04 of the North Dakota Century Code, relating to the powers and duties of the state board of equalization; to amend and reenact sections 57-02-27 and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the assessment of property, the basis for the computation of property taxes, the powers and duties of the state

## JOURNAL OF THE HOUSE

board of equalization, and the taxation of mobile homes; providing a penalty; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATEMENT OF LEGISLATIVE FINDINGS - LEGISLATIVE INTENT.) Although the laws of this state require the assessment of all taxable property at its true and full value, it is the finding of the legislative assembly that actual assessments are much less than true and full value. It is the intent of the legislative assembly that the state board of equalization shall, from the effective date of this Act, establish equity of taxation within the guidelines established by this Act.

SECTION 2. PROPERTY TO BE VALUED AT TRUE AND FULL VALUE.) Beginning with the year 1980, all assessors and boards of equalization shall place the value of all items of taxable property at the true and full value of the property and the assessed valuation on such property for the year 1980 and each year thereafter shall be determined pursuant to section 7 of this Act. For the purposes of this Act, the term "true and full value" shall have the same meaning as provided in subsection 4 of section 57-02-01.

SECTION 3. LIMITATIONS ON INCREASES OR FORCED REDUCTIONS IN PROPERTY TAXES LEVIED BY TAXING DISTRICTS FOR YEARS 1980 and 1981 - EXCEPTIONS.)

1. Each taxing district may levy in 1980 and 1981 at least as much in dollars as the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
  - a. Less an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land or taxable improvements to real property which is removed from the assessment rolls of that taxing district after the year 1979 but was included in the assessment for the year 1979.
  - b. Plus an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for 1979 and any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
2. No taxing district shall be permitted to levy in 1980 and 1981 taxes expressed in dollars in excess of the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
  - a. Plus an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land and taxable improvements to real property which was not taxable in 1979 or was omitted from the

- assessment rolls for that year but which is included in the assessment for the years 1980 or 1981.
- b. Plus an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for 1979 and any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
3. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 may be increased to reflect increased mill levies authorized by the forty-sixth legislative assembly or if the electors of the taxing district authorize additional levies after the effective date of this Act at either a special or regular election as provided by law.
4. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 shall not apply to the Fargo school district or to any school district in which the electors have approved unlimited mill levies as provided by law.
5. The provisions of this section shall supersede any applicable mill levy limitations otherwise provided by law for the period provided in subsections 1 and 2, but the provisions of this section shall not apply to any of the following:
- a. Any irrepealable tax to pay bonded indebtedness levied pursuant to section 184 of the Constitution of North Dakota.
- b. The twenty-one mill levy for schools provided in section 57-15-24.
- c. The one-mill levy for the state medical center authorized by article 60 of the amendments to the Constitution of North Dakota.
6. The provisions of this section shall not apply to any city which has adopted a home rule charter unless the provisions of the charter specifically provide that state laws related to property tax levy limitations shall apply.

SECTION 4. STATEMENTS OF FULL CONSIDERATION TO BE FILED WITH STATE BOARD OF EQUALIZATION OR REGISTER OF DEEDS - PROCEDURE - SECRECY OF INFORMATION - PENALTY.)

1. Any grantee or his authorized agent who presents a deed in the office of the county register of deeds shall certify on the face of the deed any one of the following:
- a. A statement that he has filed a report of the full consideration paid for the property conveyed with the state board of equalization.
- b. A statement that he has filed a report of the full consideration paid for the property conveyed with the register of deeds.

## JOURNAL OF THE HOUSE

- c. A statement of the full consideration paid for the property conveyed.
2. The register of deeds shall not record any deed unless it contains one of the statements required by subsection 1.
  3. The register of deeds shall accumulate and at least monthly forward to the state board of equalization a report containing the information filed in his office pursuant to subsection 1.
  4. The state board of equalization shall prescribe the necessary forms for the statements and reports to be used in carrying out the purposes of this Act, and the forms will contain a space for the explanation of special circumstances which may have contributed to the amount of the consideration.
  5. For purposes of this section, the word "deed" means an instrument or writing whereby any real property or interest therein shall be granted, conveyed, or otherwise transferred to the grantee, purchaser, or other person, except any instrument or writing which transfers any ownership in minerals or interests in minerals underlying land if that ownership has been severed from the ownership of the overlying land surface or any instrument or writing for the easement, lease, or rental of real property or any interest therein.
  6. The state board of equalization shall guard the secrecy of information contained on statements filed with the board pursuant to subsection 1, and any information provided local officials shall be limited to such data as is necessary to perform their official duties and shall not include the names of any grantors or grantees. Any reports made available to the public must be made in a manner that will not reveal the names of any grantors or grantees. The register of deeds shall guard the secrecy of information contained on statements filed in his office pursuant to subdivision b of subsection 1.
  7. Any person who shall, in the statements provided for in subsection 1, willfully falsify the consideration paid for the transferred real property or interest therein or who falsely certifies that he has filed a report of full consideration with the state board of equalization shall be guilty of a class B misdemeanor.

SECTION 5. AMENDMENT.) Section 57-02-27 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-27. PROPERTY TO BE ~~ASSESSED~~ VALUED AT FULL VALUE - LIMITATION ON ASSESSMENT OF ANNEXED AGRICULTURAL LANDS.) All property subject to taxation based on the value thereof shall be ~~assessed~~ valued at its true and full value ~~in money as defined in subsection 4 of section 57-02-01.~~ in determining the true and full value of real and personal property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price at which said property would sell at auction, or at forced sale, or in the aggregate

with all the property in the town or district, but he shall value each article or description by itself, and at such sum or price as he believes the same to be fairly worth in money. In ~~assessing~~ valuing any tract, or lot of real property, there shall be determined the value of the land, exclusive of improvements, and the value of all taxable improvements and structures thereon, and the aggregate value of the property, including all taxable structures and other improvements, excluding the value of crops growing upon cultivated lands. In valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell for at a fair voluntary sale for cash.

Agricultural lands within the corporate limits of a city, whether or not platted, shall constitute agricultural property and be so classified and valued for ad valorem property tax purposes until such lands are put to another use. Such valuation shall be uniform with the assessed value valuation of adjoining unannexed agricultural land.

SECTION 6. AMENDMENT.) Section 57-02-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-28. BASIS FOR COMPUTATION OF TAX.) The value of all property subject to a general property tax, not exempted by law nor subject to any gross sales or other lieu tax, to be used in the computation of the tax levied for the payment of any bonded or improvement warrant indebtedness shall be the full and true assessed value thereof, but the net value of such property to be used in the computation of all other taxes levied thereon shall be fifty percent of the ~~true and full assessed value thereof.~~ Assessors and boards of review shall assess and return all taxable property at its full and true value, and the county auditor, after equalization of the property. For purposes of this section, "assessed value" means the value established by the state board of equalization, shall make the computation necessary to ascertain said fifty percent value pursuant to section 7 of this Act.

SECTION 7.) A new subsection to section 57-13-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Establish the assessed value to be used on each of the classes of taxable property, based upon the de facto classes developed prior to the effective date of this Act, by city and township assessors, county directors of tax equalization, and the board based upon the actual average assessment levels, stated as percentages, for each class of property for the previous year. The assessed values so established shall be based upon the returns of assessments of taxable property provided by the counties plus information compiled by the board for property assessed by the board pursuant to section 179 of the Constitution of North Dakota. The percentages so determined shall be certified to county directors of tax equalization on or before October thirty-first of each year. The board may make adjustments in the percentage of assessed valuation to be applied to any class of property, or to specific types of property within a class of property, if required to do so pursuant to a federal law. If the board finds the range of differences between the percentages established pursuant to this subsection increasing as compared to the relationships between the

percentages on the various classes of property which existed on the effective date of this Act, the board shall report such fact to the subsequent legislative assembly accompanied by any appropriate proposed legislation to bring the relationships to within the range of the relative levels which existed on the effective date of this Act.

SECTION 8. AMENDMENT.) Subsection 1 of section 57-13-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Equalize the assessment of land real property by adding to the aggregate value thereof in any assessment district in a county and in every county in the state in which the board may believe the valuation too low, such rate percent as will raise the same to its proper relative value, and by deducting from the aggregate assessed value thereof, in any assessment district in a county and in every county in the state in which the board may believe the value too high, such percent as will reduce the same to its proper relative value. City lots shall be equalized in the manner provided for equalizing other lands real property. In performing its duties pursuant to this subsection, the board shall take into consideration the provisions of section 57-01-06.1;

SECTION 9. AMENDMENT.) Section 57-55-04 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-55-04. TAXES - HOW DETERMINED - DISBURSEMENT.) The tax for each mobile home shall be determined by the director of tax equalization by placing an evaluation on such mobile home based upon its true and full value and applying the same assessed valuation as established by the state board of equalization for other property in the same classification based on use, pursuant to standards and guides as determined by the state tax commissioner and applying such evaluation to the preceding year's total mill levies applying to property within the taxing district wherein the mobile home is located. If a mobile home is acquired or moved into this state during the calendar year, and a tax decal has not been previously issued on such mobile home in this state for such year, the tax shall be determined by computing the remaining number of months of the current year to the nearest full month and multiplying such number by one-twelfth of the amount which would be due for the full year. The taxes collected pursuant to the provisions of this chapter shall be disbursed in the same year they are collected and in the same manner as real estate taxes for the preceding year are disbursed.

SECTION 10. EFFECTIVE DATE.) The provisions of this Act shall be effective on and after January 1, 1980."

And renumber the lines and pages accordingly

For the Senate	For the House
Sen. Goodman <u>[Signature]</u>	Rep. A. Hausauer <u>[Signature]</u>
Sen. Shablow <u>[Signature]</u>	Rep. Timm <u>[Signature]</u>
Sen. Wright <u>[Signature]</u>	Rep. Weber <u>[Signature]</u>
Representative Hausauer	_____ moved that the report be adopted, which motion



prevailed on a verification vote.

House Bill No. 1550 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1550, as amended in Conference Committee, be adopted, and that House Bill No. 1550 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1550.** — A Bill for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the duties of the state board of equalization regarding property assessment levels; to amend and reenact sections 57-02-27, 57-02-28, 57-02-34, and 57-05-01 of the North Dakota Century Code, relating to the assessment of property for tax purposes and the basis for the computation of property taxes.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 59; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1979 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
BACKES	•	•	HERMAN	•	•	MATTSON	•	•	UNHJEM	•	•
BENEDICT	•	•	HICKLE	•	•	WEIERS	•	•	VANDER VORST	•	•
BERG	•	•	HOFFNER	•	•	MELBY	•	•	VIG	•	•
BERGE	•	•	HOFMANN	•	•	WERTENS	•	•	WAGNER	•	•
• BERGER	•	•	HOVE	•	•	MEYER	•	•	WALD	•	•
• BJORNSON	•	•	JACOBSEN R	•	•	MURPHY	•	•	WALSH	•	•
• BLACK	•	•	JACOBSON I	•	•	MUSHK	•	•	WEBER	•	•
• BOYUM	•	•	KELLY	•	•	NICHOLAS	•	•	WENTZ	•	•
• BROKAW	•	•	KENNELLY	•	•	OLSON	•	•	WESSMAN	•	•
• CHRISTENSEN	•	•	KERMOTT	•	•	OPEDAH	•	•	WINKLER	•	•
• CONMY	•	•	KINGSBURY	•	•	• PELTIER	•	•	MR. SPEAKER	•	•
• CRABTREE	•	•	KLOUBEC	•	•	• PETERSON	•	•			
• DICK	•	•	• KNUDSON	•	•	• POMEROY	•	•			
• DIETZ	•	•	• KOSKI	•	•	• REED	•	•			
• DOTZENROD	•	•	• KRETSCHMAR	•	•	• RETZER	•	•			
• DUBORD	•	•	• KUCHERA	•	•	• RICHARD	•	•			
• EAGLES	•	•	• LANG	•	•	• RICHIE	•	•			
• ERICKSON	•	•	• LANGLEY	•	•	• RIEHL	•	•			
• FLEMING	•	•	• LARDY	•	•	• RUED	•	•			
• FREBORG	•	•	• LARSON F #24	•	•	• SCHINDLER	•	•			
• GACKLE	•	•	• LARSON G #29	•	•	• SCOFIELD	•	•			
• GERL	•	•	• LARSON H #7	•	•	• SOLBERG	•	•			
• GORDER	•	•	• LEE	•	•	• STENEHEW	•	•			
• GUNDERSON	•	•	• LEIBMAN	•	•	• STRINDEN	•	•			
• GUNTSCH	•	•	• LIPSIEA	•	•	• SWIONTEK	•	•			
• HANSON	•	•	• MAIKNER	•	•	• THOMPSON	•	•			
• HAUGLAND	•	•	• MARSDEN	•	•	• THORSGARD	•	•			
• HAUSAUER A #45	•	•	• MARTIN	•	•	• TIMM	•	•			
• HAUSAUER R #25	•	•	• MARTINSON	•	•	• TINJUM	•	•			
• HEDSTROM	•	•	• MATHENY	•	•	• TWETEN	•	•			

So the bill lost.

**MOTION**

Rep. Strinden moved that the House reconsider the action by which House Bill No. 1550 failed to pass, which motion prevailed.

Rep. Strinden moved that the House reconsider its action whereby it adopted the amendments to House Bill No. 1550, which motion prevailed.

Rep. Strinden moved that the House reconsider its action whereby it adopted the Conference Committee Report on House Bill No. 1550, which motion prevailed.

The question then was on the motion of Rep. A. Hausauer to adopt the Conference Committee report on House Bill No. 1550, which motion failed.

Rep. Strinden moved that the Conference Committee on House Bill No. 1550 be dissolved and a new conference committee be appointed, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner announced the appointment of the following conference committee on House Bill No. 1550:

Rep. A. Hausauer  
Rep. Timm  
Rep. Weber

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1438

The Speaker has appointed as a new conference committee on:

House Bill No. 1438

Rep. Martinson  
Rep. Scofield  
Rep. Pomeroy

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Concurrent Resolution No. 4088 and the President has appointed as a conference committee to act with a like committee from the House on Senate Concurrent Resolution No. 4088.

Senator Cussons  
Senator Peterson  
Senator Orange

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 1438:

Senator Cussons  
Senator Albers  
Senator Rait

LEO LEIDHOLM, Secretary

**SENATE CHAMBER**

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Concurrent Resolution No. 3091

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2027  
Senate Bill No. 2039  
Senate Bill No. 2430  
Senate Bill No. 2438  
House Bill No. 1215  
House Bill No. 1304

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H.B. No. 1044

H.B. No. 1199

H.B. No. 1565

H.B. No. 1581

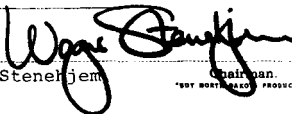
H.B. No. 1588

H.B. No. 1614

H.B. No. 1621

were delivered to the <sup>Governor</sup>~~Secretary of State~~ for his approval at the hour of

8:10 o'clock A.M., March 29, 1979

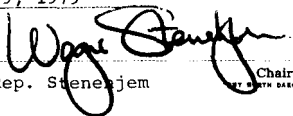
  
Rep. Stenejem Chairman  
"BUY NORTH CAROLINA PRODUCTS"

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3094

was delivered to the <sup>GOVERNOR</sup>~~Secretary of State~~ ~~for his approval~~ at the hour of

8:05 o'clock A.M., March 29, 1979

  
Rep. Stenejem Chairman  
"BUY NORTH CAROLINA PRODUCTS"

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1019

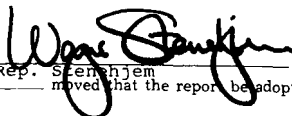
HB NO. 1489

HB NO. 1569

HB NO. 1611

HB NO. 1622

and find the same correctly } Enrolled

  
Rep. Stenejem Chairman

Representative Meyer moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES TO THE SENATE

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1360

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2001

ROY GILBREATH, Chief Clerk

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following to a Conference Committee on Senate Concurrent Resolution No. 4088:

- Rep. Thompson
- Rep. Boyum
- Rep. Meiers

MOTION

Rep. Strinden moved that the House stand recessed until 11:00 a.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

Report of Conference Committees

Mr. Speaker Your Conference Committee to whom was referred House Bill No. 1438 has had the same under consideration and recommends:

That the Senate recede from its amendments.

For the Senate

For the House

J.M. Burman  
Sen. Burman  
Albers  
Sen. Albers  
Rait  
Sen. Rait

Martinson  
Rep. Martinson  
Scotfield  
Rep. Scotfield  
Pomeoy  
Rep. Pomeoy

Rep. Martinson moved that the report be adopted, which motion

prevailed.

MOTION

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1438 be messaged to the Senate immediately, which motion prevailed.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2008 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2008 be amended as follows:

On page 1 of the engrossed bill, line 18, delete the numerals "1,941,111" and insert in lieu thereof the numerals "1,943,461"

On page 1 of the engrossed bill, line 19, delete the numerals "358,813" and insert in lieu thereof the numerals "343,105"

On page 1 of the engrossed bill, line 22, delete the numerals "2,633,087" and insert in lieu thereof the numerals "2,619,729"

On page 2 of the engrossed bill, line 2, delete the numerals "2,273,453" and insert in lieu thereof the numerals "2,260,095"

- On page 2 of the engrossed bill, line 5, delete the numerals "1,109,017" and insert in lieu thereof the numerals "1,111,287"
  - On page 2 of the engrossed bill, line 6, delete the numerals "285,096" and insert in lieu thereof the numerals "273,509"
  - On page 2 of the engrossed bill, line 9, delete the numerals "1,588,828" and insert in lieu thereof the numerals "1,579,511"
  - On page 2 of the engrossed bill, line 11, delete the numerals "1,262,433" and insert in lieu thereof the numerals "1,253,116"
  - On page 2 of the engrossed bill, line 12, delete the numerals "3,535,886" and insert in lieu thereof the numerals "3,513,211"
  - On page 2 of the engrossed bill, line 14, delete the numerals "4,221,915" and insert in lieu thereof the numerals "4,199,240"
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increase salaries and wages at the School for the Deaf by \$2,350 and at the School for the Blind by \$2,270 to allow for the reclassification of institutional support workers. The reclassifications have been recommended by the Central Personnel Division.

The operating expenses line item at the School for the Deaf is decreased by \$15,708 and at the School for the Blind is decreased by \$11,587. These amounts were included in the respective budgets for transportation expenses for students; however, those expenses are now to be provided for in Senate Bill No. 2058.

For the Senate  
 \_\_\_\_\_  
 Senator Bill  
 \_\_\_\_\_  
 Senator Vosper  
 \_\_\_\_\_  
 Senator Tallacksor  
 \_\_\_\_\_  
 Representative Christensen

For the House  
 \_\_\_\_\_  
 Representative Christensen  
 \_\_\_\_\_  
 Refused to sign  
 Representative Mertens  
 \_\_\_\_\_  
 Representative Jacobsen

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2008 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2008, as amended in Conference Committee, be adopted, and that Senate Bill No. 2008 as amended be placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2008.** School for the Deaf and School for the Blind — A Bill for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BACKES	•	•	HERMAN	•	•	WATSON	•	•	UNJEM	•
•	BENEDICT	•	•	HICKLE	•	•	WEIERS	•	•	VANDER VORST	•

• BERG	• HOFFNER	• MELBY	• VIG
• BERGE	• HOUMANN	• WERTENS	• WAGNER
• BERGER	• HOVE	• MEYER	• WALD
• BJORNSON	• JACOBSEN, R	• MURPHY	• WALSH
• BLACK	• JACOBSON, I	• MUSHIK	• WEBER
• BOYUM	• KELLY	• NICHOLAS	• WENTZ
• BROKAW	• KENNELLY	• OLSON	• WESSMAN
• CHRISTENSEN	• KERMOY	• OPEDAHL	• WINKJER
• CONMY	• KINGSBURY	• PELTIER	
• CRABTREE	• KLOUBEC	• PETERSON	• MR. SPEAKER
• DICK	• KNUDSON	• POMEROY	
• DIETZ	• KOSKI	• REED	
• DOTZENROD	• KRETSCHMAR	• RETZER	
• DUBORD	• KUCHERA	• RICHARD	
• EAGLES	• LANG	• RICHIE	
• ERICKSON	• LANGLEY	• RIEHL	
• FLEMING	• LARDY	• RUED	
• FREBORG	• LARSON, F # 24	• SCHINDLER	
• GACKLE	• LARSON, G # 29	• SCOFIELD	
• GERL	• LARSON, H # 7	• SOLBERG	
• GORDER	• LEE	• STENEHJEM	
• GUNDERSON	• LEIBHAN	• STRINDEN	
• GUNSCH	• LIPSIEA	• SWONTEK	
• HANSON	• MAXNER	• THOMPSON	
• HAUGLAND	• MARSDEN	• THORSGARD	
• HAUSAUER, A # 49	• MARTIN	• TIMM	
• HAUSAUER, R # 25	• MARTINSON	• TINJUM	
• HEDSTROM	• MATHENY	• TWETEN	

So the bill passed and the title was agreed to.

MOTION

Rep. Thorsgard moved that the House reconsider its action whereby it adopted Senate Concurrent Resolution No. 4009, which motion prevailed on a verification vote.

SECOND READING OF A SENATE  
CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4009.** — A concurrent resolution for the amendment of section 161 of the Constitution of the State of North Dakota, relating to the leasing of lands granted to the state for educational and charitable purposes; and providing an effective date.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 40; nays, 55; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES	•		• HERMAN			• MATTSON	•		• UNHJEM		
• BENEDICT			• HICKLE	•		• MEIERS	•		• VANDER VORST		
• BERG	•		• HOFFNER			• MELBY	•		• VIG		
• BERGE			• HOUMANN	•		• WERTENS	•		• WAGNER		
• BERGER	•		• HOVE	•		• MEYER	•		• WALD		•
• BJORNSON	•		• JACOBSEN, R	•		• MURPHY	•		• WALSH		•
• BLACK	•		• JACOBSON, I	•		• MUSHIK	•		• WEBER		•
• BOYUM			• KELLY	•		• NICHOLAS	•		• WENTZ		•
• BROKAW	•		• KENNELLY	•		• OLSON	•		• WESSMAN		•
• CHRISTENSEN	•		• KERMOY			• OPEDAHL	•		• WINKJER		
• CONMY			• KINGSBURY	•		• PELTIER	•				
• CRABTREE	•		• KLOUBEC			• PETERSON	•		• MR. SPEAKER		
• DICK			• KNUDSON	•		• POMEROY	•				
• DIETZ	•		• KOSKI			• REED	•				
• DOTZENROD	•		• KRETSCHMAR			• RETZER	•				
• DUBORD	•		• KUCHERA			• RICHARD	•				
• EAGLES			• LANG	•		• RICHIE	•				
• ERICKSON			• LANGLEY	•		• RIEHL	•				
• FLEMING	•		• LARDY	•		• RUED	•				
• FREBORG	•		• LARSON, F # 24			• SCHINDLER	•				
• GACKLE			• LARSON, G # 29			• SCOFIELD	•				
• GERL	•		• LARSON, H # 7	•		• SOLBERG	•				
• GORDER			• LEE	•		• STENEHJEM	•				
• GUNDERSON			• LEIBHAN			• STRINDEN	•				
• GUNSCH	•		• LIPSIEA			• SWONTEK	•				
• HANSON			• MAXNER	•		• THOMPSON	•				
• HAUGLAND			• MARSDEN			• THORSGARD	•				
• HAUSAUER, A # 49			• MARTIN	•		• TIMM	•				
• HAUSAUER, R # 25			• MARTINSON			• TINJUM	•				
• HEDSTROM			• MATHENY			• TWETEN	•				

So the Senate Concurrent Resolution was declared lost.

Rep. Maixner moved that the vote by which Senate Concurrent Resolution No. 4009 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion failed on a verification vote.

**Report of Conference Committees**

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Conference Committee to whom was referred \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. \_\_\_\_\_ 2027 \_\_\_\_\_ has had the same under consideration and recommends:

that the Senate accede to the House amendments.

For the Senate

For the House

*Maaden*  
 Senator Maaden  
*Wosper*  
 Senator Wosper  
*Erdman*  
 Senator Erdman

*Peterson*  
 Representative Peterson  
*Jacobsen*  
 Representative Jacobsen  
*Solberg*  
 Representative Solberg

Representative Peterson moved that the report be adopted, which motion prevailed.

**MESSAGES TO THE SENATE**

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1550

The Speaker has appointed as a new conference committee on:

House Bill No. 1550:

- Reps. A. Hausauer
- Rep. Timm
- Rep. Weber

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Concurrent Resolution No. 4088:

- Rep. Thompson
- Rep. Boyum
- Rep. Meiers

ROY GILBREATH, Chief Clerk

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

- House Bill No. 1019
- House Bill No. 1489
- House Bill No. 1569
- House Bill No. 1611
- House Bill No. 1622

The Speaker signed the same in the presence of the House of Representatives.

**MESSAGES TO THE SENATE**

House Chamber

Mr. President: I have the honor to transmit herewith the following:

- House Bill No. 1019
- House Bill No. 1489
- House Bill No. 1569
- House Bill No. 1611
- House Bill No. 1622

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report:  
House Bill No. 1438

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President, has appointed as a new Conference Committee to act with a like committee from the House, on House Bill No. 1550:

Senator Goodman  
Senator Farrington  
Senator Redlin

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Bill No. 2110

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:  
Senate Bill No. 2110

The Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2110

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2430 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill 2430 be amended as follows:

On page 1, line 1, of the engrossed bill delete everything after the words "A BILL" and the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subsection to section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city; to provide an expiration date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1.) A new subsection to section 40-02-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

3. Notwithstanding subsections 1 and 2 of this section, if such territory shall be within eight miles of an incorporated city exceeding ten thousand in population, it shall not become incorporated as a city unless it has residing therein at least one hundred fifty inhabitants.



The form of government adopted shall be in accordance with subsections 1 and 2 of this section. The provisions of this subsection 3 shall expire on June 30, 1981.

SECTION 2. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

For the Senate: Senator Lodoen, Senator Reiten, Senator Shablow, Representative Kretschmar. For the House: Representative Kretschmar, Representative Conny, Representative Kelly. Representative Kelly moved that the report be adopted, which motion prevailed.

Senate Bill No. 2430 was placed on the sixth

order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Striden moved that the rules be suspended, and the amendments to Senate Bill No. 2430, as amended in Conference Committee, be adopted, and that Senate Bill No. 2430 as amended be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2430. - A Bill for an Act to create and enact a new subsection to section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city; to provide an expiration date; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 15; absent and not voting, 4.

Table with columns: REGULAR SESSION, ROLL-CALL, 1979 LEGISLATURE. Rows list representatives and their voting status (YEAS, N-V, NAYS).

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

## Report of Conference Committees

Mr. SPEAKER : Your Conference Committee to whom was referred SENATE Bill No. 2438 has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2438 be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide an additional fee for motorcycle safety education to be deposited in a motorcycle education fund, to establish standards for motorcycle safety courses, to reimburse public schools and approved organizations for programs, to promote safety in the use and operation of motorcycles; to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to motorcycle education requirements for motorcycle operators' permits and licenses for applicants under sixteen years of age; providing an effective date; and providing appropriations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. ADDITIONAL FEES FOR MOTORCYCLE REGISTRATION.) In addition to the fees required by section 39-04-19, for motorcycle registration, a motorcycle safety education fee of five dollars shall be required at the time of registration of each motorcycle.

SECTION 2. SUPERINTENDENT OF PUBLIC INSTRUCTION TO ESTABLISH STANDARDS FOR MOTORCYCLE SAFETY COURSES.) The superintendent of public instruction shall establish requirements for instructional standards, course approval, and teacher certification standards for motorcycle safety courses required by this Act. Motorcycle safety courses may be offered by public schools and by approved organizations which meet instruction, course, and teacher certification requirements. The superintendent may adopt rules governing the operation of motorcycle safety courses, administer moneys pursuant to this Act, conduct audits and otherwise examine the records and accounts of approved motorcycle safety courses, and require other information as may be necessary to monitor the quality of motorcycle safety courses.

SECTION 3. REIMBURSEMENT FOR MOTORCYCLE SAFETY COURSES.) The superintendent shall reimburse public schools and organizations offering approved motorcycle safety courses for the actual cost of the courses. The amount of reimbursement for each student shall not exceed the actual per-pupil cost for the motorcycle safety program.

SECTION 4. MOTORCYCLE SAFETY PROMOTION.) The highway commissioner, in cooperation with other state agencies, shall promote safety and awareness in the use and operation of motorcycles through advertising and other appropriate means, as provided by this Act. The general public may provide input to improve motorcycle safety and education.

SECTION 5. DISPOSITION OF FEES.) Any fee collected pursuant to this Act shall be deposited by the motor vehicle registrar with the state treasurer and credited to a special motorcycle safety education fund in the state treasury.

SECTION 6. AMENDMENT.) Subsection 3 of section 39-06-14 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. All applicants holding a valid North Dakota driver's license making application for a renewal of such license, shall be issued a class 3 license without being subjected to an examination as herein provided. All applicants, except those holding a valid North Dakota driver's license who will be issued a class 3 license, applying for issuance of driver licenses shall be issued a classified license after having been required to submit to an examination in the type of motor vehicle or combination of vehicles for which license is desired and which license shall authorize the holder to drive the vehicles set forth in such class as follows:
  - Class 1. Any vehicle or combination of vehicles except vehicles under class 4.
  - Class 2. Any vehicle or combination of vehicles except:
    - a. Vehicles towing a trailer when the trailer being towed has a gross weight in excess of six thousand pounds.
    - b. Vehicles under class 4.
  - Class 3. Any two-axle or tandem-axle vehicle except:
    - a. A truck tractor combination as defined in subsection 70 of section 39-01-01.
    - b. A bus more than 80 inches in width and designed to carry more than ten persons and used for carrying passengers.
    - c. A two-axle or tandem-axle vehicle or combination of vehicles when towing a trailer when the trailer being towed has a gross weight in excess of six thousand pounds.
    - d. Vehicles under class 4.

Provided, however, an operator with a class 3 license may operate a farm tractor towing another vehicle having a gross weight in excess of six thousand pounds, and may operate a truck towing a farm trailer.

  - Class 4. Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding tractors and vehicles on which the operator or passengers, or both, ride within an enclosed cab.

The holder of a class 1, 2, or 3 license may receive a class 4 endorsement upon successful

## JOURNAL OF THE HOUSE

completion of an examination. An applicant sixteen years of age and older, who does not hold a current valid driver's license may be issued a class 4 learner's permit after successful completion of a written examination. The class 4 license will be issued after the applicant has successfully completed a driver's examination.

~~Applicants of the age of fourteen or fifteen years may receive a class 4 learner's permit to operate a motorcycle with an engine displacement of two hundred cubic centimeters or less only after successful completion of a written examination as required by the commissioner. A class 4 license or endorsement shall be issued to a fourteen or fifteen year old applicant only after he has successfully~~

~~completed a driving examination and has produced evidence satisfactory to the commissioner of either of the following:--~~ Applicants fourteen or fifteen years of age may be issued a motorcycle learner's permit if the applicant is enrolled in or has completed an approved motorcycle safety course. Applicants for a motorcycle operator's license who are under sixteen shall hold an initial learner's permit for at least two months prior to applying for a class 4 operators license, shall have completed an approved motorcycle safety course, and shall hold a valid motorcycle learner's permit at the time of application. Any person under sixteen years of age who holds a permit or license shall be restricted to the operation of a motorcycle powered with an engine of two hundred cubic centimeters, or less, displacement. Evidence that the applicant has met one of the following standards shall accompany the application for a class 4 license:

- a. Satisfactory completion of a motorcycle course which included at least six hours of classroom instruction and six hours of actual motorcycle operation.
- b. Successful completion of a motorcycle course at an approved commercial driver training school which included at least six hours of classroom instruction and six hours of actual motorcycle operation.

SECTION 7. APPROPRIATION.) There is hereby appropriated out of any moneys in the motorcycle safety education fund in the state treasury, not otherwise appropriated, the sum of \$2,000.00, or so much thereof as may be necessary, to the motor vehicle registrar, for the purpose of implementing collection of the fee prescribed by this Act.

SECTION 8. APPROPRIATION.) There is hereby appropriated out of any moneys in the motorcycle safety education fund in the state treasury not otherwise appropriated, the sum of \$13,000.00, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of administering this Act, beginning January 1, 1980, and ending June 30, 1981.

SECTION 9. APPROPRIATION.) There is hereby appropriated out of any moneys in the motorcycle safety education fund in the state treasury, not otherwise appropriated, the sum of \$103,000.00, or so much thereof as may be necessary, to the superintendent of public



● DIETZ	● KOSKI	● REED
● DOTZENROD	● KRETSCHMAR	● RETZER
● DUBORD	● KUCHERA	● RICHARD
● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREBORG	● LARSON, F. #24	● SCHINDLER
● GACKLE	● LARSON, G. #29	● SCOFIELD
● GERL	● LARSON, H. #7	● SOLBERG
● GORDER	● LEE	● STENEHEW
● GUNDERSON	● LEIBMAN	● STRINDEN
● GUNSON	● LIPSEA	● SWONTEK
● HANSON	● MAJNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER, A. #49	● MARTIN	● TIMM
● HAUSAUER, R. #25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

### Report of Conference Committees

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2039 has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2039 be amended as follows:

On page 1 of the engrossed bill, line 4, delete the words and semicolon "; and declaring an emergency"

On page 1 of the engrossed bill, line 9, delete the words "sum of" and insert in lieu thereof the words and comma "sums hereinafter provided,"

On page 1 of the engrossed bill, line 10, delete the numerals "\$8,341,562"

On page 1 of the engrossed bill, line 15, delete the numerals "89,360" and insert in lieu thereof the numerals "108,986"

On page 1 of the engrossed bill, line 17, delete the numerals "465" and insert in lieu thereof the numerals "1,200"

On page 1 of the engrossed bill, line 21, delete the numerals "8,341,562" and insert in lieu thereof the numerals "8,361,923"

On page 2 of the engrossed bill, delete lines 1 through 8

On page 2 of the engrossed bill, delete lines 16 through 33 and insert in lieu thereof the following section:

"SECTION 3. LEGISLATIVE INTENT AND GUIDELINES ON IMPACT GRANTS.) The legislative assembly intends that the moneys appropriated to, and distributed by, the coal development impact office for grants are to be used by grantees to meet initial impacts affecting basic governmental services, and directly necessitated by coal development impact. As used in this section, "basic governmental services" do not include activities relating to marriage or guidance counseling, services or programs to alleviate other sociological impacts, or services or facilities to meet secondary impacts. All grant applications and presentations to the coal development impact office shall be made by an appointed or elected government official."

On page 3 of the engrossed bill, delete lines 7 through 9

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The Coal Development Impact Office salaries and wages is increased \$19,626, and supplies and materials is increased \$735. Also, the deficiency appropriation of \$978,120 is deleted.

For the Senate  
 Senator Strinden \_\_\_\_\_  
 Senator Thane \_\_\_\_\_  
 Senator Erdman \_\_\_\_\_  
 Representative Freborg \_\_\_\_\_

For the House  
 Representative Freborg \_\_\_\_\_  
 Representative Gunsch \_\_\_\_\_  
 Representative Fleming \_\_\_\_\_  
 Representative Fleming \_\_\_\_\_

\_\_\_\_\_ moved that the report be adopted, which motion prevailed

Senate Bill No. 2039 was placed on the 6th

\_\_\_\_\_ day of \_\_\_\_\_ business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2039, as amended in Conference Committee, be adopted, and that Senate Bill No. 2039 as amended be placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2039.** — A Bill for an Act making an appropriation for defraying the expenses of the coal development impact office of the state of North Dakota; and setting forth legislative intent and guidelines.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 22; absent and not voting, 2.

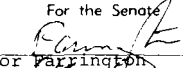
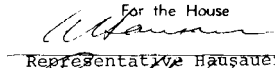
NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION					ROLL-CALL					1979 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●			●			●			●		
BACKES			HERMAN			MATTSON			UNHJEM					
BENEDICT		●	HICKLE			MEERS			VANDERVORST					
BERG	●		HOFFNER		●	WELBY			VIG					
● BERGE			HOUIMANN			MERTENS		●	WAGNER					
● BERGER			HOVE			MEYER			WALD					
● BJORNSON			JACOBSEN, R.			MURPHY			WALSH					
● BLACK			JACOBSON, I.			MUSHIK		●	WEBER					
● BOYUM			KELLY			NICHOLAS			WENTZ					
BROKAW		●	KENNELLY			OLSON			WESSMAN					
● CHRISTENSEN			KERMOTT			OPEDAHL		●	WINKJER					
● CONMY			KINGSBURY			PELTIER								
● CRABTREE			KLOUBEC			PETERSON			MR. SPEAKER					
● DICK			KNUDSON			POMEROY		●						
● DIETZ			KOSKI		●	REED								
● DOTZENROD			KRETSCHMAR			RETZER								
● DuBORD			KUCHERA			RICHARD		●						
● EAGLES			LANG			RICHIE		●						
● ERICKSON			LANGLEY			RICHL								
● FLEMING			LARDY		●	RUED								
● FREBORG			LARSON, F. # 74			SCHINDLER								
● GACKLE			LARSON, G. # 29			SCOFIELD								
● GERL		●	LARSON, H. # 7			SOLBERG								
● GORDER			LEE		●	STENEHJEM								
● GUNDERSON			LEIBHAN			STRINDEN								
● GUNSCH			LIPSIA			SWONTEK								
● HANSON			MAIXNER		●	THOMPSON								
● HAUGLAND			MARSDEN			THORSGARD								
● HAUSAUER, A. # 49			MARTIN			TIMM								
● HAUSAUER, R. # 25			MARTINSON			TINJUM								
● HEDSTROM			MATHENY			TWETEN								

So the bill passed and the title was agreed to.

**Report of Conference Committees**

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Conference Committee to whom was referred \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. \_\_\_\_\_ 2484 \_\_\_\_\_ has had the same under consideration and recommends:

That the Senate accede to the House amendments

For the Senate	For the House
	
Senator <u>Farrington</u>	Representative <u>Hausauer</u>
Senator <u>Goodman</u>	Representative <u>Gaskie</u>
Senator <u>Redlin</u>	Representative <u>Riehl</u>
Representative Hausauer moved that the report be adopted, which motion	

prevailed.

### Report of Conference Committees

Mr. Speaker : Your <sup>Majority</sup> Conference Committee to whom was referred House Bill No. 1010 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1010 be amended as follows:

- On page 1 of the engrossed bill, before line 1, after the word "HEALTH" insert the following: ", STATE LABORATORIES DEPARTMENT, AND HUMAN SERVICE CENTERS"
- On page 1 of the engrossed bill, line 2, after the word "health" insert the following: ", the state laboratories department, and the human service centers"
- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the following: "; and to repeal section 19-01-02.1 of the North Dakota Century Code, relating to the consumer affairs division of the state laboratories department"
- On page 1 of the engrossed bill, line 17, delete the numerals "9,022,672" and insert in lieu thereof the numerals "8,726,866"
- On page 1 of the engrossed bill, line 18, delete the numerals "2,418,143" and insert in lieu thereof the numerals "2,412,729"
- On page 1 of the engrossed bill, line 21, delete the numerals "3,660,089" and insert in lieu thereof the numerals "3,643,939"
- On page 1 of the engrossed bill, line 22, delete the numerals "310,076" and insert in lieu thereof the numerals "287,428"
- On page 2 of the engrossed bill, line 1, delete the numerals "5,908,044" and insert in lieu thereof the numerals "6,041,723"
- On page 2 of the engrossed bill, line 2, delete the numerals "21,910,784" and insert in lieu thereof the numerals "21,704,445"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,696,966" and insert in lieu thereof the numerals "16,514,444"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,213,818" and insert in lieu thereof the numerals "5,190,001"
- On page 2 of the engrossed bill, line 9, delete the numerals "9,259,636" and insert in lieu thereof the numerals "10,942,763"
- On page 2 of the engrossed bill, delete line 10
- On page 2 of the engrossed bill, line 11, delete the numerals "24,968,969" and insert in lieu thereof the numerals "28,877,578"
- On page 2 of the engrossed bill, line 12, delete the numerals "34,228,605" and insert in lieu thereof the numerals "39,820,341"



On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,706,944.00, or so much thereof as may be necessary, to the state laboratories department of the state of North Dakota to defray the expenses of the department for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## STATE LABORATORIES DEPARTMENT

Salaries and wages	\$1,261,819
(Includes salary of director not to exceed \$45,400 for the biennium)	
Fees and services	235,570
Data processing	52,812
Supplies and materials	61,780
Equipment	64,133
Consumer Affairs Division	30,830
Total general fund appropriation	<u>\$1,706,944"</u>

On page 2 of the engrossed bill, line 15, delete the numerals "3,520,818" and insert in lieu thereof the numerals "2,764,032"

On page 2 of the engrossed bill, line 19, delete the words "and human"

On page 2 of the engrossed bill, line 20, delete the words "service centers"

On page 2 of the engrossed bill, line 21, insert a period after the numerals "1981", and delete the words and colon "as follows:"

On page 2 of the engrossed bill, delete lines 22 through 26

On page 2 of the engrossed bill, line 28, delete the words "and human service centers"

On page 4 of the engrossed bill, delete line 5

On page 4 of the engrossed bill, after line 5, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

## BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	<u>\$2,025,558</u>
Less estimated income	<u>1,705,748</u>
Total general fund appropriation	<u>\$ 319,810</u>

## NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,291,695
Fees and services	240,500
Supplies and materials	21,900
Equipment	4,400
Total all funds	<u>\$1,558,495</u>
Less estimated income	<u>1,307,840</u>
Total general fund appropriation	<u>\$ 250,655</u>

## LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 841,006
Fees and services	224,543
Supplies and materials	5,115
Equipment	10,200
Total all funds	\$1,080,864
Less estimated income	894,543
Total general fund appropriation	\$ 186,321

SECTION 5. APPROPRIATION.) There is hereby appropriated out of any funds collected through the issuance of permits or registration certificates for air contaminant sources, the sum of \$183,000.00, or so much as may be necessary, but not to exceed the total amount of funds collected for such permits and certificates, to the department of health of the state of North Dakota, for the purpose of defraying costs of the air pollution control program, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 6. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

South central mental health and retardation center, Jamestown	\$ 12,857
Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	\$114,061"

On page 5 of the engrossed bill, delete lines 6 through 20

On page 5 of the engrossed bill, after line 20, insert the following section:

"SECTION 10. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible."

On page 6 of the engrossed bill, after line 16, insert the following section:

"SECTION 14. REPEAL.) Section 19-01-02.1 of the 1977 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

In addition to the purpose of amendments to House Bill No. 1010 as printed on pages 1579 through 1585 in the Senate Journal, the purpose of amendments for the amendments adopted by the conference committee to House Bill No. 1010 are as follows:

The following positions are recommended by the conference committee on House Bill No. 1010 in the amount of \$255,380 of which \$8,315 is general fund moneys and \$247,065 is special funds.

<u>Position</u>	<u>Amount</u>	<u>Program</u>
Account Technician	\$ 25,787	Fiscal Office
Environmental Quality Specialist II	37,926	Environmental Engineeri
Environmental Quality Specialist II	34,959	Environmental Engineeri
Solid Waste Planner II	36,664	Land Pollution Control

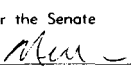
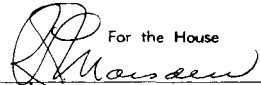
Chemist I	33,342	Land Pollution Control
Secretary II	24,754	Land Pollution Control
Environmental Quality Specialist I	31,605	Water, Supply, and Pollution Control
Environmental Quality Specialist I	30,343	Water, Supply, and Pollution Control
<b>Total</b>	<b>\$255,380</b>	

In addition to salaries and wages this amendment adds for the above positions \$61,401 for fees and services (\$1,644 in general fund moneys and \$59,757 in special funds), \$575 special funds for supplies and materials, and \$4,445 for equipment (\$88 in general fund moneys and \$4,357 in special funds).

State Laboratories Department

The conference committee on House Bill No. 1010 changed the status of the State Laboratories Department from a division of the State Health Department to a separate department. It added \$30,830 in a separate line item for the Consumer Affairs Division with the intent that the activities of the division be phased out during the 1979-81 biennium. The \$37,250 added by Senate Appropriations to the salaries and wages line to provide adequate fringe benefits for the State Laboratories Department employees is included in this amendment.

This amendment also repeals Section 19-01-02.1 relating to the Consumer Affairs Division.

For the Senate	For the House
	
Sen. Melland	Rep. Marsden
Sen. Strinden	Rep. Christensen
Rep. Marsden	of the majority

\_\_\_\_\_ moved that the report/be adopted, which motion failed on a verification vote.

**Report of Conference Committees**

Mr. Speaker : Your Minority Conference Committee to whom was referred House Bill No. 1010 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1010 be amended as follows:

On page 1 of the engrossed bill, before line 1, after the word "HEALTH" insert the following: ", STATE LABORATORIES DEPARTMENT, AND HUMAN SERVICE CENTERS"

On page 1 of the engrossed bill, line 2, after the word "health" insert the following: ", the state laboratories department, and the human service centers"

On page 1 of the engrossed bill, line 17, delete the numerals "9,022,672" and insert in lieu thereof the numerals "8,726,866"

On page 1 of the engrossed bill, line 18, delete the numerals "2,418,143" and insert in lieu thereof the numerals "2,412,729"

On page 1 of the engrossed bill, line 21, delete the numerals "3,660,089" and insert in lieu thereof the numerals "3,643,939"

On page 1 of the engrossed bill, line 22, delete the numerals "310,076" and insert in lieu thereof the numerals "287,428"

- On page 2 of the engrossed bill, line 1, delete the numerals "5,908,044" and insert in lieu thereof the numerals "6,041,723"
- On page 2 of the engrossed bill, line 2, delete the numerals "21,910,784" and insert in lieu thereof the numerals "21,704,445"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,696,966" and insert in lieu thereof the numerals "16,514,444"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,213,818" and insert in lieu thereof the numerals "5,190,901"
- On page 2 of the engrossed bill, line 9, delete the numerals "9,259,636" and insert in lieu thereof the numerals "10,942,763"
- On page 2 of the engrossed bill, delete line 10
- On page 2 of the engrossed bill, line 11, delete the numerals "24,968,969" and insert in lieu thereof the numerals "28,877,578"
- On page 2 of the engrossed bill, line 12, delete the numerals "34,228,605" and insert in lieu thereof the numerals "39,820,341"
- On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,706,944.00, or so much thereof as may be necessary, to the state laboratories department of the state of North Dakota to defray the expenses of the department for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

STATE LABORATORIES DEPARTMENT

Salaries and wages	\$1,261,819
(Includes salary of director not to exceed \$45,400 for the biennium)	
Fees and services	235,570
Data processing	52,812
Supplies and materials	61,780
Equipment	64,133
Consumer affairs division	30,830
Total general fund appropriation	\$1,706,944"

- On page 2 of the engrossed bill, line 15, delete the numerals "3,520,818" and insert in lieu thereof the numerals "2,764,032"
- On page 2 of the engrossed bill, line 19, delete the words "and human"
- On page 2 of the engrossed bill, line 20, delete the words "service center"
- On page 2 of the engrossed bill, line 21, insert a period after the numerals "1981", and delete the words and colon "as follows:"
- On page 2 of the engrossed bill, delete lines 22 through 26
- On page 2 of the engrossed bill, line 28, delete the words "and human service centers"
- On page 4 of the engrossed bill, delete line 5
- On page 4 of the engrossed bill, after line 5, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service

centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	\$2,025,558
Less estimated income	1,705,748
Total general fund appropriation	\$ 319,810

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,291,695
Fees and services	240,500
Supplies and materials	21,900
Equipment	4,400
Total all funds	\$1,558,495
Less estimated income	1,307,840
Total general fund appropriation	\$ 250,655

LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 841,006
Fees and services	224,543
Supplies and materials	5,115
Equipment	10,200
Total all funds	\$1,080,864
Less estimated income	894,543
Total general fund appropriation	\$ 186,321

SECTION 5. APPROPRIATION.) There is hereby appropriated out of any funds collected through the issuance of permits or registration certificates for air contaminant sources, the sum of \$183,000.00, or so much as may be necessary, but not to exceed the total amount of funds collected for such permits and certificates, to the department of health of the state of North Dakota, for the purpose of defraying costs of the air pollution control program, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 6. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

South central mental health and retardation center, Jamestown	\$ 12,857
Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	\$114,061"

On page 5 of the engrossed bill, delete lines 6 through 20

On page 5 of the engrossed bill, after line 20, insert the following section:

"SECTION 10. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

In addition to the purpose of amendments to House Bill No. 1010 as printed on pages 1579 through 1585 in the Senate Journal, the purpose of amendments for the amendments adopted by the conference committee to House Bill No. 1010 are as follows:

The following positions are recommended by the conference committee on House Bill No. 1010 in the amount of \$255,380 of which \$8,315 is general fund moneys and \$247,065 is special funds.

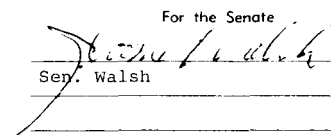
<u>Position</u>	<u>Amount</u>	<u>Program</u>
Account Technician	\$ 25,787	Fiscal Office
Environmental Quality Specialist II	37,926	Environmental Engineerin
Environmental Quality Specialist II	34,959	Environmental Engineerin
Solid Waste Planner II	36,664	Land Pollution Control
Chemist I	33,342	Land Pollution Control
Secretary II	24,754	Land Pollution Control
Environmental Quality Specialist I	31,605	Water, Supply, and Pollution Control
Environmental Quality Specialist I	30,343	Water, Supply, and Pollution Control
Total	<u>\$255,380</u>	

In addition to salaries and wages this amendment adds for the above positions \$61,401 for fees and services (\$1,644 in general fund moneys and \$59,757 in special funds), \$575 special funds for supplies and materials, and \$4,445 for equipment (\$88 in general fund moneys and \$4,357 in special funds).

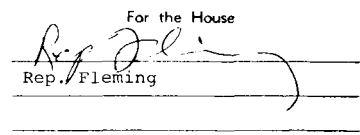
State Laboratories Department

The conference committee on House Bill No. 1010 changed the status of the State Laboratories Department from a division of the State Health Department to a separate department, and it included \$30,830 for the Consumer Affairs Division of the State Laboratories Department. The \$37,250 added by the Senate Appropriations Committee to provide adequate fringe benefits for State Laboratories Department employees is included in this amendment.

For the Senate


  
Sen. Walsh

For the House


  
Rep. Fleming

Rep. Fleming

moved that the report be adopted, which motion

failed on a verification vote.

**MOTION**

Rep. Strinden moved that the conference committee on House Bill No. 1010 be dissolved, and a new conference committee be appointed, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner announced the appointment of a conference committee on House Bill No. 1010 as follows:

Rep. Marsden  
Rep. R. Christensen  
Rep. Fleming

Speaker Wagner announced that Rep. Backes will replace Rep. Weber on the Conference Committee on House Bill No. 1550.

**MESSAGES FROM THE SENATE**

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1019  
House Bill No. 1489  
House Bill No. 1569  
House Bill No. 1611  
House Bill No. 1622

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Concurrent Resolution No. 3088

LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2008  
Senate Bill No. 2039  
Senate Bill No. 2430  
Senate Bill No. 2438

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report:

Senate Bill No. 2027  
Senate Bill No. 2484

ROY GILBREATH, Chief Clerk

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1483 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1483 be amended as follows:

On page 1, line 5 before the period insert the following: "; and to provide an effective date"

On page 2, after line 13, insert the following new section:

"SECTION 3. EFFECTIVE DATE.) The provisions of section 2 of this Act shall be effective on and after January 1, 1980."

And renumber the lines and pages accordingly

For the Senate  
Sen. Sanders [Signature]  
Sen. Farrington [Signature]  
Sen. Shablow [Signature]

For the House  
Rep. Stenehjem [Signature]  
Rep. Boyum [Signature]  
Rep. Meyers [Signature]

Rep. Stenehjem moved that the report be adopted, which motion prevailed.

House Bill No. 1483 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

MOTIONS

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1483, as amended in Conference Committee, be adopted, and that House Bill No. 1483 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1483. — A Bill for an Act to create and enact two new sections to chapter 47-16 of the North Dakota Century Code, providing for conditions under which a landlord may enter a tenant's apartment and abolishing landlord's liens and the common law action of distraint for rent; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 5; absent and not voting, 3.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL CALL (YEAS, N-V, NAYS), 1979 LEGISLATURE (YEAS, N-V, NAYS). Lists names of representatives and their voting status.

So the bill passed and the title was agreed to.

MOTIONS

Rep. Strinden moved that the rules be suspended, and that all measures acted on in the House which require action by the Senate be messaged to the Senate immediately, which motion prevailed.

Rep. Strinden moved that the House stand recessed until 12:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

MESSAGES TO THE SENATE
House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1010

The Speaker has appointed as a new conference committee on:

House Bill No. 1010:



Rep. Marsden  
Rep. Christensen  
Rep. Fleming

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 1483

ROY GILBREATH, Chief Clerk

MOTION

Rep. Strinden moved that the House stand recessed until 1:00 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

The House stood at ease for thirty minutes.

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 1010:

Senator Melland  
Senator Strinden  
Senator Walsh

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2412  
Senate Bill No. 2487

LEO LEIDHOLM, Secretary

Report of Conference Committees

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Conference Committee to whom was referred \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. \_\_\_\_\_ 2412 \_\_\_\_\_ has had the same under

consideration and recommends: that the House recede from the House amendments and further amend engrossed Senate Bill 2412 as follows:

on page 1, line 2 of the engrossed bill, delete the word "criminal" and insert in lieu thereof the word "judicial"

on page 2, line 10 of the engrossed bill, after the word "judicial" delete the word "proceeding" and insert in lieu thereof the words "or administrative proceedings pursuant to Chapter 28-32 of the North Dakota Century Code"

on page 3, line 21 of the engrossed bill, delete the word "electronically" and insert in lieu thereof the word "visually"

on page 3, line 32 of the engrossed bill, after the word "the" insert the words "national registry of interpreters for the deaf or the North Dakota association of the deaf or the"

on page 3, line 33 of the engrossed bill, after the word "superintendent" insert the words "of the North Dakota school for the deaf"

<p style="text-align: center;">For the Senate</p> <p><u>Ray Holmberg</u> Senator Holmberg</p> <p><u>Senator Iszler</u> Senator Iszler</p> <p><u>San Schirado</u> Senator Schirado</p> <p><u>Representative Wentz</u> Representative Wentz</p>	<p style="text-align: center;">For the House</p> <p><u>Representative Wentz</u> Representative Wentz</p> <p><u>Representative Benedict</u> Representative Benedict</p> <p><u>Representative Reed</u> Representative Reed</p>
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\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2412 was placed on the \_\_\_\_\_

order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2412, as amended in Conference Committee, be adopted, and that Senate Bill No. 2412 as amended be placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2412.** — A Bill for an Act to provide for the appointment of interpreters to assist deaf persons in judicial and administrative proceedings.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 97; nays, 0; absent and not voting, 3.

REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS		YEAS	N-V	NAYS		YEAS	N-V	NAYS	
●			● HERMAN	●			● WATTSON	●			● UNKLEW
●			● HICKLE	●			● WEIERS	●			● VANDER VORST
●			● HOFFNER	●			● WELBY	●			● VIG
●			● HULMANN	●			● WERTENS	●			● WAGNER
●			● HOVE	●			● MEYER	●			● WALD
●			● JACOBSEN R	●			● MURPHY	●			● WALSH
●			● JACOBSON I	●			● MUSHIK	●			● WEBER
●			● KELLY	●			● NICHOLAS	●			● WENTZ
●			● KENNELLY	●			● OLSON	●			● WESSMAN
●			● KERMOY	●			● OPEDAHL	●			● WINKJER
●			● KINGSBURY	●			● PELTER	●			
●			● KLOUBEC	●			● PETERSON	●			● MR SPEAKER
●			● KNUDSON	●			● POMEROY				
●			● KOSKI	●			● REED				
●			● KRETSCHMAR	●			● RETZER				
●			● KUCHERA	●			● RICHARD				
●			● LANG	●			● RICHIE				
●			● LANGLEY	●			● RIEHL				
●			● LARDY	●			● RUED				
●			● LARSON F # 24	●			● SCHINDLER				
●			● LARSON G # 29	●			● SCOFIELD				
●			● LARSON H # 7	●			● SOLBERG				
●			● LEE	●			● STENEHJEM				
●			● LEIBHAN	●			● STRINDEN				
●			● LIPSIEK	●			● SWONTEK				
●			● MAIXNER	●			● THOMPSON				
●			● MARSDEN	●			● THORSGARD				
●			● MARTIN	●			● TIMM				
●			● MARTINSON	●			● TINJUM				
●			● MATHENY	●			● TWETEN				

So the bill passed and the title was agreed to.

**Report of Conference Committees**

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2487 has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2487 be amended as follows:

On page 1 of the engrossed bill, delete lines 8 through 21 and insert in lieu thereof the following section:

"SECTION 1. TRANSFER.) In the event that the cash balance in the general fund of the state treasury as of the close of business on June 30, 1979, less outstanding financial obligations for the biennium ending June 30, 1979, to be paid after June 30, 1979, exceeds \$148,600,000.00, the director of the department of accounts and purchases, after approval of the budget section of the legislative council, shall direct the state treasurer to transfer from the general fund to the state capital construction fund the sum of \$10,730,000.00, or so much thereof as may be necessary, or the amount by which the cash balance in the general fund on the close of business on June 30, 1979, less outstanding financial obligations for the biennium ending June 30, 1979, to be paid after June 30, 1979, exceeded \$148,600,000.00 whichever is less. In the event that the cash balance in the general fund of the state treasury on June 30, 1980, exceeds \$110,550,000.00, the director of the department of accounts and purchases, after approval by the budget section of the legislative council, shall direct the state treasurer to transfer from the general fund to the state capital construction fund that amount of funds that were in excess of \$110,550,000.00, or so much thereof as may be necessary, for the projects listed in section 2 of this Act for which funds were not previously transferred from the general fund to the capital construction fund, or the amount by which the cash balance in the general fund on the close of business on June 30, 1980, exceeded \$110,550,000.00 whichever is less. Such funds shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriations made by the legislative assembly in section 2 of this Act."

On page 2 of the engrossed bill, delete lines 1 through 8

On page 3 of the engrossed bill, line 9, after the word "facility" insert the words "in accordance with the priority list as provided in this section"

On page 3 of the engrossed bill, line 13, after the word "facility" insert the words "in accordance with the priority list as provided in this section"

On page 3 of the engrossed bill, line 15, after the word "funds" insert the words "as may be necessary for the completion of such project or projects"

On page 3 of the engrossed bill, line 16, delete the words "and shall not be returned to the" and insert in lieu thereof the following: "until spent for such purposes"

On page 3 of the engrossed bill, line 17, delete the following "general fund"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment revises the manner in which funds will be transferred from the general fund to the capital construction fund. This amendment is based upon the premise that funds will be transferred to the capital

construction fund only if collections are at levels which suggest a June 30, 1981, general fund balance in excess of \$73,000,000.

For the Senate  
*Strinden*  
 Senator Strinden  
*Melland*  
 Senator Melland  
*Erdman*  
 Senator Erdman  
 Representative Hausauer

For the House  
*Hausauer*  
 Representative Hausauer  
*Unjehem*  
 Representative Unjehem  
 Refused to sign  
 Representative Fleming

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

Senate Bill No. 2487 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2487 as amended in Conference Committee, be adopted, and that Senate Bill No. 2487 as amended be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2487.** — Capital Construction Fund. A Bill for an Act for a conditional transfer of funds to a state capital construction fund, providing for budget section approval, and providing an appropriation for the construction, remodeling, and equipping of, or additions to, buildings of state agencies, departments, and institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 35; absent and not voting, 2.

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●		●			●
BACKES			HERMAN		MATTSON			UNJHEM
BENEDICT		●	HICKLE		WEIERS			VANDER VORST
BERG	●		HOFFNER		WELBY			VIG
BERGE			HOUMANN		MERTENS			WAGNER
BERGER			HOVE		MEYER			WALD
BJORNSON			JACOBSEN R		MURPHY			WALSH
BLACK			JACOBSON I		MUSHIK			WEBER
BOYUM		●	KELLY		NICHOLAS			WENTZ
BROKAW			KENNELLY		OLSON			WESSMAN
CHRISTENSEN		●	KEMGITT		OPEDAHN			WINKLER
CONNY			KINGSBURY		PELTIER			
CRABTREE		●	KLOUBEC		PETERSON			MR SPEAKER
DICK			KNUSDSON		POWERDY			
DIETZ			KOSKI		REED			
DOTZENROD			KRETSCHMAR		RETZER			
DUBORD			KUCHERA		RICHARD			
EAGLES			LANG		RICHE			
ERICKSON			LANGLEY		RIEHL			
FLEMING		●	LARDY		RUED			
FREBORG			LARSON F # 24		SCHINDLER			
GACKLE			LARSON G # 29		SCOFIELD			
GERL			LARSON H # 7		SOLBERG			
GORDER		●	LEE		STENEHJEM			
GUNDERSON			LEIBHAN		STRINDEN			
GUNSCH			LIPSIEA		THOMPTEK			
HANSON			MAINIER		THOMPSON			
HAUGLAND			MARSDEN		THORSGAARD			
HAUSAUER A # 48			MARTIN		THM			
HAUSAUER R # 25			MARTINSON		TINJUM			
HEDSTROM			MATHEWY		TWETEN			

So the bill passed and the title was agreed to.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF HOUSE BILLS

**House Bill No. 1335.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal severance tax, defining the term "coal" and specifically excluding leonardite (natural oxidized lignite) from that definition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 50; nays, 49; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	●	HERMAN		MATTSON		● UNHJEM
BENEDICT		●	●	HICKLE		MEIERS		● VANDER VORST
BERG		●		HOFFNER	●	MELBY		● VIG
BERGE		●	●	HOUHMANN		MERTENS		● WAGNER
BERGER		●	●	HOVE		MEYER		● WALD
● BJORNSON			●	JACOBSEN R.		● MURPHY		● WALSH
BLACK		●		JACOBSON I.	●	MUSHK		● WEBER
BOYUM		●		KELLY	●	● NICHOLAS		● WENTZ
BROKAW		●		KENNELLY		● OLSON		● WESSMAN
● CHRISTENSEN			●	KERMOTT		OPEDAHL		● WINKJER
● CONNY			●	KINGSBURY		PELTIER		
● CRABTREE			●	KLOUBEC		PETERSON		● MR. SPEAKER
DICK		●		KNUDSON		POWEROY		
● DIETZ				KOSKI	●	● REED		
● DOTZENROD			●	KRETSCHMAR		● RETZER		
DuBORD		●		KUCHERA		RICHARD		●
● EAGLES			●	LANG		RICHIE		●
● ERICKSON				LANGLEY	●	RIEHL		●
FLEMING		●		LARDY		● RUD		
● FREBORG				LARSON F. #24	●	● SCHINDLER		
● GACKLE			●	LARSON G. #29	●	● SCOFIELD		
GERL		●		LARSON H. #7	●	SOLBERG		●
● GORDER				LEE	●	● STENEHEJW		
● GUNDERSON				LEIBHAN	●	● STRINDEN		
● GUNSCH			●	LIPSIE		● SWONTEK		
HANSON		●		MAIXNER		● THOMPSON		●
HAUGLAND			●	MARSDEN		● THORSGARD		
HAUSAUER, A. #49				MARTIN		● TIMM		
● HAUSAUER, R. #25				MARTINSON	●	TINLUM		●
● HEDSTROM				MATHEW	●	● TWETEN		

So the bill failed to pass over the Governor's veto.

RECONSIDERATION OF A VETOED MEASURE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 2070.** — A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to the definitions of projects and municipalities under the Municipal Industrial Development Act of 1955; and to provide for the application of this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 60; nays, 39; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		●	●	HERMAN		MATTSON		● UNHJEM
● BENEDICT			●	HICKLE	●	● MEIERS		● VANDER VORST
BERG		●		HOFFNER	●	● MELBY		● VIG
● BERGE			●	HOUHMANN		MERTENS		● WAGNER
● BERGER			●	HOVE		MEYER		● WALD
● BJORNSON				JACOBSEN R.	●	● MURPHY		● WALSH
● BLACK				JACOBSON I.	●	MUSHK		● WEBER
BOYUM		●		KELLY	●	● NICHOLAS		● WENTZ
BROKAW		●		KENNELLY		● OLSON		● WESSMAN
● CHRISTENSEN			●	KERMOTT		OPEDAHL		● WINKJER

CONMY	•	KINGSBURY	•	PELTIER	•
CRABTREE	•	KLOUBEC	•	PETERSON	•
DICK	•	KNUDSON	•	POMEROY	•
DIETZ	•	KOSKI	•	REED	•
DOTZENROD	•	KRETSCHMAR	•	RICHARD	•
DUBORD	•	KUCHERA	•	RICHIE	•
EAGLES	•	LANG	•	RIEHL	•
ERICKSON	•	LANGLEY	•	RUED	•
FLEMING	•	LARDY	•	SCHINDLER	•
FREBORG	•	LARSON, F # 24	•	SCOFIELD	•
GACKLE	•	LARSON, G # 29	•	SOLBERG	•
GERL	•	LARSON, H # 7	•	STENEHJEM	•
GORDER	•	LEE	•	STRINDEN	•
GUNDERSON	•	LEIBHAN	•	SWONTEK	•
GUNSCH	•	LIPSIE	•	THOMPSON	•
HANSON	•	MAISNER	•	THORSGAARD	•
HAUGLAND	•	MARSDEN	•	TIMM	•
HAUSAUER A # 49	•	MARTIN	•	TINJUM	•
HAUSAUER R # 25	•	MARTINSON	•	TWETEN	•
HEDSTROM	•	MATHEHY	•		

MR. SPEAKER

So the bill failed to pass over the Governor's veto.  
**POINT OF PERSONAL PRIVILEGE**

Rep. Wald: "Mr. Speaker and Members of the Assembly:  
 "I rise to a point of personal privilege, and I would like to explain my  
 vote.  
 "I voted wrong on Senate Bill No. 2487. I voted 'Yes' and I meant to vote  
 'No.' "

**MESSAGE TO THE SENATE**  
 House Chamber

Mr. President: I have the honor to return herewith the following on  
 which the House has adopted the conference committee report and subse-  
 quently passed:

- Senate Bill No. 2412
- Senate Bill No. 2487

ROY GILBREATH, Chief Clerk

**RECONSIDERATION OF A VETOED MEASURE**  
**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2092.** — A Bill for an Act to allow creditors to charge  
 a service charge in the amount of one and one-half percent on accounts  
 receivable from thirty days after the obligation is incurred, and to  
 require creditors to supply debtors with a periodic statement.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as enrolled, over the  
 Governor's veto, the roll was called and there were ayes, 61; nays, 37; ab-  
 sent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES	•		•	HERMAN	•	MATTSON	•		•	UNHJEM	•
BENEDICT	•		•	HICKLE	•	WEIERS	•		•	VANDER VORST	•
BERG	•		•	HOFNER	•	MELBY	•		•	VIG	•
BERGE	•		•	HOUAMANN	•	MERTENS	•		•	WAGNER	•
BERGER	•		•	HOVE	•	MEYER	•		•	WALD	•
BJORNSON	•		•	JACOBSEN, R	•	MURPHY	•		•	WALSH	•
BLACK	•		•	JACOBSON, I	•	MUSHIK	•		•	WEBER	•
BOYUM	•		•	KELLY	•	NICHOLAS	•		•	WENTZ	•
BROKAW	•		•	KENNELLY	•	OLSON	•		•	WESSMAN	•
CHRISTENSEN	•		•	KENMOTT	•	OPEDAHN	•		•	WINKJER	•
CONMY	•		•	KINGSBURY	•	PELTIER	•		•		
CRABTREE	•		•	KLOUBEC	•	PETERSON	•		•	MR. SPEAKER	•
DICK	•		•	KNUDSON	•	POMEROY	•				
DIETZ	•		•	KOSKI	•	REED	•				
DOTZENROD	•		•	KRETSCHMAR	•	RETZER	•				
DUBORD	•		•	KUCHERA	•	RICHARD	•				
EAGLES	•		•	LANG	•	RICHIE	•				
ERICKSON	•		•	LANGLEY	•	RIEHL	•				
FLEMING	•		•	LARDY	•	RUED	•				
FREBORG	•		•	LARSON, F # 24	•	SCHINDLER	•				
GACKLE	•		•	LARSON, G # 29	•	SCOFIELD	•				
GERL	•		•	LARSON, H # 7	•	SOLBERG	•				
GORDER	•		•	LEE	•	STENEHJEM	•				
GUNDERSON	•		•	LEIBHAN	•	STRINDEN	•				

• GUNSCH	• LIPSIA	• SWONTEK
• HANSON	• MAIXNER	• THOMPSON
• HAUGLAND	• MARSDEN	• THORSGARD
• HAUSAUER, A. #49	• MARTIN	• TIMM
• HAUSAUER, R. #25	• MARTINSON	• TINJUM
• HEDSTROM	• MATHENY	• TWETEN

So the bill failed to pass over the Governor's veto.

**RECONSIDERATION OF A VETOED MEASURE**

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2151.** — A Bill for an Act to establish a legislative committee on administrative rules with authority to review proposed and existing administrative rules.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were ayes, 67; nays, 32; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN		•	MATTSON		•	UNHJEM	
•			•	HICKLE		•	MEIERS		•	VANDER VORST	
•			•	HOFFNER	•	•	MELBY		•	VIG	
•			•	HOUIMANN		•	MERTENS		•	WAGNER	
•			•	HOVE		•	MEYER		•	WALD	
•			•	JACOBSEN, R.		•	MURPHY		•	WALSH	•
•			•	JACOBSON, I.	•	•	MUSHIK		•	WEBER	•
•			•	KELLY	•	•	NICHOLAS		•	WENTZ	
•			•	KENNELLY		•	OLSON		•	WESSMAN	•
•			•	KERMOTT		•	OPEDAHL		•	WINKJER	
•			•	KINGSBURY		•	PELTIER				
•			•	KLIOUBEC		•	PETERSON		•	MR. SPEAKER	
•			•	KNUDSON		•	POMEROY				
•			•	KOSKI	•	•	REED				
•			•	KRETZSCHMAR		•	RETZER				
•			•	KUCHERA		•	RICHARD		•		
•			•	LANG		•	RICHIE				
•			•	LANGLEY	•	•	RIEHL		•		
•			•	LARDY	•	•	RUED				
•			•	LARSON, F. #24		•	SCHINDLER				
•			•	LARSON, G. #29		•	SCOFIELD				
•			•	LARSON, H. #7		•	SOLBERG		•		
•			•	LEE	•	•	STENEHJEM				
•			•	LEIBHAN		•	STRINDEN				
•			•	LIPSIA		•	SWONTEK				
•			•	MAIXNER	•	•	THOMPSON				
•			•	MARSDEN		•	THORSGARD				
•			•	MARTIN		•	TIMM				
•			•	MARTINSON		•	TINJUM		•		
•			•	MATHENY		•	TWETEN				

So the bill passed and the title was agreed to over the Governor's veto.

**MESSAGE TO THE SENATE**

**House Chamber**

Mr. President: I have the honor to return Senate Bill No. 2070 which the House has failed to pass over the Governor's veto.

The vote on Senate Bill No. 2070 is:

- 60 Ayes
- 39 Nays
- 1 Absent, not voting.

ROY GILBREATH, Chief Clerk

**MESSAGE TO THE SENATE**

**House Chamber**

Mr. President: I have the honor to return Senate Bill No. 2092 which the House has failed to pass over the Governor's veto.

The vote on Senate Bill No. 2092 is:

- 61 Ayes
- 37 Nays
- 2 Absent, not voting.

ROY GILBREATH, Chief Clerk

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2276.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide qualifications for the director of the coal development impact office and to require confirmation by the senate; to amend and reenact section 14 of chapter 560 of the 1977 Session Laws of North Dakota, relating to the coal development impact office and providing for qualifications for the director and confirmation by the senate; setting forth grant guidelines; and declaring an emergency.

Which has been read.

Rep. Strinden moved that the House waive the reading of the title to Senate Bill No. 2276, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 0; nays, 99; absent and not voting, 1.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
BACKES	●		HERMAN	●		MATTSON	●	UNHJEM	●
BENEDICT	●		HICKLE	●		MEIERS	●	VANDER VORST	●
BERG	●		HOPFNER	●		MELBY	●	VIG	●
BERGE	●		HUHMANN	●		MERTENS	●	WAGNER	●
BERGER	●		HOVE	●		MEYER	●	WALD	●
BJORNSON	●		JACOBSEN, R	●		MURPHY	●	WALSH	●
BLOCK	●		JACOBSON, I	●		MUSPHIK	●	WEBER	●
BOYUM	●		KELLY	●		NICHOLAS	●	WENTZ	●
BROKAW	●		KENNELLY	●		OLSON	●	WESSMAN	●
CHRISTENSEN	●		KERMOTT	●		OPEDAHL	●	WINKJER	●
CONNRY	●		KINGSBURY	●		PELTIER	●		
CRABTREE	●		KLOUBEC	●		PETERSON	●	MR. SPEAKER	●
DICK	●		KNUDSON	●		POWEROY	●		
DIETZ	●		KOSKI	●		REED	●		
DOTZENROD	●		KRETSCHMAR	●		RETZER	●		
DUBORD	●		KUCHERA	●		RICHARD	●		
EAGLES	●		LANG	●		RICHIE	●		
ERICKSON	●		LANGLEY	●		RIEHL	●		
FLEMING	●		LARDY	●		RJED	●		
FREBORG	●		LARSON, F #24	●		SCHINDLER	●		
GACKLE	●		LARSON, G #29	●		SCOFIELD	●		
GERL	●		LARSON, H #7	●		SOLBERG	●		
GORDER	●		LEE	●		STENKJEM	●		
GUNDERSON	●		LEIBMAN	●		STRINDEN	●		
GUNSCH	●		LIPSIEA	●		SWONTEK	●		
HANSON	●		MAIKNER	●		THOMPSON	●		
HAUGLAND	●		MARSDEN	●		THORSGARD	●		
HAUSAUER A #49	●		MARTIN	●		TIMM	●		
HAUSAUER R #25	●		MARTINSON	●		TINJUM	●		
HEDSTROM	●		MATHENY	●		TWETEN	●		

So the bill lost.

**Senate Bill No. 2450.** — A Bill for an Act to provide for parimutuel horse racing conducted by nonprofit charitable, fraternal, religious, and veterans' organizations, civic and service clubs, and other public-spirited organizations; definitions; the creation of a racing commission; appointment of a director of racing; racing commission powers and duties; issuance of licenses; license authorization and fees; allotment of racing days to applicants; bets and certificates; bet payoff formulas; payments to school districts; audits and investigations; reasons and procedure for license refusal, suspension and revocation; and the attorney general to represent the commission in hearings; and providing a penalty.

Which has been read.

Rep. Kretschmar moved that the House waive the reading of the title to Senate Bill No. 2450, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 46; absent and not voting, 1.



NORTH DAKOTA HOUSE OF REPRESENTATIVES

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN	●	● MATTSON	● UNHJEM		
● BENEDICT		●	● HICKLE	●	● MEIERS	● VANDER VORST	●	
● BERG			● HOFFNER	●	● MELBY	● VIG		
● BERGE		●	● HOUWMANN	●	● MERTENS	● WAGNER		
● BERGER			● HOVE	●	● MEYER	● WALD		
● BJORNSON			● JACOBSEN R	●	● MURPHY	● WALSH		
● BLACK			● JACOBSON I	●	● MUSHIK	● WEBER		
● BOYUM			● KELLY	●	● NICHOLAS	● WENTZ	●	
● BROKAW		●	● KENNELLY	●	● OLSON	● WESSMAN	●	
● CHRISTENSEN		●	● KERWOTT	●	● OPEDAHL	● WINKJER	●	
● CONMY			● KINGSBURY	●	● PELTER			
● CRABTREE			● KLOUBEC	●	● PETERSON	● MR. SPEAKER		
● DICK		●	● KNUDSON	●	● POMEROY			
● DIETZ		●	● KOSKI	●	● REED			
● DOTZENROD		●	● KRETSCHMAR	●	● RETZER			
● DUBORD		●	● KUCHERA	●	● RICHARD			
● EAGLES			● LANG	●	● RICHIE			
● ERICKSON		●	● LANGLEY	●	● RIEHL			
● FLEMING			● LARDY	●	● RUED			
● FREBORG		●	● LARSON F # 24	●	● SCHINDLER			
● GACKLE			● LARSON G # 29	●	● SCOFIELD			
● GERL			● LARSON H # 7	●	● SOLBERG			
● GORDER		●	● LEE	●	● STENEHJEM			
● GUNDERSON			● LEIBMAN	●	● STRINDEN			
● GUNSON		●	● LPSIEA	●	● SWONTEK			
● HANSON			● MAIXNER	●	● THOMPSON			
● HAUGLAND			● MARSDEN	●	● THORSgard			
● HAUSAUER A # 49		●	● MARTIN	●	● TMM			
● HAUSAUER R # 25			● MARTINSON	●	● TINJUM			
● HEDSTROM			● MATHENY	●	● TWETEN			

So the bill passed and the title was agreed to.

Rep. Gerl moved that the vote by which Senate Bill No. 2450 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion failed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2488** — A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, as amended by Senate Bill No. 2219 as approved by the Forty-sixth Legislative Assembly, relating to widows' death benefits under workmen's compensation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 75; nays, 22; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES

REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN	●	● MATTSON	● UNHJEM		
● BENEDICT			● HICKLE	●	● MEIERS	● VANDER VORST	●	
● BERG			● HOFFNER	●	● MELBY	● VIG		
● BERGE			● HOUWMANN	●	● MERTENS	● WAGNER		
● BERGER			● HOVE	●	● MEYER	● WALD		
● BJORNSON			● JACOBSEN R	●	● MURPHY	● WALSH		
● BLACK			● JACOBSON I	●	● MUSHIK	● WEBER		
● BOYUM			● KELLY	●	● NICHOLAS	● WENTZ	●	
● BROKAW		●	● KENNELLY	●	● OLSON	● WESSMAN	●	
● CHRISTENSEN			● KERWOTT	●	● OPEDAHL	● WINKJER	●	
● CONMY			● KINGSBURY	●	● PELTER			
● CRABTREE			● KLOUBEC	●	● PETERSON	● MR. SPEAKER		
● DICK			● KNUDSON	●	● POMEROY			
● DIETZ			● KOSKI	●	● REED			
● DOTZENROD		●	● KRETSCHMAR	●	● RETZER			
● DUBORD		●	● KUCHERA	●	● RICHARD			
● EAGLES			● LANG	●	● RICHIE			
● ERICKSON			● LANGLEY	●	● RIEHL			
● FLEMING			● LARDY	●	● RUED			
● FREBORG			● LARSON F # 24	●	● SCHINDLER			
● GACKLE			● LARSON G # 29	●	● SCOFIELD			
● GERL			● LARSON H # 7	●	● SOLBERG			
● GORDER		●	● LEE	●	● STENEHJEM			
● GUNDERSON			● LEIBMAN	●	● STRINDEN			
● GUNSON		●	● LPSIEA	●	● SWONTEK			
● HANSON			● MAIXNER	●	● THOMPSON			
● HAUGLAND			● MARSDEN	●	● THORSgard			
● HAUSAUER A # 49		●	● MARTIN	●	● TMM			
● HAUSAUER R # 25			● MARTINSON	●	● TINJUM			
● HEDSTROM			● MATHENY	●	● TWETEN			

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the House stand recessed until 3:30 p.m., which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2439

LEO LEIDHOLM, Secretary

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2439 has had the same under consideration and recommends:

That the Senate accedes to the House amendments and SB 2439 be further amended as follows:

On page 2 of the re-reengrossed bill, line 5, after the word "distributed" delete the following: "on a per-pupil basis"

On page 4 of the re-reengrossed bill, line 24, delete the word "ten" and insert in lieu thereof the word "three"

On page 4 of the re-reengrossed bill, line 26, delete the word "sixty" and insert in lieu thereof the word "seventy"

On page 5 of the re-reengrossed bill, line 16, after the period insert the following: "The amount of funds deducted from a school district shall not be in excess of the funds that may be taken into account under federal regulations Public Law 81-874, section 5(d)."

On page 5 of the re-reengrossed bill, delete lines 17 through 20 and insert in lieu thereof the following:

"c. The amount of funds estimated by the superintendent of public instruction to be received by each school district for the period from May first of the current year through April thirtieth of the following year from distributions of oil and gas bonus payments pursuant to section 2 of this Act, which shall be subtracted from the school district's November first foundation program payment. The May first foundation program payment shall be adjusted to reflect a subtraction for the actual amounts received pursuant to section 2 of this Act by the school district during this period."

On page 5 of the re-reengrossed bill, line 25, after the word "from" insert the following: "state funds and from"

On page 5 of the re-reengrossed bill, line 26, after the word "districts" insert the following "of the county"

- On page 6 of the re-reengrossed bill, line 26, strike the word "any" and immediately thereafter insert the following: "the 1979-80 school"
- On page 6 of the re-reengrossed bill, line 28, after the word "years" insert the following: ", and no school district shall receive less in foundation program per-pupil payments for any year thereafter than such district would have received in such payments based upon the enrollment in such district for the previous school year"
- On page 7 of the re-reengrossed bill, line 22, after the word "Payments" strike through the words "from the"
- On page 7 of the re-reengrossed bill, line 23, strike through the words "county equalization fund" and immediately thereafter insert the following: "pursuant to this chapter"
- On page 7 of the re-reengrossed bill, line 33, after the word "paid" insert the following: "from state funds and"
- On page 8 of the re-reengrossed bill, line 11, after the word "in" insert the word "average"
- On page 10 of the re-reengrossed bill, line 6, strike the word "any" and immediately thereafter insert the following: "the 1979-80 school"
- On page 10 of the re-reengrossed bill, line 9, after the word "years" insert the following: ", and no school district shall receive less in foundation program per-pupil payments for any year thereafter than such district would have received in such payments based upon the enrollment in such district for the previous school year"
- On page 10 of the re-reengrossed bill, line 9, after the word "Payments" strike through the following: "from the county equalization fund" and immediately thereafter insert the following: "pursuant to this chapter"
- On page 10 of the re-reengrossed bill, line 20, after the word "fund" insert the following: "and from state funds"
- On page 10 of the re-reengrossed bill, line 23, after the word "mile" insert the following: "(1.61 kilometers)"
- On page 10 of the re-reengrossed bill, line 25, after the word "mile" insert the following: "(1.61 kilometers)"
- On page 10 of the re-reengrossed bill, line 33, after the word "miles" insert the following: "(518.00 hectares)"

And renumber the lines, pages and sections accordingly

For the Senate

For the House

(Refused to sign)  
 Senator Nelson \_\_\_\_\_  
 Senator Peterson \_\_\_\_\_  
 Senator Dotzenrod \_\_\_\_\_  
 Representative Jacobson \_\_\_\_\_

*Richard Larson*  
 Representative Larson \_\_\_\_\_  
 Representative Black \_\_\_\_\_  
 Representative Jacobson \_\_\_\_\_

\_\_\_\_\_ moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2439 \_\_\_\_\_ was placed on the Sixth

order of business on the calendar for the succeeding legislative day.



The vote on Senate Bill No. 2151 is:

67 Ayes  
32 Nays  
1 Absent, not voting

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2450

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2488

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2439

ROY GILBREATH, Chief Clerk

#### MOTION

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

#### Report of Conference Committees

Mr.        Speaker: The majority of        Your Conference Committee to whom was referred        House        Bill No. 1550 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that House Bill No. 1550 be amended as follows:

That the Senate recede from its amendments and that House Bill No. 1550 be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act relating to the taxation of property and providing legislative intent concerning property taxation, limitations on increases or forced reductions in property taxes levied by taxing districts for certain years, and statements of full consideration; to create and enact a new subsection to section 57-13-04 of the North Dakota Century Code, relating to the powers and duties of the state board of equalization; to amend and reenact sections 57-02-27 and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the assessment of property, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; providing a penalty; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. STATEMENT OF LEGISLATIVE FINDINGS - LEGISLATIVE INTENT.) Although the laws of this state require the assessment of all taxable property at its true and full value, it is the finding of the legislative assembly that actual assessments are much less than true and full value. It is the intent of the legislative assembly that the state board of equalization shall, from the effective date of this Act, establish equity of taxation within the guidelines established by this Act.

SECTION 2. PROPERTY TO BE VALUED AT TRUE AND FULL VALUE.) Beginning with the year 1980, all assessors and boards of equalization shall place the value of all items of taxable property at the true and full value of the property and the assessed valuation on such property for the year 1980 and each year thereafter shall be determined pursuant to section 7 of this Act. For the purposes of this Act, the term "true and full value"

shall have the same meaning as provided in subsection 4 of section 57-02-01.

SECTION 3. LIMITATIONS ON INCREASES OR FORCED REDUCTIONS IN PROPERTY TAXES LEVIED BY TAXING DISTRICTS FOR YEARS 1980 and 1981 - EXCEPTIONS.)

1. Each taxing district may levy in 1980 and 1981 at least as much in dollars as the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
  - a. Less an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land or taxable improvements to real property which is removed from the assessment rolls of that taxing district after the year 1979 but was included in the assessment for the year 1979.
  - b. Plus an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for 1979 and any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.
2. No taxing district shall be permitted to levy in 1980 and 1981 taxes expressed in dollars in excess of the amount which was levied by that taxing district for the year 1979 plus an amount equal to five percent of that amount compounded for each year after 1979, adjusted as follows:
  - a. Plus an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land and taxable improvements to real property which was not taxable in 1979 or was omitted from the assessment rolls for that year but which is included in the assessment for the years 1980 or 1981.
  - b. Plus an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the

governing body of the taxing district for 1979 and any mill levies specifically authorized by the electors of that taxing district but not levied for 1979 to the final assessed valuation of the taxable property in that taxing district.

3. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 may be increased to reflect increased mill levies authorized by the forty-sixth legislative assembly or if the electors of the taxing district authorize additional levies after the effective date of this Act at either a special or regular election as provided by law.
4. The limitation on the amount which may be levied by a taxing district pursuant to subsection 2 shall not apply to the Fargo school district or to any school district in which the electors have approved unlimited mill levies as provided by law.
5. The provisions of this section shall supersede any applicable mill levy limitations otherwise provided by law for the period provided in subsections 1 and 2, but the provisions of this section shall not apply to any of the following:
  - a. Any irrevocable tax to pay bonded indebtedness levied pursuant to section 184 of the Constitution of North Dakota.
  - b. The twenty-one mill levy for schools provided in section 57-15-24.
  - c. The one-mill levy for the state medical center authorized by article 60 of the amendments to the Constitution of North Dakota.
6. The provisions of this section shall not apply to any city which has adopted a home rule charter unless the provisions of the charter specifically provide that state laws related to property tax levy limitations shall apply.

SECTION 4. STATEMENTS OF FULL CONSIDERATION TO BE FILED WITH STATE BOARD OF EQUALIZATION OR REGISTER OF DEEDS - PROCEDURE - SECRECY OF INFORMATION - PENALTY.)

1. Any grantee or his authorized agent who presents a deed in the office of the county register of deeds shall certify on the face of the deed any one of the following:
  - a. A statement that he has filed a report of the full consideration paid for the property conveyed with the state board of equalization.
  - b. A statement that he has filed a report of the full consideration paid for the property conveyed with the register of deeds.
  - c. A statement of the full consideration paid for the property conveyed.
  - d. A statement designating one of the exemptions in subsection 6 which the

## JOURNAL OF THE HOUSE

grantee believes applies to the transaction.

2. The register of deeds shall not record any deed unless it contains one of the statements required by subsection 1.
3. The register of deeds shall accumulate and at least monthly forward to the state board of equalization a report containing the information filed in his office pursuant to subsection 1.
4. The state board of equalization shall prescribe the necessary forms for the statements and reports to be used in carrying out the purposes of this Act, and the forms will contain a space for the explanation of special circumstances which may have contributed to the amount of the consideration.
5. For purposes of this section, the word "deed" means an instrument or writing whereby any real property or interest therein shall be granted, conveyed, or otherwise transferred to the grantee, purchaser, or other person, except any instrument or writing which transfers any ownership in minerals or interests in minerals underlying land if that ownership has been severed from the ownership of the overlying land surface or any instrument or writing for the easement, lease, or rental of real property or any interest therein.
6. The provisions of this section shall not apply to deeds transferring title to the following types of property, or to deeds relating to the following transactions:
  - a. Property owned or used by public utilities.
  - b. Property classified as personal property.
  - c. A sale where the grantor and the grantee are of the same family or corporate affiliate (if known).
  - d. A sale which resulted as a settlement of an estate.
  - e. All sales to or from a government or governmental agency.
  - f. All forced sales, mortgage foreclosures, and tax sales.
  - g. All sales to or from religious, charitable, or nonprofit organizations.
  - h. All sales where there is an indicated change of use by the new owner.
  - i. All transfer of ownership of property for which is given a quit-claim deed.
  - j. Sales of property not assessable by law.
  - k. Agricultural lands of less than eighty acres.
7. The state board of equalization shall guard the secrecy of information contained on statements filed with the board pursuant to subsection 1,



and any information provided local officials shall be limited to such data as is necessary to perform their official duties and shall not include the names of any grantors or grantees. Any reports made available to the public must be made in a manner that will not reveal the names of any grantors or grantees. The register of deeds shall guard the secrecy of information contained on statements filed in his office pursuant to subdivision b of subsection 1.

8. Any person who shall, in the statements provided for in subsection 1, willfully falsify the consideration paid for the transferred real property or interest therein or who falsely certifies that he has filed a report of full consideration with the state board of equalization shall be guilty of a class B misdemeanor.

SECTION 5. AMENDMENT.) Section 57-02-27 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-27. PROPERTY TO BE ASSESSED VALUED AT FULL VALUE - LIMITATION ON ASSESSMENT OF ANNEXED AGRICULTURAL LANDS.) All property subject to taxation based on the value thereof shall be assessed valued at its true and full value ~~in money~~ as defined in subsection 4 of section 57-02-01. In determining the true and full value of real and personal property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price at which said property would sell at auction, or at forced sale, or in the aggregate with all the property in the town or district, but he shall value each article or description by itself, and at such sum or price as he believes the same to be fairly worth in money. In ~~assessing~~ valuing any tract, or lot of real property, there shall be determined the value of the land, exclusive of improvements, and the value of all taxable improvements and structures thereon, and the aggregate value of the property, including all taxable structures and other improvements, excluding the value of crops growing upon cultivated lands. In valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell for at a fair voluntary sale for cash. Agricultural lands within the corporate limits of a city, whether or not platted, shall constitute agricultural property and be so classified and valued for ad valorem property tax purposes until such lands are put to another use. Such valuation shall be uniform with the ~~assessed value~~ valuation of adjoining unannexed agricultural land.

SECTION 6. AMENDMENT.) Section 57-02-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-28. BASIS FOR COMPUTATION OF TAX.) The value of all property subject to a general property tax, not exempted by law nor subject to any gross sales or other lieu tax, to be used in the computation of the tax levied for the payment of any bonded or improvement warrant indebtedness shall be the ~~full and true~~ assessed value thereof, but the net value of such property to be used in the computation of all other taxes levied thereon shall be fifty percent of the ~~true and full~~ assessed value thereof. ~~Assessors and boards of review shall assess and return all taxable property at its full and true value, and the county auditor, after equalization of the property. For purposes of this section, "assessed~~

value" means the value established by the state board of equalization ~~shall make the computation necessary to ascertain said fifty-percent value~~ pursuant to section 7 of this Act.

SECTION 7.) A new subsection to section 57-13-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Establish the assessed value to be used on each of the classes of taxable property, based upon the de facto classes developed prior to the effective date of this Act, by city and township assessors, county directors of tax equalization, and the board based upon the actual average assessment levels, stated as percentages, for each class of property for the previous year. The assessed values so established shall be based upon the returns of assessments of taxable property provided by the counties plus information compiled by the board for property assessed by the board pursuant to section 179 of the Constitution of North Dakota. The percentages so determined shall be certified to county directors of tax equalization on or before October thirty-first of each year. The board may make adjustments in the percentage of assessed valuation to be applied to any class of property, or to specific types of property within a class of property, if required to do so pursuant to a federal law. If the board finds the range of differences between the percentages established pursuant to this subsection increasing as compared to the relationships between the percentages on the various classes of property which existed on the effective date of this Act, the board shall report such fact to the subsequent legislative assembly accompanied by any appropriate proposed legislation to bring the relationships to within the range of the relative levels which existed on the effective date of this Act.

SECTION 8. AMENDMENT.) Subsection 1 of section 57-13-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Equalize the assessment of land real property by adding to the aggregate value thereof in any assessment district in a county and in every county in the state in which the board may believe the valuation too low, such rate percent as will raise the same to its proper relative value, and by deducting from the aggregate assessed value thereof, in any assessment district in a county and in every county in the state in which the board may believe the value too high, such percent as will reduce the same to its proper relative value. City lots shall be equalized in the manner provided for equalizing other lands real property. In performing its duties pursuant to this subsection, the board shall take into consideration the provisions of section 57-01-06.1;

SECTION 9. AMENDMENT.) Section 57-55-04 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-55-04. TAXES - HOW DETERMINED - DISBURSEMENT.) The tax for each mobile home shall be determined by the

director of tax equalization by placing an evaluation on such mobile home based upon its true and full value and applying the same assessed valuation as established by the state board of equalization for other property in the same classification based on use, pursuant to standards and guides as determined by the state tax commissioner and applying such evaluation to the preceding year's total mill levies applying to property within the taxing district wherein the mobile home is located. If a mobile home is acquired or moved into this state during the calendar year, and a tax decal has not been previously issued on such mobile home in this state for such year, the tax shall be determined by computing the remaining number of months of the current year to the nearest full month and multiplying such number by one-twelfth of the amount which would be due for the full year. The taxes collected pursuant to the provisions of this chapter shall be disbursed in the same year they are collected and in the same manner as real estate taxes for the preceding year are disbursed.

SECTION 10. EFFECTIVE DATE.) The provisions of this Act shall be effective on and after January 1, 1980."

And renumber the lines and pages accordingly

For the Senate	For the House
Sen. Goodman <i>Goodman</i>	Rep. A. Hausauer <i>A. Hausauer</i>
Sen. Farrington <i>Farrington</i>	Rep. Timm <i>Timm</i>
Sen. Redlin <i>Redlin</i>	

Representative Hausauer moved that the report be adopted, which motion prevailed. On a verification vote.

House Bill No. 1550 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**Report of Conference Committees**

Mr. Speaker: The minority of Your Conference Committee to whom was referred House Bill No. 1550 has had the same under consideration and recommends:

That the Senate recede from its amendments.

For the Senate	For the House
	Rep. Backes <i>Backes</i>

Representative Backes of the minority moved that the report be adopted, which motion failed.

**MOTIONS**

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1550, as amended in Conference Committee, be adopted, and that House Bill No. 1550 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1550.** — A Bill for an Act to create and enact a new

section to chapter 57-13 of the North Dakota Century Code, relating to the duties of the state board of equalization regarding property assessment levels; to amend and reenact sections 57-02-27, 57-02-28, 57-02-34, and 57-05-01 of the North Dakota Century Code, relating to the assessment of property for tax purposes and the basis for the computation of property taxes.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 56; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	HERMAN			WATTSON			•	UNHEM	
		•	HICKLE			WEIERS			•	VANDER VORST	•
		•	HOFFNER			WELBY			•	VIG	
		•	HOUMANN			WERTENS			•	WAGNER	
•			HOVE			MEYER			•	WALD	
•			JACOBSEN, R			MURPHY			•	WALSH	
•			JACOBSON, I			MUSHIK			•	WEBER	•
		•	KELLY			NICHOLAS			•	WENTZ	
		•	KENNELLY			OLSON			•	WESSMAN	•
		•	KENMOTT			OPEDAH				WINKLER	
•			KINGSBURY			PELTIER					
		•	KLOUBEC			PETERSON				MR. SPEAKER	•
		•	KNUDSON			POMEROY					
		•	KOSKI			REED					
		•	KRETSCHMAR			RETZER					
•			KUCHERA			RICHARD					
•			LANG			RICHIE					
•			LANGLEY			RIEHL					
•			LARDY			RUED					
		•	LARSON, F # 24			SCHINDLER					
		•	LARSON, G # 29			SCOFIELD					
•			LARSON, H # 7			SOLBERG					
		•	LEE			STENHEJEM					
		•	LEIBHAN			STRINDEN					
		•	L'PSIEA			SWONTEK					
		•	MAIXNER			THOMPSON					
•			MARSDEN			THORSGARD					
•			MARTIN			TMM					
•			MARTINSON			TINJUM					
		•	MATHENY			TWETEN					

So the bill lost.

### MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

Senate Bill No. 2002

Senate Bill No. 2009

LEO LEIDHOLM, Secretary

### MOTION

Rep. Freborg moved that the House reconsider its action whereby Senate Concurrent Resolution No. 4028 failed to pass, which motion failed on a verification vote.

### Report of Conference Committees

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Conference Committee to whom was referred \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. \_\_\_\_\_ 2002 \_\_\_\_\_ has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2002 be amended as follows:

On page 1 of the engrossed bill, line 9, delete the words and numerals "sum of \$251,742,898" and insert in lieu thereof the words "sums hereinafter provided,"

- On page 1 of the engrossed bill, line 15, delete the numerals "3,258,254" and insert in lieu thereof the numerals "3,476,689"
- On page 1 of the engrossed bill, line 16, delete the numerals "1,363,103" and insert in lieu thereof the numerals "1,370,448"
- On page 1 of the engrossed bill, line 19, delete the numerals "325,567" and insert in lieu thereof the numerals "395,294"
- On page 1 of the engrossed bill, line 20, delete the numerals "69,637" and insert in lieu thereof the numerals "71,137"
- On page 1 of the engrossed bill, line 21, delete the numerals "11,825,000" and insert in lieu thereof the numerals "12,739,351"
- On page 1 of the engrossed bill, line 22, delete the numerals "199,230,000" and insert in lieu thereof the numerals "208,394,000"
- On page 2 of the engrossed bill, line 2, delete the numerals "34,130,986" and insert in lieu thereof the numerals "35,030,986"
- On page 2 of the engrossed bill, line 3, delete the numerals "251,742,898" and insert in lieu thereof the numerals "263,018,256"
- On page 2 of the engrossed bill, line 4, delete the numerals "50,280,383" and insert in lieu thereof the numerals "55,708,232"
- On page 2 of the engrossed bill, line 5, delete the numerals "201,462,515" and insert in lieu thereof the numerals "207,310,024"
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages is increased \$155,019, of which \$101,158 is from the general fund and \$53,861 is from federal funds, to provide adequate funds for 6.5 percent salary increases and necessary fringe benefits including family medical insurance for 84.5 full-time positions and temporary help in the Department of Public Instruction.

Salaries and wages is increased by \$63,416 for two additional positions, fees and services by \$7,345, supplies and materials by \$1,727, equipment by \$1,500, and the federal grant line item by \$900,000 for amounts related to House Bill No. 1063 which provides that the adult basic education program now administered at the University of North Dakota will be administered by the Department of Public Instruction. All funds related to this program are federal funds.

Supplies and materials are increased by \$68,000 for publication of paperback textbooks covering the history and current status of North Dakota. The estimates of the 21- and 20-mill local levies are increased by this same amount; consequently, the grants line item for the foundation program can be reduced by the same amount.

The special education line item is increased \$914,351 from the general fund by adding \$534,251 related to the change in the formula for sending students out of the district as provided in Senate Bill No. 2056; and by adding \$250,000 related to out-of-state tuition and increased maximum reimbursement of special education student transportation costs as provided in Senate Bill No. 2056, and by adding \$130,100 for costs to be reimbursed by the Department of Public Instruction for transportation costs for students at the School for the Deaf, School for the Blind, Grafton State School, and San Haven State Hospital as provided in Senate Bill Nos. 2057 and 2058.

The total foundation aid grant line item is \$208,394,000 and reflects the following factors:

Reflecting  
Proposed  
Amendments  
to SB 2439

Per-pupil payments	\$256,352,000
Transportation payments	<u>22,073,500</u>
Total	<u>\$278,425,500</u>
Less:	
21-mill county levy	\$ 32,718,366
20-mill local levy	30,913,134
State tuition fund	5,300,000
874 reduction	<u>1,100,000</u>
Total deductions	<u>\$ 70,031,500</u>
Total grant line item for foundation aid in SB 2002 before federal revenue sharing funds and Vietnam bonus sinking funds	<u>\$208,394,000</u>
Less:	
Federal revenue sharing	\$ 12,400,000
Vietnam bonus sinking fund	<u>4,400,000</u>
Total	<u>\$ 16,800,000</u>
Net general fund for foundation program in SB 2002	<u>\$191,594,000</u>

(The kindergarten appropriation is being included in Senate Bill No. 2439)

The provisions of the amendments reflect the amount of funds necessary to fund the foundation program in accordance with the provisions of Senate Bill No. 2439. The estimated income line item is increased \$5,427,849 by adding the \$4,400,000 Vietnam bonus sinking funds which are also included in the foundation aid grant line item, adding \$53,861 related to the necessary adjustment in the salaries and wages line item, and by adding \$973,988 for the adult basic education program.

<p style="text-align: center;">For the Senate</p> <p>_____ Senator Lips</p> <p>_____ Senator Meiland</p> <p>_____ Senator Tallackson</p>	<p style="text-align: center;">For the House</p> <p>_____ Representative Marsden</p> <p>_____ Representative Freborg</p> <p>_____ Representative Muehik</p>
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\_\_\_\_\_  
Representative Marsden moved that the report be adopted, which motion prevailed.

Senate Bill No. 2002 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2002, as amended in Conference Committee, be adopted, and that Senate Bill No. 2002 as amended be placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2002.** Superintendent of Public Instruction — A Bill for an Act making an appropriation for defraying the expenses of the department of public instruction of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BACKES			● HERMAN			● MATTON		● UNHJEM
● BENEDICT			● HICKLE			● MEIERS		● VANDER VORST
● BERG			● HOFFNER			● MELBY		● VIG
● BERG			● HOLMANN			● MERITENS		● WAGNER
● BERGER			● HOVE			● MEYER		● WALD
● BJORNSON			● JACOBSEN R			● MURPHY		● WALSH
● BLACK			● JACOBSON I			● MUSHIK		● WEBER
● BOYUM			● KELLY			● NICHOLAS		● WENTZ
● BROKAW			● KENNELLY			● OLSON		● WESSMAN
● CHRISTENSEN			● KERMOITT			● OPEDAHL		● WINKJER
● CONNY			● KINGSBURY			● PELTIER		
● CRABTREE			● KLOUBEC			● PETERSON		● MR SPEAKER
● DICK			● KNUDSON			● POMEROY		
● DIETZ			● KOSKI			● REED		
● DOTZENROD			● KRETSCHMAR			● RETZER		
● DuBORD			● KUCHERA			● RICHARD		
● EAGLES			● LANG			● RICHIE		
● ERICKSON			● LANGLEY			● RIEHL		
● FLEMING			● LARBY			● RUED		
● FREBOEG			● LARSON F # 24			● SCHINDLER		
● GACKLE			● LARSON G # 29			● SCOFELD		
● GERL			● LARSON H # 7			● SOLBERG		
● GORDER			● LEE			● STENEHEW		
● GUNDERSON			● LEIBHAN			● STRINDEN		
● GUNSCH			● LIPSIA			● SWONTEK		
● HANSON			● MAIXNER			● THOMPSON		
● HAUGLAND #49			● MARSDEN			● THORSGARD		
● HAUSAUER A #49			● MARTIN			● TIMM		
● HAUSAUER R #25			● MARTINSON			● TINJUM		
● HEDSTROM			● MATHENY			● TWETEN		

So the bill passed and the title was agreed to.

**Report of Conference Committees**

Mr. Speaker : Your Conference Committee to whom was refer-

red Senate Bill No. 2009 has had the same under

consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2009 be amended as follows:

On page 1 of the reengrossed bill, line 18, delete the numerals "15,736,576" and insert in lieu thereof the numerals "15,941,532"

On page 1 of the reengrossed bill, line 19, delete the numerals "3,439,785" and insert in lieu thereof the numerals "3,339,785"

On page 1 of the reengrossed bill, line 22, delete the numerals "20,380,117" and insert in lieu thereof the numerals "20,485,073"

On page 2 of the reengrossed bill, line 2, delete the numerals "17,845,678" and insert in lieu thereof the numerals "17,950,634"

On page 2 of the reengrossed bill, line 5, delete the numerals "5,774,919" and insert in lieu thereof the numerals "5,786,332"

On page 2 of the reengrossed bill, line 6, delete the numerals "1,253,845" and insert in lieu thereof the numerals "1,251,040"

On page 2 of the reengrossed bill, line 9, delete the numerals "7,685,225" and insert in lieu thereof the numerals "7,693,833"

On page 2 of the reengrossed bill, line 11, delete the numerals "7,112,277" and insert in lieu thereof the numerals "7,120,885"

On page 2 of the reengrossed bill, line 12, delete the numerals "24,957,955" and insert in lieu thereof the numerals "25,071,519"

On page 2 of the reengrossed bill, line 14, delete the numerals "28,065,342" and insert in lieu thereof the numerals "28,178,906"

On page 2 of the reengrossed bill, after line 29, insert the following section:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that \$13,438 of the increase in Grafton state school salaries and wages and \$11,413 of the increase in the San Haven state hospital salaries and wages be for the purpose of increasing institutional support worker salaries because of contemplated reclassification of institutional support workers effective July 1, 1979. It is not the intent of the legislative assembly that everyone within each classification receive the same salary. It is the intent of the legislative assembly that the institutions work closely with representatives of the central personnel division so that any salary increases given to institutional support workers be compatible with the central personnel division pay grades for such classifications."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

This amendment restores \$191,518 for seven additional positions. These positions are as follows:

Dental hygienist	\$ 28,033
Lab technician	25,450
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Instructor	39,452
Physical therapist	<u>35,763</u>
<b>Total</b>	<b>\$191,518</b>

Also, \$13,438 is added to salaries and wages to upgrade institutional worker salaries based on proposed reclassification of these workers effective July 1, 1979. Operating expenses are reduced \$100,000 for transportation costs to be paid from the state special education appropriation as provided in Senate Bill No. 2057.

San Haven State Hospital

Salaries and wages is increased \$11,413 to upgrade institutional worker salaries based on proposed reclassification of these workers effective July 1, 1979. Operating expenses are reduced \$2,805 for transportation costs to be paid from the state special education appropriation as provided in Senate Bill No. 2057.

<p style="text-align: center;">For the Senate</p> <p><i>[Signature]</i></p> <p>_____ Senator Strinden</p> <p><i>[Signature]</i></p> <p>_____ Senator Naaden</p> <p>_____ Refused to sign</p> <p>_____ Senator Tallackson</p> <p>_____ Representative Kingsbury</p>	<p style="text-align: center;">For the House</p> <p><i>[Signature]</i></p> <p>_____ Representative Kingsbury</p> <p><i>[Signature]</i></p> <p>_____ Representative Thorsgard</p> <p>_____ Refused to sign</p> <p>_____ Representative Fleming</p> <p>_____ Representative Kingsbury moved that the report be adopted,</p>
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Rep. Fleming requested a recorded roll call vote on the motion, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 43; nays, 55; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
—		●	—	HERMAN	●	—	MATTSON	●	—	UNHJEM	●
—	BENEDICT	●	—	HICKLE	●	—	MEIERS	●	—	VANDER VORST	●
—	BERG	●	—	HOFFNER	●	—	MELBY	●	—	VIG	●
●	BERGE	●	●	HOUWANN	●	—	MERTENS	●	—	WAGNER	●
●	BERGER	●	●	HOVE	●	—	MEYER	●	—	WALD	●
●	BJORNSON	●	●	JOACOBSEN, R.	●	●	MURPHY	●	—	WALSH	●



BLACK	●	JACOBSON	●	MUSHIK	●	WEBER	●
BOYUM	●	KELLY	●	NICHOLAS	●	WENTZ	●
BROKAW	●	KENNELLY	●	OLSON	●	WESSMAN	●
CHRISTENSEN	●	KENNEDY	●	OPEDahl	●	WINKLER	●
CONNY	●	KINGSBURY	●	PELTER	●		
CRABTREE	●	KLOUBEC	●	PETERSON	●	MR. SPEAKER	
DICK	●	KNUDSON	●	POMEROY	●		
DIETZ	●	KOSKI	●	REED	●		
DOTZENROD	●	KRETSCHMAR	●	RETZER	●		
DUBORD	●	KUCHERA	●	RICHARD	●		
EAGLES	●	LANG	●	RICHIE	●		
ERICKSON	●	LANGLEY	●	RIEHL	●		
FLEMING	●	LARDY	●	RUED	●		
FREBORG	●	LARSON, F. # 24	●	SCHINDLER	●		
GACKLE	●	LARSON, G. # 25	●	SCOFIELD	●		
GERL	●	LARSON, H. # 7	●	SOLBERG	●		
GORDER	●	LEE	●	STENHEJEM	●		
GUNDERSON	●	LEIBHAN	●	STRINDEN	●		
GUNSCH	●	LIPSIA	●	SWIONTEK	●		
HANSON	●	MAIXNER	●	THOMPSON	●		
HAUGLAND	●	MARSDEN	●	THORSGARD	●		
HAUSAUER, A. # 49	●	MARTIN	●	TIMM	●		
HAUSAUER, R. # 25	●	MARTINSON	●	TINJUM	●		
HEDSTROM	●	MATHENY	●	TWETEN	●		

The motion failed.

MOTION

Rep. Strinden moved that the conference committee be dissolved, and a new conference committee be appointed on Senate Bill No. 2009, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner appointed the following conference committee on Senate Bill No. 2009:

- Rep. Kingsbury
- Rep. Thorsgard
- Rep. Fleming

MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 1550, but subsequently failed to pass House Bill No. 1550.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on Senate Concurrent Resolution No. 4088.

LEO LEIDHOLM, Secretary


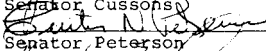
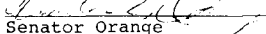
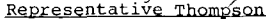
Report of Conference Committees

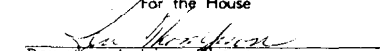
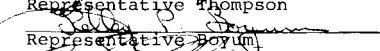

Mr. Speaker: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4088 has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate

For the House

  
 Senator Cussons  
  
 Senator Peterson  
  
 Senator Orange  
  
 Representative Thompson

  
 Representative Thompson  
  
 Representative Boyum  
  
 Representative Meiers

moved that the report be adopted, which motion

prevailed.

Senate Concurrent Resolution 4088 was placed on the 6th order of business on the calendar for the succeeding legislative day.





**SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4051.** — A concurrent resolution to establish a procedure for calling the Forty-sixth Legislative Assembly back into regular session after July 1, 1979, should the remaining constitutional time allotted for the regular session be needed.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 19; nays, 77; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1979 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
BACKES		•	HERMAN		•	MATTSON		• UNHJEM
BENEDICT		•	HICKLE		•	MEIERS		• VANDER VORST
BERG		•	HOFFNER		•	MELBY		• VIG
BERGE		•	HOUFMAN		•	MERTENS		• WAGNER
• BERGER		•	HOVE		•	MEYER		• WALD
BJORNSON		•	JACOBSEN, R		•	MURPHY		• WALSH
BLACK		•	JACOBSON, I		•	MUSHK		• WEBER
• BOYUM		•	KELLY		•	NICHOLAS		• WENTZ
BROKAW		•	KENNELLY		•	OLSON		• WESSMAN
CHRISTENSEN		•	KERMOTT		•	OPEDAHL		• WINKLER
• CONNY		•	KINGSBURY		•	PELTIER		
CRAFTREE		•	KLOUBEC		•	PETERSON		• MR SPEAKER
DICK		•	KNUDSON		•	POMEROY		
DIETZ		•	KOSKI		•	REED		
DOTZENROD		•	• KRETSCHMAR		•	RETZER		
DUBORD		•	KUCHERA		•	RICARD		
EAGLES		•	LANG		•	RICHE		
ERICKSON		•	LANGLEY		•	RIEHL		
FLEWING		•	LARDY		•	RUED		
• FREBORG		•	LARSON F #24		•	SCHINDLER		
• GACKLE		•	LARSON G #29		•	SCOFIELD		
GERL		•	LARSON H #7		•	SOLBERG		
GORDER		•	LEE		•	• STENEHJEM		
GUNDERSON		•	LEIBHAN		•	STRINDEHJEM		
GUNSCH		•	LIPSIEA		•	• SWONTEK		
HANSON		•	MAIKNER		•	• THOMPSON		
HAUGLAND		•	MARSDEN		•	• THORSGARD		
HAUSAUER A #49		•	MARTIN		•	TIMM		
HAUSAUER R #75		•	MARTINSON		•	TINLUM		
HEDSTROM		•	MATHEWY		•	TWETEN		

So the Senate Concurrent Resolution was declared lost.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I have the honor to inform you that the Senate has not adopted the conference committee report on Senate Concurrent Resolution No. 4015.

And the President has appointed as a new conference committee on Senate Concurrent Resolution No. 4015:

Senator Sands  
Senator Christensen  
Senator Schirado

LEO LEIDHOLM, Secretary

**MOTION**

Rep. Strinden moved that the conference committee be dissolved and a new conference committee be appointed on Senate Concurrent Resolution No. 4015, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Wagner announced the appointment of the following conference committee on Senate Concurrent Resolution No. 4015:

Rep. Bjornson  
Rep. Berge  
Rep. Meiers

**PRESENTATION OF  
PETITIONS AND COMMUNICATIONS  
STATE OF NORTH DAKOTA**

THURSDAY, MARCH 29, 1979

2349

EXECUTIVE OFFICE  
BISMARCK

The Honorable Vernon Wagner  
Speaker of the House  
House Chambers  
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 27, 1979, I signed the following House Bills:  
House Bill No. 1042  
House Bill No. 1404

Sincerely yours,  
ARTHUR A. LINK  
Governor

**Report of Conference Committees**

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1010 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1010 be amended as follows:

- On page 1 of the engrossed bill, before line 1, after the word "HEALTH" insert the following: ", STATE LABORATORIES DEPARTMENT, AND HUMAN SERVICE CENTERS"
- On page 1 of the engrossed bill, line 2, after the word "health" insert the following: ", the state laboratories department, and the human service centers"
- On page 1 of the engrossed bill, line 17, delete the numerals "9,022,672" and insert in lieu thereof the numerals "8,726,866"
- On page 1 of the engrossed bill, line 18, delete the numerals "2,418,143" and insert in lieu thereof the numerals "2,412,729"
- On page 1 of the engrossed bill, line 21, delete the numerals "3,660,089" and insert in lieu thereof the numerals "3,643,939"
- On page 1 of the engrossed bill, line 22, delete the numerals "310,076" and insert in lieu thereof the numerals "287,428"
- On page 2 of the engrossed bill, line 1, delete the numerals "5,908,044" and insert in lieu thereof the numerals "6,041,723"
- On page 2 of the engrossed bill, line 2, delete the numerals "21,910,784" and insert in lieu thereof the numerals "21,704,445"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,696,966" and insert in lieu thereof the numerals "16,514,444"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,213,818" and insert in lieu thereof the numerals "5,190,001"
- On page 2 of the engrossed bill, line 9, delete the numerals "9,259,636" and insert in lieu thereof the numerals "10,911,933"
- On page 2 of the engrossed bill, delete line 10
- On page 2 of the engrossed bill, line 11, delete the numerals "24,968,969" and insert in lieu thereof the numerals "28,877,578"
- On page 2 of the engrossed bill, line 12, delete the numerals "34,228,605" and insert in lieu thereof the numerals "39,789,511"

On page 2 of the engrossed bill, after line 12, insert the following section:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,676,114.00, or so much thereof as may be necessary, to the state laboratories department of the state of North Dakota to defray the expenses of the department for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

STATE LABORATORIES DEPARTMENT

Salaries and wages	\$1,261,819
(Includes salary of director not to exceed \$45,400 for the biennium)	
Fees and services	235,570
Data processing	52,812
Supplies and materials	61,780
Equipment	<u>64,133</u>
Total general fund appropriation	\$1,676,114"

On page 2 of the engrossed bill, line 15, delete the numerals "3,520,818" and insert in lieu thereof the numerals "2,764,032"

On page 2 of the engrossed bill, line 19, delete the words "and human"

On page 2 of the engrossed bill, line 20, delete the words "service centers"

On page 2 of the engrossed bill, line 21, insert a period after the numerals "1981", and delete the words and colon "as follows:"

On page 2 of the engrossed bill, delete lines 22 through 26

On page 2 of the engrossed bill, line 28, delete the words "and human service centers"

On page 4 of the engrossed bill, delete line 5

On page 4 of the engrossed bill, after line 5, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$756,786.00, or so much thereof as may be necessary, and \$3,908,131.00 in special funds which are deposited and maintained in such accounts as are approved by a human service center's board of directors, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$1,625,440
Fees and services	361,278
Supplies and materials	30,740
Equipment	8,100
Total all funds	<u>\$2,025,558</u>
Less estimated income	<u>1,705,748</u>
Total general fund appropriation	\$ 319,810

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,291,695
Fees and services	240,500
Supplies and materials	21,900
Equipment	4,400
Total all funds	<u>\$1,558,495</u>
Less estimated income	<u>1,307,840</u>
Total general fund appropriation	\$ 250,655

## LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$ 841,006
Fees and services	224,543
Supplies and materials	5,115
Equipment	10,200
Total all funds	\$1,080,864
Less estimated income	894,543
Total general fund appropriation	\$ 186,321

SECTION 5. APPROPRIATION.) There is hereby appropriated out of any funds collected through the issuance of permits or registration certificates for air contaminant sources, the sum of \$183,000.00, or so much as may be necessary, but not to exceed the total amount of funds collected for such permits and certificates, to the department of health of the state of North Dakota, for the purpose of defraying costs of the air pollution control program, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 6. FUNDS FOR COLLOCATION.) Included in the general fund appropriations for mental health and retardation centers is \$114,061.00 for collocation of such centers with area social service centers during the biennium beginning July 1, 1979, and ending June 30, 1981, as follows:

South central mental health and retardation center, Jamestown	\$ 12,857
Southeast mental health and retardation center, Fargo	50,762
North central mental health and retardation center, Minot	32,197
Center for human development, Grand Forks	18,245
Total	\$114,061"

On page 5 of the engrossed bill, delete lines 6 through 20

On page 5 of the engrossed bill, after line 20, insert the following section:

"SECTION 10. EMERGENCY COMMISSION - AUTHORITY TO ACT ON SPECIAL PROJECTS.) The emergency commission shall have the authority to authorize the department of health to receive and spend federal funds for projects, including the construction grants program, and shall authorize the department of health to employ additional personnel for the special projects at as limited levels as possible."

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

In addition to the purpose of amendments to House Bill No. 1010 as printed on pages 1579 through 1585 in the Senate Journal, the purpose of amendments for the amendments adopted by the conference committee to House Bill No. 1010 are as follows:

The following positions are recommended by the conference committee on House Bill No. 1010 in the amount of \$255,380 of which \$8,315 is general fund moneys and \$247,065 is special funds.

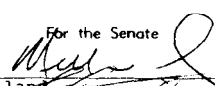
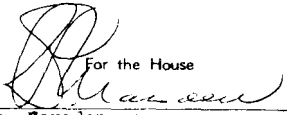
<u>Position</u>	<u>Amount</u>	<u>Program</u>
Account Technician	\$ 25,787	Fiscal Office
Environmental Quality Specialist II	37,926	Environmental Engineerir
Environmental Quality Specialist II	34,959	Environmental Engineerir
Solid Waste Planner II	36,664	Land Pollution Control
Chemist I	33,342	Land Pollution Control
Secretary II	24,754	Land Pollution Control
Environmental Quality Specialist I	31,605	Water, Supply, and Pollution Control

Environmental Quality Specialist I	30,343	Water, Supply, and Pollution Control
Total	<u>\$255,380</u>	

In addition to salaries and wages this amendment adds for the above positions \$61,401 for fees and services (\$1,644 in general fund moneys and \$59,757 in special funds), \$575 special funds for supplies and materials, and \$4,445 for equipment (\$88 in general fund moneys and \$4,357 in special funds).

State Laboratories Department

The conference committee on House Bill No. 1010 changed the status of the State Laboratories Department from a division of the State Health Department to a separate department. The \$37,250 added by the Senate Appropriations Committee to provide adequate fringe benefits for State Laboratories Department employees is included in this amendment.

<p>For the Senate</p>  _____ Sen. Melland _____ Sen. Strinden (Refused to sign) _____ Sen. Walsh _____	<p>For the House</p>  _____ Rep. Marsden _____ Rep. Christensen (Refused to sign) _____ Rep. Fleming _____
_____ Rep. Marsden moved that the report be adopted, which motion	

prevailed.

House Bill No. 1010 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended, and the amendments to House Bill No. 1010, as amended in Conference Committee, be adopted, and that House Bill No. 1010 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1010.** Department of Health — A Bill for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 12; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL			1979 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HERMAN	•	MATTSON			•	UNJEM	
		•	•	HICKLE	•	MEIERS			•	VANDER VORST	
	•			HOFFNER	•	WELBY			•	VIG	
•			•	HOLMANN	•	WERTENS				WAGNER	
•				HOVE	•	MEYER			•	WALD	
•			•	JACOBSEN, R		MURPHY	•		•	WALSH	
•			•	JACOBSON, I	•	MUSHK			•	WEBER	
•				KELLY	•	NICHOLAS			•	WENTZ	
•			•	KENNELLY	•	OLSON			•	WESSMAN	
•			•	KERMOTT	•	OPEDAHL			•	WINKLER	
•			•	KINGSBURY	•	PELTIER					
		•		KLOUBEC	•	PETERSON			•	MR. SPEAKER	
•			•	KNUDSON	•	POMEROY					
•			•	KOSKI	•	REED					
•			•	KRETSCHMAR	•	RETZER					
	•		•	KUCHERA	•	RICHARD					



● EAGLES	● LANG	● RICHIE
● ERICKSON	● LANGLEY	● RIEHL
● FLEMING	● LARDY	● RUED
● FREDORG	● LARSON, F # 24	● SCHINDLER
● GACKLE	● LARSON, G # 25	● SCOFIELD
● GERL	● LARSON, H # 7	● SOLBERG
● GORDER	● LEE	● STENHAJEM
● GUNDERSON	● LEIBHAN	● STRINDEN
● GUNSCH	● LIPSIA	● SWONTEK
● HANSON	● MAIXNER	● THOMPSON
● HAUGLAND	● MARSDEN	● THORSGARD
● HAUSAUER A # 49	● MARTIN	● TIMM
● HAUSAUER R # 25	● MARTINSON	● TINJUM
● HEDSTROM	● MATHENY	● TWETEN

So the bill passed and the title was agreed to.

**MOTION**

Rep. Strinden moved that the rules be suspended, and that House Bill No. 1010 be messaged to the Senate immediately, which motion prevailed.

**MESSAGES TO THE SENATE**

Mr. President: I have the honor to return herewith the following on which the House has not adopted the conference committee report on Senate Bill No. 2009.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed:

Senate Bill No. 2002

Senate Concurrent Resolution No. 4088

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 1385 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently failed to pass House Bill No. 1483.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently failed to pass House Bill No. 1438.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed House Bill No. 1360.

LEO LEIDHOLM, Secretary

**MESSAGES TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Concurrent Resolution No. 4051

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, on Senate Concurrent Resolution No. 4015:

Rep. Bjornson

Rep. Berge

Rep. Meiers

ROY GILBREATH, Chief Clerk

**MOTION**

Rep. Strinden moved that the conference committee be dissolved, and

that a new conference committee be appointed on Senate Bill No. 2009, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Wagner announced the appointment of a conference committee on Senate Bill No. 2009:

Rep. Kingsbury  
Rep. Thorsgard  
Rep. Fleming

#### MOTION

Rep. Strinden moved that the House consider the election of one of its members to the Education Commission of the States, which motion prevailed.

Rep. Olson nominated Rep. Erickson.

Rep. Kingsbury moved that nominations cease and that a unanimous ballot be cast for Rep. Erickson, which motion prevailed.

Rep. Erickson was thereupon elected to serve on the Education Commission of the States.

Rep. Strinden moved that the House proceed to ballot on the election of a member to serve on the Heritage Commission, which motion prevailed.

Rep. Unhjem nominated Rep. Thorsgard.

Rep. Marsden moved that the nominations cease and that a unanimous ballot be cast for Rep. Thorsgard, which motion prevailed.

Rep. Thorsgard was thereupon elected to serve on the Heritage Commission.

#### MOTIONS

Rep. Olson moved that the Assembly go into a special order of business, and that Rep. Eagles be appointed to preside, which motion prevailed.

Rep. Olson moved that a committee of two be appointed to escort Rep. Eagles to the rostrum, which motion prevailed.

Speaker Wagner appointed Reps. Kretschmar and Mushik who then escorted Rep. Eagles to the podium to preside.

Rep. Kelly was recognized, and she addressed the Assembly.

Rep. Kelly: "Madam Speaker and Members of the Assembly:

"You might say that Representative Kretschmar is having a good session this year. When last heard of, those simple little bills on games of chance and the gentlemanly pursuit of placing wagers on superior horseflesh, were alive and well. We have yet to hear from the gentleman down the hall.

"I have served with Bill for three sessions — two of them on the Political Subdivisions Committee. I was always amazed at his ability to rewrite a bill in ten minutes or less. Sometimes this wasn't particularly to my advantage.

"On a more serious note, Bill is unfailing in his courtesy to his colleagues. I am sure we have all benefited from his sound judgment and good advice. This gift is just a small token of our affection and esteem."

Rep. Kretschmar: "Madam Speaker, Ladies and Gentlemen:

"Thank you very much, Tish, and thank you members of the House of Representatives. In the four sessions I have been here, I have come to love this body and its members. I even like most of you.

"I think my thoughts may be best summed up by a phrase from Emerson — and I think all of you could strive for that ideal, 'We should laugh often and we should seek the respect of intelligent people. We should appreciate our honest critics, and we should try to find the best in one another and make North Dakota a little better place to live and work in.

"Thank you very much."

Rep. Kermott: "Madam Speaker, Members of the Assembly:

"Rep. Mushik, will you please come to the rostrum.

"Rep. Mushik, I am honored to have been chosen to present you with this small token of our appreciation and thanks for a job well done, as the Democratic Assistant Floor Leader. Corliss, I want you to know that we, the Ladies of the House of Representatives, are especially proud of you, one of us, was chosen again, and has served with distinction, in a position of leadership.

"On behalf of all the members of this Assembly, we thank you."

Rep. Mushik: "Mr. Speaker, Colleagues of the House, Desk Force and Employees:

"It has been said that in the Legislature the air is full of speeches and vice versa, and I suspect that may be true today.

"I was counting up the other day and discovered that I have been a part of the legislative sessions since 1965, when I was secretary to the Speaker — now Governor — Link. He started me on my political career, mostly I suspect because I assisted him with daily brief explanations of bills, and I generally added a small hint about how I thought he should vote. One day he quoted to me from George Bernard Shaw — 'He knows nothing; he thinks he knows everything — that clearly points to a political career.' And then he added from Robert Louis Stevenson, 'Politics is the only profession for which no preparation is thought necessary.'

"That started me thinking about the great game of politics for I obviously had the required qualifications.

"It has been a privilege and a pleasure to serve again as the Assistant Democratic-NPL floor leader. Even though the minority and majority disagree on philosophy, we can come together as friends, and I like to think that we all leave here as friends.

"Thank you very much."

Rep. Meiers: "Madam Speaker, Members of the Assembly:

"It is entirely appropriate that a member of the Minority party in the House be chosen to give recognition to Rep. Strinden. Without us what would he have to do. The 'Troops' and 'Turks' wouldn't have to be kept in line and life for him would be less complicated. I had planned to do some research on Rep. Strinden but decided I knew all I needed to know about him. It is the general consensus of the members that no one in this legislature has more skill in the art of politics than Rep. Strinden.

"Undoubtedly, his years of experience as Director of the University of North Dakota Alumni Association has helped him develop that expertise. We all recognize excellence in any field of endeavor. However, there are those of us who, at times, wish he had chosen another field. The cloak of the Leader of the Majority Party is indeed a heavy one — and the Minority Party would gladly lift that mantle from his shoulders another session.

"Today, however, we recognize Rep. Earl Strinden for his able leadership and for the part he has played in the history of this great state. On behalf of all the members of the 46th Legislative Assembly, I present this gift to you with our thanks and our esteem."

Rep. Strinden: "Madam Speaker, Members of the Assembly:

"Thank you. I have always thought the girls here from the Democratic caucus were more fun. Thank you very much, Rep. Meiers.

"I would like to first thank you, Desk Force. What efficient people they are and without them we would not get the job done. To all of the employees, thank you so very much for your able work. To the members of the Assembly, thank you for the honor you have given me to allow me to serve with you in this 46th Legislative Assembly. It is indeed an honor to be in the people branch of government — the tug and pulls of a free association among those who serve here.

"There is one thing about the North Dakota legislature that is some times overlooked. The news media so often covers the partisanship, but that is really very much left to the sidelines, as 90 percent of the bills that we speak to are handled on a non-partisan basis. I have great respect for the good judgment of this body.

"Thoreau said, 'If a man does not keep pace with his companions, it may be that he marches to a different drummer'.

"To the members of the Assembly, don't ever be afraid to be the only red or the only green vote. Stay independent in your thinking, strong in your convictions.

"Thank you again for allowing me to serve with you."

Rep. Herman, "Madam Speaker, Members of the Assembly:

"Rep. Backes, will you please come to the rostrum.

"Rep. Backes is a farmer and businessman from Glenburn. He organized the American Legion Club in Glenburn, organized the Citizens United to Save the Valley, served on the Glenburn School Board from 1956 to 1961, and was elected to the House of Representatives from 1961 to the present. The last few sessions he has been Democrat Floor Leader. I asked Rep. Backes' secretary for some background information, and she called Mrs. Backes, who said she couldn't give her any more information than she already had because she really hasn't seen Richard much the last eighteen years.

"North Dakota is a marvelous conglomeration of diverse types of people. Rep. Backes has the ability to bring city folk, farmers, and cowboys together with what people have described as being a likeable person who doesn't push, but who has charm and a gentle art of persuasion. He is well liked by all who know him whether or not they agree with his political philosophy.

"Rep. Backes, I am delighted to present this gift of appreciation to you from all the members of this Legislative body. We wish you good health and great happiness."

Rep. Backes: "Madam Speaker:

"First, I would like to ask Rep. Herman to give me her script as a gift.

"Mr. Speaker and Members of the Assembly, it has been my pleasure to serve with you this session as a floor leader of the Democrat party, and as a floor leader in this great House.

"I sincerely mean that I do appreciate this honor. The people at home do not realize that the two political parties can fight it out and still be close friends. Never in the whole time I have been here have I had a bad word from any member — not in this session nor in past sessions. The closest I came was a couple of years ago when Gackle ran off with a bill.

"One can judge the tenor of the sessions, and I judge a session by the number of Alka Seltzers I must take, and this session I haven't taken a single one.

"I want to thank Rep. Strinden for the courtesy he has shown me. I appreciate the courtesy from the Majority Leader, and the courtesy shown me by all of the committee chairmen of the majority, and all the rest of you.

"I want to compliment my Democratic caucus for the courtesy you have shown me.

"I appreciated being your floor leader again.

"Thank you very much."

Rep. Benedict: "Madam Speaker and Members of the Assembly:

"I consider it a great honor to have been asked to present the appreciation gift of the Legislative Assembly to our great and capable Speaker, Vernon Wagner.

“What our Speaker lacks in stature, he makes up for with his humorous wit and his big melodious voice — which reverberates throughout assembly halls as he says, ‘The key will be open, and you may record your vote,’ we do not have to lean over to another colleague and ask ‘What did he say?’”

“Another plus is his medical knowledge — we feel very secure in this body when eyes glare, — tempers flare and blood pressures rise — we know our Speaker not only has the expertise to guide us intelligently but cares for our physical energy as well.

“I wish to present this gift to our Speaker on behalf of each member of this assembly who consider him a good friend who has treated each one of us as individuals and with all fairness.”

Speaker Wagner: “Madam Chairman, Speaker Solberg and Members of the Assembly, and particularly to you Pauline:

“Thank you for those fine words. I have always said flattery will get you everything.

“One of the greatest honors that anyone can receive is the honor that is bestowed on him or her by his peers. The honor you have given me is so great that it is very difficult to express to you my deep appreciation that you have allowed me to be one of forty-six Speakers in the history of our state. I have enjoyed it thoroughly, and I hope that as we leave this session that each one of you will have as great a memory and as pleasant memories of this session as I have.

“When we began this session, I did say I would attempt to be as fair as possible in all respects. If at one time or another I did not treat you as you felt was equal, for that I apologize. If you did feel I treated you fairly, you deserved every bit of it.

“As I was sitting on the floor here a moment ago, I realized how beautiful it is to sit on the floor and look up instead of being up here and looking down. Many times I would like to have taken a hold of the microphone and given you a piece of my mind, as I have been known to do in the past. Again I want to say it was a great privilege.

“It would not have been a successful session for me without the help of Rep. Backes, Rep. Strinden, Rep. Mushik and Rep. Kretschmar. You have done an outstanding job. The committee chairmen worked well. But, ladies and gentlemen, will you just think with me that if you were to organize a corporation meeting in a three day session, and hire ninety some employees some of whom have never been in the chamber before, and have them go to work and process some 1200 pieces of legislation without any great error along the way is proof we have a tremendous group of employees. I think Speaker Solberg would agree with me that no Speaker could serve without the dedicated employees, and although I would like to thank all of you, I particularly want to thank my secretary Dotty, the Desk Force — Roy, Del, Glad and Barbara.

“Thank you again for the great experience — an experience I shall never forget.”

Rep. Olson: “Madam Speaker, Members of the Assembly:

“This caucus will now come to order! There is no fooling around when Rep. LeRoy Hausauer raps the gavel!

“You know, I really don’t know too much about LeRoy and perhaps that is all well and good, but I’ve been watching him closely since being asked to make this presentation to him, to try to come up with some interesting facts. I’ve noticed he makes many trips to our Majority Leader’s office and it worried me because I thought surely his kidneys aren’t that weak, — and surely he doesn’t solicit that much voting guidance, so what can it be? When I gathered my courage and ventured into the office myself, I

discovered the attraction — 3 or 4 dishes of candy and munching foods and Rep. Hausauer eagerly sampling them all.

“Now that the mystery has been solved, Rep. Hausauer may have to stage a more aggressive fight to retain the same seat next session. Anyway, we have appreciated your hard work and dedication to our Republican Caucus and you have our respect and admiration.

“I am very pleased to present this gift to you, LeRoy, from all of us, with love.”

Rep. R. Hausauer: “Madam Chairman, Mr. Speaker and Members of the Assembly:

“This is a great group — a great group to work with. I have really enjoyed working in the caucus and in the Legislative Council. I want to thank all of you for letting me serve you in these varied capacities.

“Thank you.”

Rep. Black: “Madam Chairman, Members of the Assembly:

“It is indeed an honor to recognize the young man who holds the position of House Minority Caucus Chairman. Now, by not being a member of this caucus, I have not had the opportunity to really see him in action in that position, but he certainly does a good job when he ‘heads’ em up and moves ‘em out’ each day at lunch for caucus.

“I especially admire Representative Fleming for his talent as a parliamentarian. He’s an able and dedicated legislator. Even though I do not always agree with Chuck, I respect his ability to get his point across, always in a concise and eloquent manner.

“Rep. Fleming, thank you for a job well done and may God be with you and yours.”

Rep. Fleming: “Madam Speaker:

“It is very difficult to change your train of thought in such a short time. I was in the Gold Room on official business. This is a much more enjoyable occasion.

“I thank you for the gift, and I thank the Democratic minority for the encouragement and help you have given me throughout the session.

“It is a real privilege for citizens of North Dakota to be members of this body, and I think all of you in these closing hours of the session think about this high privilege of serving the people of North Dakota.

“Thank you.”

Rep. Wentz expressed the thanks of the Assembly to Robert Kneifel for his work as Sergeant-at-Arms, and he acknowledged the gift presented to him.

Rep. Houmann presented a gift to Gladys Derrick, and Mrs. Derrick expressed her appreciation to the Assembly.

Rep. Vig presented a gift to Barbara King from the House, and this gift was acknowledged with thanks from the Desk Reporter.

Rep. Bjornson presented a gift to Roy Gilbreath with the thanks of the House of Representatives, and this gift was gratefully acknowledged.

Rep. Reed thanked Del Wawers for his work as Assistant Chief Clerk, who acknowledged the gift presented to him, and he in turn thanked the Assembly for the opportunity of serving here.

Rep. Dietz: “Madam Speaker, Members of the Assembly:

“North Dakota is proud of Brynhild Haugland.

“Representative Haugland has served Minot districts in the legislative assembly since 1938.

“From her vantage point in the House Chambers, she has witnessed North Dakota history. She has been an active participant and partner in creating that history for future generations of North Dakotans. Brynhild is a practical politician, preferring to stay in the background unless an

issue demands her response. That response is based on reason and experience.

“Representative Haugland will ask three questions before making legislative decisions:

1. Will it work in North Dakota?
2. Is it the best solution possible?
3. Will it work in the future?

“Brynhild Haugland has a vast storehouse of knowledge and experience to draw upon in decision making.

“Plutarch said: ‘They are wrong who think that politics is like an ocean voyage or a military campaign, something to be done with some particular end in view, something which leaves off as soon as that end is reached. It is not a public chore, to be got over with. It is a way of life. It is the life of a domesticated political and social creature who is born with a love for public life, with a desire for honor, with a feeling for his fellows, and it lasts as long as need be.

“Politics has been a way of life for this lovely lady for a long time. It has been her life. I’m proud to have been a momentary part of that life and to present her with a token of appreciation.”

Rep. Haugland: “Madam Chairman and Members of the House:

“Thank you for the gift.

“It has been a privilege and joy to have served with you in this Legislative Session.

“I deeply appreciate your kindness, your generosity, and the many courtesies which have been extended to me.

“Thank you.”

Rep. Solberg: “Madam Speaker and Members of the Assembly:

“This gift giving ceremony called our ‘love feast’ indicates one thing — that we will soon adjourn, leave this beautiful chamber and be on our way to our respective homes. The Forty-Sixth Legislative Session will become part of North Dakota history, but it also affords us an opportunity to give recognition to the members of this assembly who have contributed much to the success of this session.

“The man I have been chosen to honor deserves credit, not only for his ability, but for his courage, good humor and patience. It was on a Sunday afternoon, November 12, that I received a phone call from the Dean of the House informing me that at that very moment one of our legislative members was in surgery following a car accident that almost claimed his life. It sometimes takes a near tragedy for us to realize the respect and affection we feel for a fellow legislator and the prayers and good wishes were with you, Jim, as you were in the hospital and on your road to recovery.

“It was good to see Rep. Peterson on hand for the first day of the session and to see the continued improvement that has taken place since that time. I believe the work of presiding as Chairman of a difficult House Appropriations Committee was the best therapy that he could have had and he has done an excellent job. And so, Jim, it is with sincere pleasure and with a great sense of gratitude to the House for giving me this privilege, that I present you with this gift given in recognition of your work this session, but also in gratitude for the progress that we have seen in your recovery. And as this timepiece ticks away the hours and days, I hope you will have many pleasant remembrances of the Forty-Sixth Legislative Assembly.”

Rep. Peterson: “Madam Speaker, Rep. Solberg, Members of the Assembly:

“I really don’t know what to say. It has been a privilege to serve in this

session, and I guess for the sessions past. I really don't know what to say.

"Thank you so much."

Rep. Kelly: "Madam Speaker and Members of the Assembly:

"During the interim, Representative Solberg chaired a Committee on Criminal Justice. One of the areas studied was the controlled substances act. A 'fun bus' of sorts was chartered and the committee set about its task of unearthing information on drug abuse in the state. It was a real eye-opener for Oscar, and no one was more startled than Oscar when it was suggested that marijuana had real potential as a cash crop.

"Oscar is our ranking Democrat, our former Speaker and the most elegant and gentle man in the House. On behalf of the Assembly, I would like to present this gift. We sincerely hope you will be our ranking Democrat again in 1981."

Rep. Solberg: "Madam Speaker:

"Thank you all. I thought I would be on the giving end of this ceremony. I enjoyed my associations with each and every one of you. I want to congratulate the Speaker for a job well done. I know what a difficult job it is, and how tired you have been these last few days.

"We really appreciate your firm and kind treatment to all of us.

"My thanks to all of you."

A round of applause was given to all of the employees in the House of Representatives in the 46th Legislative Assembly.

Rep. Olson moved that the Special Order of Business be dissolved, which motion prevailed.

Rep. Strinden moved that the House stand recessed for fifteen minutes, which motion prevailed.

The House reconvened, pursuant to recess taken, with Speaker Wagner presiding.

#### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, on Senate Bill No. 2009:

Rep. Kingsbury

Rep. Thorsgard

Rep. Fleming

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1010

ROY GILBREATH, Chief Clerk

#### MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1424

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on Senate Bill No. 2009:

Senator Strinden

Senator Naaden

Senator Tallackson

LEO LEIDHOLM, Secretary



**MESSAGE TO THE SENATE**  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Concurrent Resolution No. 4009

Senate Concurrent Resolution No. 4028

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed House Bill No. 1010.

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed Senate Bill No. 2009.

LEO LEIDHOLM, Secretary

**Report of Conference Committees**

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2009 has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2009 be amended as follows:

- On page 1 of the reengrossed bill, line 18, delete the numerals "15,736,576" and insert in lieu thereof the numerals "15,941,532"
- On page 1 of the reengrossed bill, line 19, delete the numerals "3,439,785" and insert in lieu thereof the numerals "3,339,785"
- On page 1 of the reengrossed bill, line 22, delete the numerals "20,380,117" and insert in lieu thereof the numerals "20,485,073"
- On page 2 of the reengrossed bill, line 2, delete the numerals "17,845,678" and insert in lieu thereof the numerals "17,950,634"
- On page 2 of the reengrossed bill, line 5, delete the numerals "5,774,919" and insert in lieu thereof the numerals "5,786,332"
- On page 2 of the reengrossed bill, line 6, delete the numerals "1,253,845" and insert in lieu thereof the numerals "1,251,040"
- On page 2 of the reengrossed bill, line 9, delete the numerals "7,685,225" and insert in lieu thereof the numerals "7,693,833"
- On page 2 of the reengrossed bill, line 11, delete the numerals "7,112,277" and insert in lieu thereof the numerals "7,120,885"
- On page 2 of the reengrossed bill, line 12, delete the numerals "24,957,955" and insert in lieu thereof the numerals "25,071,519"
- On page 2 of the reengrossed bill, line 14, delete the numerals "28,065,342" and insert in lieu thereof the numerals "28,178,906"
- On page 2 of the reengrossed bill, after line 29, insert the following section:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that \$13,438 of the increase in Grafton state school salaries and wages and \$11,413 of the increase in the San Haven state hospital salaries and wages be for the purpose of increasing institutional support worker

salaries because of contemplated reclassification of institutional support workers effective July 1, 1979. It is not the intent of the legislative assembly that everyone within each classification receive the same salary. It is the intent of the legislative assembly that the institutions work closely with representatives of the central personnel division so that any salary increases given to institutional support workers be compatible with the central personnel division pay grades for such classifications."

and renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

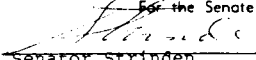
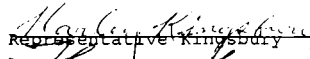
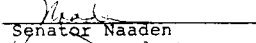
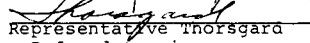
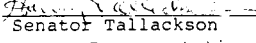
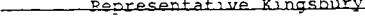
This amendment restores \$191,518 for seven additional positions. These positions are as follows:

Dental hygienist	\$ 28,033
Lab technician	25,450
Ward attendant	20,940
Ward attendant	20,940
Ward attendant	20,940
Instructor	39,452
Physical therapist	35,763
<b>Total</b>	<b>\$191,518</b>

Also, \$13,438 is added to salaries and wages to upgrade institutional worker salaries based on proposed reclassification of these workers effective July 1, 1979. Operating expenses are reduced \$100,000 for transportation costs to be paid from the state special education appropriation as provided in Senate Bill No. 2057.

San Haven State Hospital

Salaries and wages is increased \$11,413 to upgrade institutional worker salaries based on proposed reclassification of these workers effective July 1, 1979. Operating expenses are reduced \$2,805 for transportation costs to be paid from the state special education appropriation as provided in Senate Bill No. 2057.

For the Senate	For the House
	
Senator Strinden	Representative Kingsbury
	
Senator Naaden	Representative Thorsgard
	Refused to sign
Senator Tallackson	Representative Fleming
	
Representative Kingsbury	

Representative Kingsbury moved that the report be adopted, which motion prevailed.

Senate Bill No. 2009 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Rep. Fleming requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The roll was called, and there were ayes, 59; nays, 38; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•					•	•		•
BACKES			HERMAN			MATTSON			UNHEW		
BENEDICT		•	HICKLE		•	MEIERS		•	VANDER VORST		
BERG		•	HOFFNER		•	MELBY		•	VIG		
BERGE			HOUWMANN			MERTENS		•	WAGNER		

BERGER	•	• HOVE	MEYER	•	• WALD
• BJORNSON		• JACOBSEN R	• MURPHY		• WALSH
• BLACK		• JACOBSON I	• MUSHIK	•	• WEBER
• BOYUM	•	• KELLY	• NICHOLAS	•	• WENTZ
• BROKAW	•	• KENNELLY	• OLSON	•	• WESSMAN
• CHRISTENSEN		• KERMOTT	• OPEDAHL	•	• WINKJER
• CONMY		• KINGSBURY	• PELTIER		
• CRABTREE		• KLOUBEC	• PETERSON		• MR. SPEAKER
• DICK	•	• KNUDSON	• POMEROY	•	
• DIETZ		• KOSKI	• REED		
• DOTZENROD	•	• KRETSCHMAR	• RETZER		
DuBORD	•	• KUCHERA	• RICHARD	•	
• EAGLES		• LANG	• RICHIE		
• ERICKSON		• LANGLEY	• RIEHL	•	
• FLEMING	•	• LARDY	• RUED		
• FREBERG		• LARSON F # 24	• SCHINDLER		
• GACKLE		• LARSON G # 29	• SCOFIELD		
• GERL	•	• LARSON H # 7	• SOLBERG		
• GORDER	•	• LEE	• STENEHJEM		
• GUNDERSON		• LEIBHAN	• STRINDEN		
• GUNSON		• LIPSIA	• SWONTEK		
• HANSON	•	• MAIXNER	• THOMPSON		
• HAUGLAND		• MARSDEN	• THORSGARD		
• HAUSAUER A # 49		• MARTIN	• TIMM		
• HAUSAUER R # 25		• MARTINSON	• TINJUM	•	
• HEDSTROM		• MATHENY	• TWETEN		

The motion prevailed.

MOTION

Rep. Strinden moved that the rules be suspended, and the amendments to Senate Bill No. 2009, as amended in Conference Committee, be adopted, and that Senate Bill No. 2009 as amended be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2009. Grafton State School and San Haven State Hospital — A Bill for an Act making an appropriation for defraying the expenses of the Grafton state school and the San Haven state hospital of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 21; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1979 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BACKES		•	• HERMAN			• MATTSON			• UNHJEM		
• BENEDICT			• HICKLE		•	• MEIERS		•	• VANDER VORST		
• BERG			• HOFFNER		•	• MELBY		•	• VIG		
• BERGE		•	• HOUMANN		•	• MERTENS		•	• WAGNER		
• BERGER			• HOVE			• MEYER			• WALD		
• BJORNSON		•	• JACOBSEN R		•	• MURPHY			• WALSH		•
• BLACK			• JACOBSON I		•	• MUSHIK		•	• WEBER		
• BOYUM			• KELLY			• NICHOLAS			• WENTZ		
• BROKAW		•	• KENNELLY			• OLSON		•	• WESSMAN		
• CHRISTENSEN		•	• KERMOTT			• OPEDAHL		•	• WINKJER		•
• CONMY			• KINGSBURY			• PELTIER					
• CRABTREE			• KLOUBEC			• PETERSON			• MR. SPEAKER		
• DICK		•	• KNUDSON		•	• POMEROY		•			
• DIETZ			• KOSKI		•	• REED					
• DOTZENROD			• KRETSCHMAR			• RETZER					
DuBORD			• KUCHERA			• RICHARD		•			
• EAGLES			• LANG			• RICHIE					
• ERICKSON			• LANGLEY			• RIEHL					
• FLEMING		•	• LARDY		•	• RUED					
• FREBERG			• LARSON F # 24			• SCHINDLER					
• GACKLE			• LARSON G # 29			• SCOFIELD					
• GERL			• LARSON H # 7			• SOLBERG					
• GORDER		•	• LEE			• STENEHJEM					
• GUNDERSON			• LEIBHAN			• STRINDEN					
• GUNSON			• LIPSIA			• SWONTEK					
• HANSON		•	• MAIXNER		•	• THOMPSON					
• HAUGLAND			• MARSDEN			• THORSGARD					
• HAUSAUER A # 49			• MARTIN		•	• TIMM					
• HAUSAUER R # 25			• MARTINSON			• TINJUM		•			
• HEDSTROM			• MATHENY			• TWETEN					

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Rep. Richard: "Mr. Speaker:

“I want to explain my vote.

“I voted ‘No’ to the heavy-handed manner in which this matter was carried on by the Senate. It appears to me that someone once said a society is judged by the manner in which it cares for the individuals who cannot take care of themselves, and I am disappointed about how the Senate appears to be caring for its helpless.”

#### ANNOUNCEMENTS OF APPOINTMENTS

Speaker Wagner announced the following appointments:

Legislative Council:

Rep. Earl Strinden  
 Rep. Vernon Wagner  
 Rep. Roy Hausauer  
 Rep. Dick Kloubec  
 Rep. Dick Backes  
 Rep. Charles Mertens  
 Rep. Oscar Solberg  
 Rep. Tish Kelly

Capitol Grounds Planning Commission:

Rep. Alice Olson  
 Rep. Charles Scofield  
 Rep. Corliss Mushik

Combined Law Enforcement Council:

Rep. William Kretschmar

Indian Affairs Commission:

Rep. Ted Lang

Multistate Tax Compact Advisory Commission

Rep. Mike Timm  
 Rep. Allen Richard

#### MESSAGE TO THE SENATE

Mr. President: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed Senate Bill No. 2009.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur in House amendments to Senate Concurrent Resolution No. 4015 and now does concur in House amendments to Senate Concurrent Resolution No. 4015, and subsequently adopted the resolution.

LEO LEIDHOLM, Secretary

#### MOTIONS

Rep. Strinden moved that a committee of three be appointed to notify the Senate that the House has completed its business and was about to adjourn, which motion prevailed, and the Speaker appointed to such committee:

Rep. Kretschmar  
 Rep. Conmy  
 Rep. Mushik

Rep. Strinden moved that a committee of three be appointed to notify the Governor that the House had completed its business and is about to adjourn, which motion prevailed, and the Speaker appointed to such committee:

Rep. Haugland  
 Rep. Eagles  
 Rep. Solberg

Rep. Olson led the Assembly in the singing of “Auld Lang Syne”.

A committee from the Senate was received who announced that the Senate had completed its business and was about to adjourn.

Rep. Kretschmar announced that the committee appointed to notify the Senate that the House had completed its business and is about to adjourn had completed its business, and asked to be discharged, which request was granted.

Rep. Haugland announced that the committee appointed to notify the Governor that the House had completed its business and is about to adjourn had completed its business, and asked to be discharged, which request was granted.

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House be on the sixteenth and seventeenth orders of business, and on the completion thereof, the House adjourn sine die, which motion prevailed.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

H. B. NO. 1019

H. B. NO. 1489

H. B. NO. 1569

H. B. NO. 1611

H. B. NO. 1622

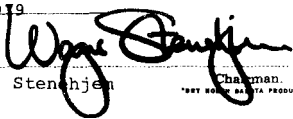
were delivered to the 

}	Governor
	<del>Secretary of State</del>

 for his approval at the hour of

2:30 o'clock a.m., March 30, 1979

Rep. Stenchjen



Chairman  
"BEST QUALITY SAFETY PRODUCTS"

**MESSAGE FROM THE SENATE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit House Bill No. 1075 with the certification signed by the President certifying the bill was passed over the Governor's veto.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

Mr. Speaker:

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1075 which has been passed by the House of Representatives and the Senate over the Governor's veto, also a copy of the Governor's objections as well as the certificates of the

presiding officers of both the House and the Senate as to the final action of the respective bodies with reference to the passage of this bill,

was delivered to the Secretary of State at the hour of 10:22 o'clock a.m., March 30, 1979

Wage Stenehjem
Rep. Stenehjem Chairman

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- HB NO. 1006
HB NO. 1009
HB NO. 1024
HB NO. 1032
HB NO. 1033
HB NO. 1209
HB NO. 1257
HB NO. 1302
HB NO. 1402
HB NO. 1493
HB NO. 1628
HCR NO. 3071

and find the same correctly } Enrolled

Representative Lipsiea Rep. Stenehjem Chairman
moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

- House Bill No. 1006
House Bill No. 1009
House Bill No. 1024
House Bill No. 1032
House Bill No. 1033
House Bill No. 1209
House Bill No. 1257
House Bill No. 1302
House Bill No. 1402
House Bill No. 1493
House Bill No. 1628
House Concurrent Resolution No. 3071

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to transmit herewith the following:

- House Bill No. 1006
- House Bill No. 1009
- House Bill No. 1024
- House Bill No. 1032
- House Bill No. 1033
- House Bill No. 1209
- House Bill No. 1257
- House Bill No. 1302
- House Bill No. 1402
- House Bill No. 1493
- House Bill No. 1628

House Concurrent Resolution No. 3071

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1006
- House Bill No. 1009
- House Bill No. 1024
- House Bill No. 1032
- House Bill No. 1033
- House Bill No. 1209
- House Bill No. 1257
- House Bill No. 1302
- House Bill No. 1402
- House Bill No. 1493
- House Bill No. 1628

House Concurrent Resolution No. 3071

Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- ..... H. B. No. 1006 .....
- ..... H. B. No. 1009 .....
- ..... H. B. No. 1024 .....
- ..... H. B. No. 1032 .....
- ..... H. B. No. 1033 .....
- ..... H. B. No. 1209 .....
- ..... H. B. No. 1257 .....
- ..... H. B. No. 1302 .....
- ..... H. B. No. 1402 .....

H. B. No. 1493

H. B. No. 1628

were delivered to the } Governor for his approval at the hour of

2:00 o'clock P.M. April 3, 1979

Wage Stenhjem  
Rep. Stenhjem

Chairman.  
"BEY NORTH DAKOTA PRODUCTS"

The committee on Enrollment and Engrossment respectfully reports that:

H. C. R. No. 3071

was delivered to the } Secretary of State

April 3, 1979

Wage Stenhjem  
Rep. Stenhjem

Chairman.  
"BEY NORTH DAKOTA PRODUCTS"

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1138 passed the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

Mr. President: I have the honor to transmit House Bill No. 1138 with the certification signed by the Speaker certifying the bill was passed over the Governor's veto, and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1138 with the certification signed by the President certifying the bill was passed over the Governor's veto.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker:

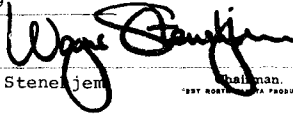
The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1138 which has been passed by the House of Representatives and the Senate over the Governor's veto, also a copy of the Governor's objections as well as the certificates of the presiding officers of both the House and the Senate as to the final action of the respective



bodies with reference to the passage of this  
bill.

was delivered to the } Secretary of State at the hour of  
2:15 o'clock p.m. April 3, 1979

  
Rep. Stenejem Chairman

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

- Senate Bill No. 2007
- Senate Bill No. 2056
- Senate Bill No. 2072
- Senate Bill No. 2131
- Senate Bill No. 2159
- Senate Bill No. 2263
- Senate Bill No. 2297
- Senate Bill No. 2383
- Senate Bill No. 2455
- Senate Concurrent Resolution No. 4072
- Senate Concurrent Resolution No. 4086

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

- Senate Bill No. 2007
- Senate Bill No. 2056
- Senate Bill No. 2072
- Senate Bill No. 2131
- Senate Bill No. 2159
- Senate Bill No. 2263
- Senate Bill No. 2297
- Senate Bill No. 2383
- Senate Bill No. 2455
- Senate Concurrent Resolution No. 4072
- Senate Concurrent Resolution No. 4086

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

- Senate Bill No. 2007
- Senate Bill No. 2056
- Senate Bill No. 2072
- Senate Bill No. 2131
- Senate Bill No. 2159
- Senate Bill No. 2263
- Senate Bill No. 2297
- Senate Bill No. 2383
- Senate Bill No. 2455
- Senate Concurrent Resolution No. 4072

Senate Concurrent Resolution No. 4086  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

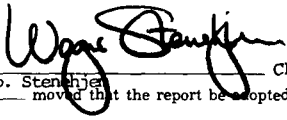
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1002 \_\_\_\_\_  
 HB NO. 1005 \_\_\_\_\_  
 HB NO. 1030 \_\_\_\_\_  
 HB NO. 1046 \_\_\_\_\_  
 HB NO. 1198 \_\_\_\_\_  
 HB NO. 1409 \_\_\_\_\_  
 HB NO. 1519 \_\_\_\_\_

and find the same correctly

} Enrolled

Representative Lipsiea  
 motion prevailed, and the report was adopted.

  
 Rep. Stenbjerg, Chairman  
 moved that the report be adopted, which

### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1002  
 House Bill No. 1005  
 House Bill No. 1030  
 House Bill No. 1046  
 House Bill No. 1198  
 House Bill No. 1409  
 House Bill No. 1519

And the Speaker signed the same in the presence of the House of Representatives.

### MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1002  
 House Bill No. 1005  
 House Bill No. 1030  
 House Bill No. 1046  
 House Bill No. 1198  
 House Bill No. 1409  
 House Bill No. 1519

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1002  
 House Bill No. 1005  
 House Bill No. 1030

House Bill No. 1046  
House Bill No. 1198  
House Bill No. 1409  
House Bill No. 1519  
Which the President has signed.

LEO LEIDHOLM, Secretary

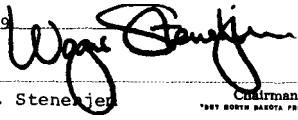
**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- ..... H. B. No. 1002 .....
- ..... H. B. No. 1005 .....
- ..... H. B. No. 1030 .....
- ..... H. B. No. 1046 .....
- ..... H. B. No. 1198 .....
- ..... H. B. No. 1409 .....
- ..... H. B. No. 1519 .....

were delivered to the } Governor for his approval at the hour of

..... 2:00 o'clock P.M., April 3, 1979 .....



Rep. Stenehjem Chairman.  
"GET NORTH DAKOTA PRODUCTS"

**MESSAGE FROM THE SENATE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2052 with the certification signed by the President certifying the bill was passed over the Governor's veto, and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign the certification by which Senate Bill No. 2052 passed the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE**

Mr. President: I have the honor to return Senate Bill No. 2052 with the certification signed by the Speaker certifying the bill was passed over the Governor's veto.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2151 with the certification signed by the President certifying the bill was passed over the Governor's veto, and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which Senate Bill No. 2151 passed the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

## MESSAGE TO THE SENATE

Mr. President: I have the honor to return Senate Bill No. 2151 with the certification signed by the Speaker certifying the bill was passed over The Governor's veto.

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2006

Senate Bill No. 2011

Senate Bill No. 2015

Senate Bill No. 2026

Senate Bill No. 2028

Senate Bill No. 2031

Senate Bill No. 2033

Senate Bill No. 2038

Senate Bill No. 2057

Senate Bill No. 2125

Senate Bill No. 2367

Senate Bill No. 2405

Senate Bill No. 2412

Senate Bill No. 2460

Senate Bill No. 2463

Senate Concurrent Resolution No. 4089

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2006

Senate Bill No. 2011

Senate Bill No. 2015

Senate Bill No. 2026

Senate Bill No. 2028

Senate Bill No. 2031

Senate Bill No. 2033

Senate Bill No. 2038

Senate Bill No. 2057

Senate Bill No. 2125

Senate Bill No. 2367

Senate Bill No. 2405

Senate Bill No. 2412

Senate Bill No. 2460

Senate Bill No. 2463

Senate Concurrent Resolution No. 4089

And the Speaker signed the same in the presence of the House of Representatives.

## MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2006  
 Senate Bill No. 2011  
 Senate Bill No. 2015  
 Senate Bill No. 2026  
 Senate Bill No. 2028  
 Senate Bill No. 2031  
 Senate Bill No. 2033  
 Senate Bill No. 2038  
 Senate Bill No. 2057  
 Senate Bill No. 2125  
 Senate Bill No. 2367  
 Senate Bill No. 2405  
 Senate Bill No. 2412  
 Senate Bill No. 2460  
 Senate Bill No. 2463  
 Senate Concurrent Resolution No. 4089  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

PRESENTATION OF  
 PETITIONS AND COMMUNICATIONS  
 STATE OF NORTH DAKOTA  
 EXECUTIVE OFFICE  
 BISMARCK

The Honorable Vernon Wagner  
 Speaker of the House  
 House Chambers  
 Bismarck, North Dakota 58505

Dear Mr. Speaker:

This letter is to inform you that on March 24, 1979, I signed House Bill 1397.

Sincerely yours,  
 ARTHUR A. LINK  
 Governor

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1335 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

**REPORT OF PROCEDURAL COMMITTEE**

Mr. Speaker:

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1335, which has failed to pass the  
 House of Representatives over the Governor's  
 veto, also a copy of the Governor's objections  
 as well as the certificate of the presiding  
 officers of the House of Representatives as to the  
 final action of that body with reference to the  
 passage of that bill.

..... was ..... delivered to the } Secretary of State ..... at the hour of  
 2:15 o'clock P.M., April 3, 1979

Rep. Stenehjem

Chairman.

"BY NORTH DAKOTA PRODUCTS"

### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign the certification by which House Bill No. 1352 passed the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives.

### MESSAGE TO THE SENATE

Mr. President: I have the honor to transmit House Bill No. 1352 with the certification signed by the Speaker certifying the bill was passed over the Governor's veto, and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1352 with the certification signed by the President certifying the bill was passed over the Governor's veto.

LEO LEIDHOLM, Secretary

### REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker:

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1352 which has been passed by the  
 House of Representatives and the Senate over the  
 Governor's veto, also a copy of the Governor's  
 objections as well as the certificates of the  
 presiding officers of both the House and the  
 Senate as to the final action of the respective  
 bodies with reference to the passage of this  
 bill.

..... was ..... delivered to the } Secretary of State ..... at the hour of  
 2:16 o'clock P.M., April 3, 1979

Rep. Stenehjem

Chairman.

"BY NORTH DAKOTA PRODUCTS"

### MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
 Senate Bill No. 2008

Senate Bill No. 2016  
Senate Bill No. 2027  
Senate Bill No. 2039  
Senate Bill No. 2058  
Senate Bill No. 2286  
Senate Bill No. 2309  
Senate Bill No. 2350  
Senate Bill No. 2430  
Senate Bill No. 2484  
Senate Bill No. 2488  
Senate Concurrent Resolution No. 4085  
Senate Concurrent Resolution No. 4088

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2008  
Senate Bill No. 2016  
Senate Bill No. 2027  
Senate Bill No. 2039  
Senate Bill No. 2058  
Senate Bill No. 2286  
Senate Bill No. 2309  
Senate Bill No. 2350  
Senate Bill No. 2430  
Senate Bill No. 2484  
Senate Bill No. 2488  
Senate Concurrent Resolution No. 4085  
Senate Concurrent Resolution No. 4088

And the Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2008  
Senate Bill No. 2016  
Senate Bill No. 2027  
Senate Bill No. 2039  
Senate Bill No. 2058  
Senate Bill No. 2286  
Senate Bill No. 2309  
Senate Bill No. 2350  
Senate Bill No. 2430  
Senate Bill No. 2484  
Senate Bill No. 2488  
Senate Concurrent Resolution No. 4085  
Senate Concurrent Resolution No. 4088

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HB NO. 1004

HB NO. 1010

HB NO. 1027

HB NO. 1067

HB NO. 1228

HB NO. 1304

HB NO. 1384

HB NO. 1639

HB NO. 1645

HCR NO. 3005

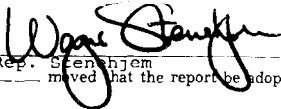
HCR NO. 3088

HCR NO. 3091

and find the same correctly

} Enrolled

Representative Lipsiea  
 motion prevailed, and the report was adopted.

 Chairman  
 Rep. Stangor moved that the report be adopted, which

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1004

House Bill No. 1010

House Bill No. 1027

House Bill No. 1067

House Bill No. 1228

House Bill No. 1304

House Bill No. 1384

House Bill No. 1639

House Bill No. 1645

House Concurrent Resolution No. 3005

House Concurrent Resolution No. 3088

House Concurrent Resolution No. 3091

And the Speaker signed the same in the presence of the House of Representatives.

## MESSAGE TO THE SENATE

## House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1004

House Bill No. 1010

House Bill No. 1027

House Bill No. 1067

House Bill No. 1228

House Bill No. 1304

House Bill No. 1384

House Bill No. 1639

House Bill No. 1645

House Concurrent Resolution No. 3005

House Concurrent Resolution No. 3088

House Concurrent Resolution No. 3091

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk



THURSDAY, MARCH 29, 1979

2377

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

- House Bill No. 1004
  - House Bill No. 1010
  - House Bill No. 1027
  - House Bill No. 1067
  - House Bill No. 1228
  - House Bill No. 1304
  - House Bill No. 1384
  - House Bill No. 1639
  - House Bill No. 1645
  - House Concurrent Resolution No. 3005
  - House Concurrent Resolution No. 3088
  - House Concurrent Resolution No. 3091
- Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

- ..... H. B. No. 1004 .....
- ..... H. B. No. 1010 .....
- ..... H. B. No. 1027 .....
- ..... H. B. No. 1067 .....
- ..... H. B. No. 1228 .....
- ..... H. B. No. 1304 .....
- ..... H. B. No. 1384 .....
- ..... H. B. No. 1639 .....
- ..... H. B. No. 1645 .....

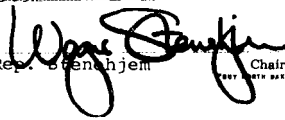
..... were delivered to the } Governor for his approval at the hour of  
 2:00 o'clock p.m., April 3, 1979

*Wayne Stenejem*  
 Rep. Stenejem Chairman.  
BUY NORTH CAROLINA PRODUCTS

The committee on Enrollment and Engrossment respectfully reports that:

- ..... H. C. R. No. 3005 .....
- ..... H. C. R. No. 3088 .....
- ..... H. C. R. No. 3091 .....

..... were delivered to the } Secretary of State at the hour of  
..... o'clock ..... April 3, 1979

  
Rep. Stenehjem Chairman.  
100% NORTH DAKOTA PRODUCTS

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

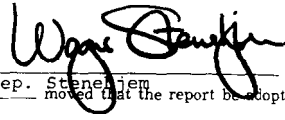
HB NO. 1056 \_\_\_\_\_

HB NO. 1215 \_\_\_\_\_

HB NO. 1360 \_\_\_\_\_

HB NO. 1385 \_\_\_\_\_

and find the same correctly } Enrolled

  
Rep. Stenehjem Chairman

Representative Dietz moved that the report be adopted, which motion prevailed, and the report was adopted.

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1056

House Bill No. 1215

House Bill No. 1360

House Bill No. 1385

And the Speaker signed the same in the presence of the House of Representatives.

**MESSAGE TO THE SENATE  
House Chamber**

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1056

House Bill No. 1215

House Bill No. 1360

House Bill No. 1385

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

**MESSAGE TO THE HOUSE  
Senate Chamber**

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1056

House Bill No. 1215

House Bill No. 1360

House Bill No. 1385

Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

- ..... H. B. No. 1056 .....
- ..... H. B. No. 1215 .....
- ..... H. B. No. 1360 .....
- ..... H. B. No. 1385 .....

..... were ..... delivered to the { Governor  
 Secretary of State } for his approval at the hour of  
 2:00 o'clock p.m., April 3, 1979.

*Wayne Stenebjerg*  
 Rep. Stenebjerg      Chairman  
"NOT ANOTHER POLYMER PRODUCTS"

**MESSAGE TO THE HOUSE  
Senate Chamber**

Mr. Speaker: I have the honor to transmit herewith the following:

- Senate Bill No. 2001
- Senate Bill No. 2002
- Senate Bill No. 2009
- Senate Bill No. 2043
- Senate Bill No. 2044
- Senate Bill No. 2054
- Senate Bill No. 2113
- Senate Bill No. 2153
- Senate Bill No. 2233
- Senate Bill No. 2249
- Senate Bill No. 2310
- Senate Bill No. 2438
- Senate Bill No. 2439
- Senate Bill No. 2450
- Senate Bill No. 2487
- Senate Concurrent Resolution No. 4015
- Senate Concurrent Resolution No. 4087

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker was about to sign:

- Senate Bill No. 2001
- Senate Bill No. 2002
- Senate Bill No. 2009
- Senate Bill No. 2043
- Senate Bill No. 2044
- Senate Bill No. 2054
- Senate Bill No. 2113
- Senate Bill No. 2153
- Senate Bill No. 2233
- Senate Bill No. 2249

Senate Bill No. 2310

Senate Bill No. 2438

Senate Bill No. 2439

Senate Bill No. 2450

Senate Bill No. 2487

Senate Concurrent Resolution No. 4015

Senate Concurrent Resolution No. 4087

And the Speaker signed the same in the presence of the House of Representatives.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2001

Senate Bill No. 2002

Senate Bill No. 2009

Senate Bill No. 2043

Senate Bill No. 2044

Senate Bill No. 2054

Senate Bill No. 2113

Senate Bill No. 2153

Senate Bill No. 2233

Senate Bill No. 2249

Senate Bill No. 2310

Senate Bill No. 2438

Senate Bill No. 2439

Senate Bill No. 2450

Senate Bill No. 2487

Senate Concurrent Resolution No. 4015

Senate Concurrent Resolution No. 4087

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Pursuant to Rep. Strinden's motion, the House adjourned sine die.

ROY GILBREATH, Chief Clerk

Post session Governor's action on House Bills delivered after adjournment.

## Date Signed

House Bill No. 1004	April 7, 1979
House Bill No. 1005	April 7, 1979
House Bill No. 1006	April 7, 1979
House Bill No. 1007	April 3, 1979
House Bill No. 1009	April 7, 1979
House Bill No. 1010	April 8, 1979
House Bill No. 1011	April 3, 1979
House Bill No. 1019	April 5, 1979
House Bill No. 1024	April 7, 1979
House Bill No. 1027	April 7, 1979
House Bill No. 1028	April 3, 1979
House Bill No. 1029	April 3, 1979
House Bill No. 1030	April 7, 1979
House Bill No. 1032	April 7, 1979
House Bill No. 1033	April 7, 1979
House Bill No. 1044	April 7, 1979
House Bill No. 1046	April 7, 1979
House Bill No. 1048	April 7, 1979
House Bill No. 1056	April 5, 1979
House Bill No. 1168	April 3, 1979
House Bill No. 1198	April 7, 1979
House Bill No. 1199	April 7, 1979
House Bill No. 1209	April 7, 1979
House Bill No. 1221	April 9, 1979
House Bill No. 1228	April 7, 1979
House Bill No. 1302	April 7, 1979
House Bill No. 1360	April 7, 1979
House Bill No. 1384	April 7, 1979
House Bill No. 1385	April 7, 1979
House Bill No. 1399	April 3, 1979
House Bill No. 1402	April 7, 1979
House Bill No. 1405	April 3, 1979
House Bill No. 1409	April 7, 1979
House Bill No. 1447	April 3, 1979
House Bill No. 1489	April 3, 1979
House Bill No. 1565	April 7, 1979
House Bill No. 1569	April 12, 1979
House Bill No. 1581	April 8, 1979
House Bill No. 1588	March 29, 1979
House Bill No. 1605	April 3, 1979
House Bill No. 1611	April 3, 1979
House Bill No. 1614	April 7, 1979
House Bill No. 1621	April 7, 1979
House Bill No. 1622	April 3, 1979
House Bill No. 1628	April 7, 1979
House Bill No. 1631	April 3, 1979
House Bill No. 1639	April 7, 1979
House Bill No. 1645	April 7, 1979
House Bill No. 1694	April 3, 1979
House Bill No. 1695	April 3, 1979

The following bills were forwarded without signature:

House Bill No. 1215 April 9, 1979

House Bill No. 1257 April 12, 1979

House Bill No. 1304 April 13, 1979

The following bills were vetoed on April 12, 1979:

House Bill 1002

House Bill 1067

House Bill 1493

House Bill 1519

**GENERAL INDEX****PRE-SESSION**

Opening of Organizational and Orientation Session Convened December 5, 1978 .....	1
Called to Order by Acting Speaker Rep. Oscar Solberg .....	1
Certification of duly elected members by Secretary of State Ben Meier .....	1-3
Administration of Oath of Office to duly elected Representatives Chief Justice Ralph Erickstad .....	4
Opening Prayer, Rev. Robert Lynne .....	4
Election of Chief Clerk, Roy Gilbreath .....	4
Election of Desk Reporter, Barbara King .....	5
Election of Sergeant-At-Arms, Robert Kniefel .....	6
Nominations for Speaker of the House .....	6-7
Election of Speaker of the House, Vernon Wagner .....	8-11
Seating Order, 1979 Members of House of Representatives .....	11-13
Select Committee to notify the Governor and Senate that the House is organized and ready to transact business .....	13
Appointment of Standing Committees .....	37-40

**REGULAR SESSION**

Opening of House of Representatives .....	41
Chaplaincy Schedule .....	41-43

**PROCEDURAL COMMITTEES**

Committee on Delayed Bills .....	13
Committee on Employment .....	13
Reports: 91-92	
Committee on Revisions and Correction of the Journal .....	14
Committee on House and Joint Rules .....	14
Reports: 10, 20-37, 196, 471, 999, 1000, 1312, 1717, 1831, 1933	

**SELECT COMMITTEES**

Committee on Arrangements for House Committee Rooms .....	13
Reports: 19-20	
Committee on Inaugural Planning Committee .....	14
Committee to notify the Governor and Senate that the House is organized and ready to transact business .....	13
House of Representatives Memorial Services .....	1685
Resolution for deceased Representatives .....	1686
Committee to notify Senate that the House has completed its business and was about to adjourn sine die .....	2364
Committee to notify Governor that the House has completed its business and was about to adjourn sine die .....	2364

**INTERIM COMMITTEES 1979-81**

Legislative Council Committee .....	2364
Capitol Grounds Planning Committee .....	2364
Combined Law Enforcement Council .....	2364
North Dakota Indian Affairs Committee .....	2364
Combined Multi State Tax Compact Advisory Committee .....	2364
Education Commission of the States .....	2354
Heritage Commission .....	2364

**ADDRESSES BEFORE ASSEMBLY**

Honorable Milton R. Young, United States Senator .....	417-421
Floyd E. Henderson, National Commander of the Veterans of World War I .....	140-141
Olaf Sollo, Royal Norwegian Consul General .....	717
Honorable Mark Andrews, United States Congressman .....	754-755
James Biddle, President National Trust for Historic Preservation ...	824

**COMMUNICATIONS**

Report of the Legislative Compensation Commission, Dr. James Mahoney .....	111-114
Veto Message House Bill 1340 .....	1410
Veto Message of House Bill 1004 .....	1534
Veto Message of House Bill 1604 .....	1668
Veto Message of House Bill 1491 .....	1669
Veto Message of Senate Bill 2340 (Message from Senate-Executive Office) .....	1671
Veto Message House Bill 1075 .....	1769
Veto Message of Senate Bill 2052 (Message from Senate-Executive Office) .....	1774
Veto Message House Bill 1192 .....	1833
Veto Message House Bill 1487 .....	1834
Veto Message House Bill 1352 .....	1886
Veto Message House Bill 1138 .....	2114
Veto Message of Senate Bill 2151 (Message from Senate-Executive Office) .....	2139
Veto Message of Senate Bill 2070 (Message from Senate-Executive Office) .....	2281
Veto Message of Senate Bill 2092 (Message from Senate-Executive Office) .....	2282

**JOINT SESSIONS:**

December 5, 1978, Governor's message to Organizational Session, 46th Legislative Assembly .....	14
December 6, 1978, Legislative Council Reports .....	17
December 7, 1978, Office of Accounts and Purchases Report .....	19
January 3, 1979, Governor's Message to the Legislature .....	44
January 4, 1979, Chief Justice Ralph J. Erickstad .....	93
January 26, 1979, The Honorable Milton R. Young, United States Senator .....	417
Acting Speakers:	
William E. Kretschmar, 283	
Patrick A. Conmy, 578, 1778, 2148	



## Index to Members

### BACKES

Procedural Committee: 13, 14  
 Conference Committee: 1889 (2), 1999  
 Interim Committee: 2364  
 Committee Reports: 2182  
 Bills: 104, 200, 300, 349  
 House Concurrent Resolutions: 438, 991  
 Motions: 43, 57, 157, 451, 578, 960, 997, 1198, 1690, 1888, 2133, 2188  
 Personal Privilege: 1210  
 Remarks: 2356  
 Requests: 500,960, 1005, 1923, 1924, 2005, 2182, 2188

### BENEDICT

Standing Committee: 38, 39  
 Procedural Committee: 13  
 Conference Committee: 1485, 2222, 2240  
 Bills: 271  
 Remarks: 2356  
 Requests: 2266

### BERG

Standing Committee: 38, 39  
 Conference Committee: 1648, 1973  
 Interim Committee:  
 Committee Reports: 2094  
 Bills: 76, 77, 104, 181, 198, 235, 272, 300 (2), 330, 332, 343, 356 (2)  
 House Concurrent Resolutions: 253, 439, 819, 902  
 Motions: 176, 282  
 Remarks: 1016  
 Requests: 2260

### BERGE

Standing Committee: 38, 39, 40  
 Conference Committee: 1875, 2348  
 Bills: 106, 128, 169, 181, 234, 328, 350, 351  
 House Concurrent Resolutions: 1545

### BERGER

Standing Committee: 37  
 Conference Committee: 1384, 1999  
 Bills: 104, 214, 235, 336, 353  
 House Concurrent Resolutions: 947, 993  
 Motions: 472, 1223  
 Requests: 472

### BJORNSON

Standing Committee: 38, 40  
 Conference Committee: 2079, 2268, 2348  
 Bills: 77, 182

### BLACK

Standing Committee: 37, Vice Chr., Political Subdivisions Committee:  
 39

**Procedural Committee:** 14  
**Conference Committee:** 1907, 2147  
**Committee Reports:** 939, 946, 947, 990, 2142  
**Bills:** 73 (2), 80, 82, 128, 129, 170, 182, 183, 199, 214, 234 (2), 236, 271, 299, 328, 346, 353 (2)  
**House Concurrent Resolutions:** 991, 993  
**Motions:** 803, 1384, 1506, 2239  
**Remarks:** 873

### **BOYUM**

**Standing Committee:** 38, 39  
**Conference Committee:** 1054, 1384, 1583, 1774, 1775, 1784  
**Committee Reports:** 1885, 2221, 2300  
**Bills:** 150, 253, 331, 340 (2), 351  
**House Concurrent Resolutions:** 993  
**Motions:** 411, 412, 1537, 1581, 1696, 1947  
**Personal Privilege:** 1405  
**Requests:** 1696

### **BROKAW**

**Standing Committee:** 39, 40  
**Procedural Committee:** 14  
**Conference Committee:** 1547, 2100, 2198  
**Bills:** 128, 215, 274, 329, 343 (3), 352 (2)  
**Motions:** 136, 603  
**Requests:** 603, 997, 2154

### **CHRISTENSEN**

**Standing Committee:** 37  
**Conference Committee:** 1547, 1946, 1947, 2068, 2110, 2208, 2213  
**Committee Reports:** 2150, 2164, 2301, 2318  
**Bills:** 297, 347  
**Motions:** 362, 2239

### **CONMY**

**Standing Committee:** 38, 39, Chr., Constitutional Revision Committee: 40  
**Procedural Committee:** 14  
**Conference Committee:** 1698, 1774, 2099  
**Committee Reports:** 781, 1272, 1304, 1425, 1516, 1531, 1745, 1764, 1882, 2215, 2217  
**Bills:** 78, 85, 99, 100 (2), 105, 117, 169, 170, 182 (2), 183, 198, 199 (3), 215, 235, 252, 270, 299 (2), 329, 331, 336, 338, 339 (2), 347 (2), 349, 352, 355 (2)  
**House Concurrent Resolutions:** 1720  
**Motions:** 43, 671, 807, 867, 1000, 1365, 1438, 1538, 1775, 1927, 1999, 2036, 2126, 2176, 2267  
**Remarks:** 6  
**Requests:** 128, 671, 807, 867, 1004, 1730, 2036  
**Presiding Speaker:** 578, 1778, 2148

### **CRABTREE**

**Standing Committee:** 38, 39  
**Conference Committee:** 1212, 1547, 2011, 2079  
**Committee Reports:** 1341, 2222  
**Bills:** 81, 170, 215, 270, 299, 331, 355

House Concurrent Resolutions: 438  
Personal Privilege: 1871

**DICK**

Standing Committee: 37, 39  
Bills: 214, 251, 333 (2), 335, 336, 351  
House Concurrent Resolutions: 860, 902  
Motions: 2121, 2174  
Requests: 1638

**DIETZ**

Standing Committee: 38, 40  
Procedural Committee: 14  
Bills: 235, 298, 299, 328, 329, 339  
Motions: 565, 566, 710, 1114, 1411, 2172  
Personal Privilege: 1580  
Remarks: 2358  
Requests: 530, 1132

**DOTZENROD**

Standing Committee: 38, 39  
Conference Committee: 1774, 2083  
Bills: 253, 299 (2)  
House Concurrent Resolutions: 301  
Motions: 503

**DUBORD**

Standing Committee: 38, 40  
Bills: 200, 342  
Requests: 486

**EAGLES**

Standing Committee: 37  
Conference Committee: 1547, 1972, 2027, 2136  
Committee Reports: 2141, 2225  
Bills: 79, 106, 129, 198, 332, 333, 353 (2), 356  
House Concurrent Resolutions: 139  
Motions: 310

**ERICKSON**

Standing Committee: 37, Chr., Transportation Committee: 40  
Conference Committee: 1934, 2033 (2), 2100, 2110  
Interim Committee: 2354  
Committee Reports: 108, 165, 168, 169, 248, 264, 267, 268, 401, 429, 433, 435, 437, 444, 461, 559, 560, 561, 562, 593, 595, 732, 736, 738, 739, 741, 743, 774, 775, 776, 777, 779, 807, 817, 937, 939, 941, 945, 946, 980, 938, 987, 989, 1043, 1139, 1147, 1326, 1342, 1346, 1378, 1379, 1519, 1520, 1524, 1525, 1527, 1575, 1576, 1750, 1751, 1755, 1756, 1757, 1758, 1764, 1836, 2141, 2220, 2223, 2309  
Bills: 73 (3), 74 (3), 83, 215, 299, 336  
House Concurrent Resolutions: 438, 1275  
Motions: 161, 172, 174, 256, 278, 362, 386, 566, 603, 748, 749, 788, 790, 822, 823, 932, 959, 961, 1005, 1054, 1209, 1216, 1275, 1281, 1327, 1352, 1353, 1385, 1538, 1544, 1546, 1581, 1677, 1678, 1775, 1776, 1836, 1837, 1852, 1973, 2239  
Requests: 128, 386, 2025

**FLEMING**

Standing Committee: 37

Procedural Committee: 14

Conference Committee: 1946 (2), 1968, 1972, 2027, 2068, 2069, 2099, 2108, 2197, 2208, 2213, 2345, 2354, 2360

Committee Reports: 2208, 2318

Bills: 117, 329, 336, 345, 348 (3), 355, 356

House Concurrent Resolutions: 183, 439

Motions: 108, 673, 2204

Remarks: 2358

Requests: 640, 864, 1964, 2204, 2344, 2362

**FREBORG**

Standing Committee: 37

Conference Committee: 2107 (2)

Committee Reports: 2311

Bills: 83, 149, 171, 199, 200, 213, 272 (2), 273 (2), 332, 346

House Concurrent Resolutions: 1545

Motions: 997, 1974, 2340

Personal Privilege: 1214

**GACKLE**

Standing Committee: Chr., Finance & Taxation Committee: 38, 40

Conference Committee: 1889 (2), 1999, 2079

Committee Reports: 232, 233, 263, 292, 293, 294, 323, 378, 379, 490, 491, 492, 493, 590, 591, 593, 622, 630, 631, 701, 731, 732, 733, 736, 739, 740, 813, 814, 815, 844, 847, 848, 849, 851, 891, 892, 936, 938, 939, 941, 942, 943, 944, 945, 973, 976, 1038, 1042, 1044, 1073, 1075, 1076, 1147, 1268, 1270, 1271, 1294, 1295, 1400, 1404, 1471, 1473, 1476, 1478, 1517, 1531, 1612, 1615, 1706, 1751, 1763, 1807, 1821, 2058, 2131, 2149, 2181

Bills: 72, 73 (2), 104, 149, 169, 200, 235, 300, 327, 330, 343, 344, 345, 347, 358

House Concurrent Resolutions: 301

Motions: 240, 278, 304, 307, 374, 386, 500, 603, 638, 640, 641, 710, 823, 864, 865, 918, 925, 935, 960, 962, 1004, 1053, 1116, 1209, 1267, 1275, 1309, 1351, 1411, 1438, 1439, 1446, 1483, 1484, 1544, 1621, 1648, 1680, 1719, 1720, 1776, 1779, 1835, 1837, 1889, 1973, 1999, 2064, 2107, 2188, 2189

Personal Privilege: 186, 1264, 1588

Requests: 962, 1776, 1777

**GERL**

Standing Committee: 38, 40

Conference Committee: 1241, 1583

Bills: 78, 117, 200, 328, 332, 344, 346, 348, 354

House Concurrent Resolutions: 744, 991, 993

Motions: 228, 608, 871, 1483, 2329

Personal Privilege: 1193, 1602

Remarks: 283, 931

Requests: 1928

**GORDER**

Standing Committee: 38, 39

Conference Committee: 1698, 2099

Bills: 76, 81, 150 (2), 272, 330, 331, 350 (2), 351, 353, 355

House Concurrent Resolutions: 438

Motions: 412, 1209

Requests: 412, 1209

**GUNDERSON**

Standing Committee: 38, 40  
Procedural Committee: 13  
Conference Committee: 671, 690, 1237, 1934, 1973  
Committee Reports: 20, 1717  
Bills: 182, 344, 357  
Motions: 830, 1581, 1775  
Requests: 2182

**GUNSCH**

Standing Committee: 37  
Conference Committee: 1547, 2027, 2107  
Bills: 213 (3), 234, 235, 341 (2) 342 (2), 357  
Motions: 283, 1786

**HANSON**

Standing Committee: 39, 40  
Procedural Committee: 14  
Conference Committee: 671, 1698, 2033 (2), 2099 (2)  
Bills: 201 (2), 251, 273, 299, 330, 343 (3)  
Memorial Resolutions: 1685  
Motions: 44, 602, 747, 912, 950, 1154, 1192, 1274, 1410, 1438, 2215, 2239  
Requests: 444, 1198, 1690

**HAUGLAND**

Standing Committee: Chr., Social Services and Veterans Affairs  
Committee: 40  
Select Committee: 38  
Procedural Committee: 13  
Conference Committee: 1774  
Committee Reports: 164, 166, 167, 196, 262, 263, 266, 286, 405, 429, 433, 462, 491, 555, 556, 557, 558, 559, 620, 730, 731, 737, 775, 777, 782, 818, 944, 969, 974, 975, 978, 979, 980, 982, 986, 987, 1143, 1342, 1377, 1378, 1379, 1380, 1403, 1404, 1524, 1528, 1571, 1577, 1746, 1755, 1764, 1808, 1809, 1811, 1821  
Motions: 173, 174, 204, 278, 304, 386, 412, 472, 500, 566, 638, 711, 748, 788, 855, 856, 865, 1003, 1004, 1005, 1006, 1241, 1309, 1327, 1410, 1411, 1487, 1581, 1583, 1676, 1775, 1835, 1837, 2004, 2065, 2145  
Announcements: 136, 2365  
Remarks: 2359

**HAUSAUER, ALVIN**

Standing Committee: Vice Chr., Finance & Taxation Committee: 38, 39  
Conference Committee: 1353, 1889, 1973, 2073, 2213, 2298  
Committee Reports: 2313  
Bills: 79, 149 (2), 181, 182, 234, 252 (2), 270, 273, 297, 300, 328, 330, 338 (2)  
House Concurrent Resolutions: 101, 183, 783, 993  
Motions: 6, 186, 204, 278, 755  
Requests: 755, 806

**HAUSAUER, ROY**

Standing Committee: Vice Chr., Appropriations Committee: 37  
Procedural Committee: 14  
Conference Committee: 1547, 2027, 2068, 2069 (20), 2107, 2108, 2110, 2127, 2197

**Interim Committee:** 2364

**Committee Reports:** 2064, 2093, 2142, 2149, 2154, 2156, 2158, 2161, 2213, 2222, 2224, 2253, 2296, 2324, 2339

**Bills:** 199, 253, 329, 333, 335, 336, 339, 348

**House Concurrent Resolutions:** 183, 439, 597

**Motions:** 316, 362, 1000, 1209, 1259, 1737, 2065, 2068, 2103, 2188, 2189

**Remarks:** 2358

### **HEDSTROM**

**Standing Committee:** 38, 40

**Conference Committee:** 1774, 1851

**Bills:** 83, 117, 169, 182, 214, 253

**House Concurrent Resolutions:** 991

**Requests:** 483

### **HERMAN**

**Standing Committee:** 38, 40

**Procedural Committee:** 14

**Conference Committee:** 1547, 1649, 2100

**Bills:** 169, 326, 348, 353, 356

**Motions:** 415

### **HICKLE**

**Standing Committee:** 38, Vice Chr., Agriculture Committee, 39

**Bills:** 100

### **HOFFNER**

**Standing Committee:** 37, 40

**Procedural Committee:** 13

**Conference Committee:** 1774, 1934, 2110 (2), 2268

**Bills:** 78, 200, 340, 346, 358

**House Concurrent Resolutions:** 667, 993

**Motions:** 1933

### **HOUMANN**

**Standing Committee:** 38, 39

**Procedural Committee:** 14

**Committee Reports:** 41

**Bills:** 199, 270, 337 (2), 338, 351

**House Concurrent Resolutions:** 301, 992

**Memorial Resolutions:** 1685

**Motions:** 111, 173, 471, 602, 603, 747, 907, 995, 1307, 1437, 1671, 1823, 2063, 2285

### **HOVE**

**Standing Committee:** 38, 40

**Bills:** 83, 150 (2)

### **JACOBSEN, R.**

**Standing Committee:** 37

**Conference Committee:** 1547, 2027, 2069, 2107 (2)

**Committee Reports:** 233

**Announcements:** 136

### **JACOBSON, I.**

**Standing Committee:** 37, 40

Conference Committee: 2127, 2147  
Bills: 199, 236 (2), 298, 299, 331, 333, 335, 347  
House Concurrent Resolutions: 1944  
Motions: 867  
Requests: 867

**KELLY**

Standing Committee: 38, 40  
Conference Committee: 1212, 1907, 2009, 2079, 2099, 2215  
Interim Committee: 2364  
Bills: 106, 200, 299, 328, 347, 351, 352  
House Concurrent Resolutions: 1720  
Remarks: 8, 2354, 2360  
Requests: 1199

**KENNELLY**

Standing Committee: 38, 39  
Conference Committee: 1851  
Bills: 236, 272, 358  
Motions: 671  
Requests: 671

**KERMOTT**

Standing Committee: 38, 39  
Procedural Committee: 14  
Conference Committee: 1547, 1947, 1973, 2100  
Committee Reports: 2082, 2094, 2135, 2237  
Bills: 104, 171, 298 (2), 344, 349  
House Concurrent Resolutions: 438  
Motions: 2139  
Remarks: 2354

**KINGSBURY**

Standing Committee: 37  
Conference Committee: 1547, 1946 (2), 1947, 2027 (2), 2107, 2345, 2354, 2360  
Committee Reports: 2133, 2159, 2226, 2344, 2362  
Bills: 76, 77, 81, 83, 100 (2), 271, 300, 351, 353, 355  
House Concurrent Resolutions: 101, 744, 991, 1309, 1545  
Motions: 222, 444, 638, 825, 1546, 1691, 2139, 2354  
Announcements: 158  
Requests: 444, 638, 826

**KLOUBEC**

Standing Committee: 38, Chr., Natural Resources Committee: 39  
Conference Committee: 1720, 2011  
Interim Committee: 2364  
Committee Reports: 81, 106, 107, 166, 167, 195, 213, 214, 265, 290, 292, 293, 295, 399, 400, 403, 405, 406, 407, 430, 437, 444, 445, 556, 557, 558, 563, 597, 630, 632, 741, 744, 775, 780, 782, 783, 811, 846, 847, 856, 937, 968, 970, 971, 972, 989, 1034, 1071, 1141, 1148, 1345, 1348, 1522, 1530, 1570, 1577, 1578, 1755, 1756, 1796, 1941, 2085, 2095, 2217  
Bills: 82, 198, 295, 296, 329, 347, 349  
Motions: 114, 174, 204, 278, 304, 412, 454, 566, 641, 749, 788, 822, 865, 866, 1003, 1053, 1115, 1216, 1241, 1258, 1352, 1353, 1516, 1544, 1546, 1581, 1776, 1889, 1973, 2103, 2133  
Requests: 454, 749

**KNUDSON**

Standing Committee: Chr., Education Committee: 37, 39

Select Committee: 39

Conference Committee: 2065, 2073

Committee Reports: 114, 127, 146, 147, 194, 197, 209, 210, 212, 247, 263, 318, 322, 374, 377, 381, 382, 403, 464, 465, 466, 492, 519, 525, 526, 559, 563, 632, 633, 634, 656, 664, 702, 809, 814, 815, 845, 851, 938, 943, 1035, 1036, 1038, 1045, 1046, 1070, 1143, 1229, 1295, 1296, 1298, 1300, 1302, 1346, 1401, 1429, 1430, 1432, 1433, 1472, 1475, 1477, 1571, 1610, 1611, 1612, 1613, 1614, 1615, 1653, 1654, 1655, 1656, 1661, 1662, 1663, 1702, 1704, 1713, 1754, 1810, 1815, 1820, 1918, 1923, 1941, 2180

Bills: 100, 104, 130, 149, 169, 181, 201, 236, 340, 346, 349

House Concurrent Resolutions: 87, 947 (2), 993

Motions: 128, 217, 256, 278, 362, 363, 386, 412, 472, 500, 530, 566, 642, 670, 671, 865, 867, 959, 961, 1000, 1003, 1053, 1115, 1160, 1309, 1353, 1438, 1439, 1446, 1484, 1507, 1621, 1675, 1677, 1682, 1719, 1776, 1830, 1889, 1890, 1923, 1924, 1947, 1999, 2065, 2108, 2121, 2188

Requests: 867, 1160

**KOSKI**

Standing Committee: 38, 40

Procedural Committee: 14

Conference Committee: 1420, 1851, 1973, 2100

Bills: 78, 84, 181, 183, 328, 331 (2)

House Concurrent Resolutions: 274, 991 (2), 992

Requests: 2260

**KRETSCHMAR**

Standing Committee: Vice Chr., Judiciary Committee: 38, 39, Vice Chr., Constitutional Revision Committee: 40

Procedural Committee: 13, 14

Conference Committee: 1875, 2083, 2099, 2214

Interim Committee: 2364

Committee Reports: 287, 291, 383, 934, 940, 942, 983, 985, 1111, 2164, 2256, 2304

Bills: 83, 117, 182, 215, 235, 252, 271, 297, 298, 326, 327, 333 (2), 350, 354

House Concurrent Resolutions: 87, 397, 438, 783, 1720

Motions: 13, 19, 20, 111, 121, 132, 139, 149, 155, 172, 180, 184, 197, 202, 212, 216, 222, 228, 234, 237, 251, 262, 269, 275, 294, 295, 302, 398, 407, 408, 424, 438, 441, 451, 466, 481, 482, 483, 497, 498, 510, 514, 566, 572, 584, 599, 619, 635, 653, 668, 672, 693, 707, 717, 719, 729, 768, 772, 785, 795, 796, 807, 820, 834, 841, 861, 866, 882, 905, 918, 920, 932, 948, 966, 967, 994, 1002, 1023, 1049, 1069, 1139, 1152, 1155, 1196, 1201, 1227, 1234, 1237, 1248, 1259, 1287, 1292, 1295, 1304, 1369, 1376, 1380, 1407, 1434, 1436, 1464, 1478, 1516, 1532, 1568, 1578, 1616, 1643, 1650, 1664, 1698, 1713, 1730, 1744, 1765, 1772, 1773, 1775, 1781, 1795, 1822, 1831, 1834, 1872, 1875, 1887, 1934, 1941, 1952, 1966, 1987, 1989, 1998, 2061, 2138, 2150, 2186, 2239, 2256, 2284, 2328, 2365

Announcements: 566, 2365

Requests: 111, 212, 967, 1305, 2069

Presiding Speaker: 283

**KUCHERA**

Standing Committee: 37

Conference Committee: 1968, 2107

Bills: 105, 170, 198, 271, 272, 331(2), 334(2), 352, 353, 354, 358

House Concurrent Resolutions: 397, 1979

Motions: 1496



Remarks: 1182  
Requests: 1496

**LANG**

Standing Committee: 38, Chr., Political Subdivisions Committee: 39  
Conference Committee: 1688  
Interim Committee: 2364  
Committee Reports: 91, 119, 120, 121, 179, 248, 249, 250, 268, 402, 404, 406, 434, 444, 557, 560, 561, 593, 594, 595, 596, 597, 625, 628, 739, 740, 742, 743, 744, 778, 779, 780, 858, 972, 981, 985, 988, 1140, 1148, 1342, 1347, 1348, 1521, 1530, 1531, 1532, 1746, 1749, 1796, 1885, 1964  
Bills: 295, 346, 349  
Motions: 4, 123, 124, 412, 566, 641, 749, 788, 961, 1003, 1006, 1209, 1216, 1352, 1353, 1544, 1546, 1583, 1720, 1775, 1778, 1890, 1947  
Requests: 451

**LANGLEY**

Standing Committee: 38, 39  
Procedural Committee: 13  
Conference Committee: 1720, 1795, 1823  
Bills: 149, 169, 170, 251, 253, 300, 346, 349  
House Concurrent Resolutions: 1945  
Requests: 1010

**LARDY**

Standing Committee: 38, 40 (2)  
Conference Committee: 1774, 1875, 2106, 2122  
Bills: 73, 201, 297 (2), 326, 329  
House Concurrent Resolutions: 991  
Motions: 570, 576, 597, 1137, 1680, 2134  
Personal Privilege: 1440  
Remarks: 1318  
Requests: 1122

**LARSON, FRANK**

Standing Committee: 37  
Conference Committee: 1946, 2069  
Bills: 181, 234, 327, 328, 334, 336, 350, 351, 357  
House Concurrent Resolutions: 1545  
Motions: 711, 1194  
Requests: 711

**LARSON, GORDON**

Standing Committee: Vice Chr., Education Committee: 37, 39  
Conference Committee: 1583, 1720, 1999, 2109, 2110 (2), 2147  
Committee Reports: 2064, 2228, 2229, 2230  
Bills: 81, 104, 149, 199, 236, 273, 334, 340  
House Concurrent Resolutions: 991, 992  
Motions: 1690

**LARSON, HERMAN**

Standing Committee: 37, 39  
House Concurrent Resolutions: 466, 860

**LEE**

Standing Committee: Vice Chr., State and Federal Committee: 38

**Select Committee:** 40

**Bills:** 80, 150, 251, 297, 298, 342

**House Concurrent Resolutions:** 301, 438

**Motions:** 175

**LEIBHAN**

**Standing Committee:** 37, 39

**Conference Committee:** 2084

**Bills:** 272, 298, 340, 347, 348, 358

**Motions:** 1132

**LIPSIEA**

**Standing Committee:** 38, 39

**Procedural Committee:** 14

**Conference Committee:** 1212, 1648, 1775, 1778

**Committee Reports:** 1830

**Bills:** 101, 129, 150, 181, 200, 253, 332 (2), 344, 351, 356, 358

**House Concurrent Resolutions:** 992

**Memorial Resolutions:** 1685

**Motions:** 228, 386, 603, 1166, 1350, 1381, 1535, 1680, 1887, 2370

**Requests:** 228, 386, 603

**MAIXNER**

**Standing Committee:** 38, 39, 40

**Conference Committee:** 1688, 1973, 2011

**Bills:** 128, 170, 200, 298, 329, 334, 340 (2), 343 (2), 352, 356

**House Concurrent Resolutions:** 993 (2)

**Motions:** 413, 927, 1062, 1129, 1439

**Remarks:** 261, 2196

**Requests:** 108, 1114, 1174, 1539, 1975, 2167

**MARSDEN**

**Standing Committee:** 37

**Conference Committee:** 1547, 1946, 1947, 2027, 2068, 2107, 2136, 2208, 2213, 2318

**Committee Reports:** 2150, 2203, 2227, 2270, 2290, 2315, 2342, 2352

**Bills:** 199, 332, 333, 337, 344, 347

**House Concurrent Resolutions:** 301, 439

**Motions:** 530, 638, 1237, 1386, 1683, 2239, 2354

**Personal Privilege:** 476

**Requests:** 638, 1237

**MARTIN**

**Standing Committee:** 38, 39

**Conference Committee:** 1648, 2009

**Bills:** 130, 169, 181, 340, 349

**House Concurrent Resolutions:** 87, 947

**Motions:** 1830

**MARTINSON**

**Standing Committee:** Chr., State and Federal Committee: 38

**Select Committee:** 40

**Procedural Committee:** 13

**Conference Committee:** 690, 1237, 1648, 2080, 2159, 2197, 2288

**Committee Reports:** 145, 146, 147, 148, 149, 193, 197, 208, 210, 229, 231,

232, 285, 287, 288, 289, 290, 291, 292, 294, 321, 375, 380, 383, 461, 462, 463, 516, 517, 518, 523, 524, 661, 662, 663, 666, 667, 695, 703, 704, 705, 808, 809, 816, 817, 818, 819, 848, 852, 858, 894, 895, 1036, 1039, 1074, 1149, 1150, 1151, 1228, 1229, 1230, 1236, 1270, 1293, 1294, 1300, 1301, 1345, 1400, 1401, 1402, 1426, 1427, 1428, 1430, 1431, 1432, 1433, 1439, 1465, 1470, 1471, 1473, 1475, 1476, 1477, 1651, 1652, 1655, 1658, 1660, 1661, 1662, 1702, 1704, 1707, 1708, 1711, 1712, 1808, 1829, 1878, 1882, 2165, 2272, 2286, 2287, 2300

Bills: 170 (2), 183, 215, 234, 235 (2), 269, 299, 327 (3), 353, 355

Committee Reports: 2272, 2286, 2287, 2300

House Concurrent Resolutions: 301, 438

Motions: 99, 163, 204, 240, 304, 567, 653, 671, 690, 710, 711, 749, 822, 823, 865, 866, 1006, 1053, 1237, 1275, 1309, 1321, 1340, 1352, 1410, 1419, 1446, 1483, 1484, 1507, 1583, 1622, 1638, 1670, 1675, 1676, 1677, 1719, 1720, 1775, 1887, 1888, 2000, 2065, 2108, 2159, 2174, 2197

Requests: 204, 545, 567, 653, 1888

### **MATHENY**

Standing Committee: 38, 39

Conference Committee: 1851

Committee Reports: 2093

Bills: 200, 356

House Concurrent Resolutions: 439

Motions: 2104

Requests: 1210

### **MATTSON**

Standing Committee: 37, 39

Conference Committee: 1384

Bills: 77, 106, 198, 200, 329, 338, 346, 355, 356

House Concurrent Resolutions: 993

Motions: 2188

### **MEIERS**

Standing Committee: 38, 40

Procedural Committee: 14

Conference Committee: 1054, 1698, 1774, 1775, 1784, 2080, 2300, 2348

Bills: 128, 129 (2), 200, 215, 234, 235, 333, 335, 349, 352, 354 (2)

House Concurrent Resolutions: 991, 993 (2)

Motions: 90, 135, 638, 669, 686, 721, 821, 825, 916, 1051, 1533, 1644, 1715, 2139

Remarks: 1769, 2355

Requests: 916, 1644

### **MELBY**

Standing Committee: 38, 39

Conference Committee: 1947, 2099

Committee Reports: 2238

Bills: 77, 83, 106, 340

Motions: 912

### **MERTENS**

Standing Committee: 37

Conference Committee: 1547, 2027, 2069, 2107, 2110, 2127

Interim Committee: 2364

Bills: 76 (2), 198, 272 (2), 296, 337, 341, 342, 353, 357

House Concurrent Resolutions: 397, 439  
 Motions: 603, 711, 1172  
 Personal Privilege: 99, 2242  
 Requests: 500, 533, 711, 997

**MEYER**

Standing Committee: 37, 39  
 Procedural Committee: 14  
 Conference Committee: 1775, 1778, 2084, 2108, 2110  
 Bills: 170, 354  
 House Concurrent Resolutions: 860  
 Motions: 637, 670, 996, 1308, 1482, 1483, 2028

**MURPHY**

Standing Committee: 38, Vice Chr., Natural Resources Committee: 39  
 Conference Committee: 1353, 1889 (2), 1973, 1999  
 Committee Reports: 2118  
 Bills: 72 (2), 76, 78, 80, 100 (3), 104, 271, 344 (3)  
 House Concurrent Resolutions: 993, 1309  
 Motions: 116, 117, 500, 1127, 2139  
 Personal Privilege: 277

**MUSHIK**

Standing Committee: 37  
 Procedural Committee: 13, 14  
 Conference Committee: 1547 (2), 2107 (2), 2136  
 Interim Committee: 2364  
 Bills: 128, 169, 297, 326 (2), 328, 332, 340, 344, 347 (3), 351, 352, 355, 357  
 House Concurrent Resolutions: 438, 992 (2), 993  
 Motions: 486  
 Remarks: 2355  
 Requests: 932

**NICHOLAS**

Standing Committee: 38, Chr., Agriculture Committee: 39  
 Conference Committee: 1775, 1778, 2108  
 Committee Reports: 108, 168, 179, 180, 249, 265, 267, 401, 402, 621, 622, 623, 624, 626, 627, 629, 732, 744, 778, 779, 812, 819, 936, 938, 941, 970, 976, 988, 989, 990, 1032, 1040, 1140, 1149, 1377, 1529, 1568, 1569, 1570, 1572, 1573, 1574, 1576, 1577, 1756, 1759, 1760, 1763, 1765, 2059, 2118, 2221  
 Bills: 129, 130, 171, 174, 252, 270, 298, 327, 328, 337, 340 (2)  
 House Concurrent Resolutions: 101, 139, 439, 860, 947  
 Motions: 99, 186, 255, 256, 277, 412, 619, 638, 640, 671, 680, 681, 749, 788, 823, 867, 961, 1003, 1053, 1385, 1484, 1544, 1581, 1638, 1775, 1778, 1837, 1999, 2005, 2065, 2139, 2254  
 Requests: 868

**OLSON**

Standing Committee: 37, Vice Chr., Social Services and Veterans Affairs Comm: 40  
 Procedural Committee: 13  
 Conference Committee: 1999, 2109, 2110 (2)  
 Interim Committee: 2364  
 Bills: 80, 83, 213, 214, 251, 252, 298, 348  
 House Concurrent Resolutions: 439

Motions: 362, 749, 1583, 1603, 1852, 2360

Requests: 362

### **OPEDAHL**

Standing Committee: 37

Procedural Committee: 13

Conference Committee: 1547 (2), 1947, 2027 (2), 2068, 2069, 2107, 2108

Bills: 79, 327, 328, 349, 354

### **PELTIER**

Standing Committee: 38, 40

Conference Committee: 1420, 1720

Bills: 77, 83, 130, 150 (2), 235, 271, 297, 350 (2)

House Concurrent Resolutions: 101, 274, 374, 1831

Motions: 246, 806, 1122, 1416

Remarks: 1689

Requests: 424, 451, 1010, 1446

### **PETERSON**

Standing Committee: Chr., Appropriations Committee: 37

Conference Committee: 2068, 2069, 2099, 2107, 2108

Committee Reports: 246, 247, 317, 318, 319, 320, 325, 399, 460, 462, 466, 488, 489, 494, 495, 496, 515, 516, 530, 555, 556, 585, 586, 594, 623, 654, 660, 661, 693, 694, 700, 739, 772, 773, 842, 843, 844, 851, 857, 883, 886, 887, 888, 889, 933, 934, 967, 968, 972, 977, 981, 987, 1024, 1025, 1028, 1029, 1035, 1042, 1070, 1071, 1072, 1074, 1076, 1083, 1086, 1089, 1091, 1092, 1094, 1101, 1106, 1107, 1108, 1110, 1142, 1229, 1268, 1269, 1297, 1298, 1341, 1343, 1344, 1377, 1378, 1380, 1401, 1464, 1474, 1477, 1517, 1518, 1615, 1652, 1657, 1699, 1700, 1701, 1702, 1704, 1747, 1748, 1749, 1755, 1799, 1800, 1881, 1803, 1805, 1806, 1807, 1809, 1820, 1876, 1877, 1878, 1879, 1882, 1935, 1936, 1938, 1940, 1957, 1958, 1963, 1964, 1975, 2053, 2059, 2121, 2160, 2303

Motions: 282, 362, 363, 412, 472, 500, 547, 566, 603, 670, 671, 710, 711, 788, 864, 866, 915, 918, 919, 960, 962, 1003, 1004, 1052, 1053, 1114, 1115, 1116, 1216, 1237, 1275, 1309, 1351, 1352, 1384, 1385, 1410, 1483, 1538, 1546, 1547, 1677, 1719, 1776, 1830, 1835, 1887, 1888, 1947, 1964, 1972, 1975, 1989, 2064, 2069, 2083, 2134, 2275

Remarks: 2359

### **POMEROY**

Standing Committee: 39, 40

Procedural Committee: 14

Conference Committee: 690, 1237, 1649, 1947, 2159, 2288

Bills: 80, 213, 295, 327, 331, 358

House Concurrent Resolutions: 438, 991, 993

Motions: 103, 157, 186, 443, 565, 709, 1157, 1273, 1409, 1579, 1767, 1999, 2187

### **REED**

Standing Committee: 38, 40

Procedural Committee: 14 (2)

Conference Committee: 1485, 2222, 2240, 2268

Bills: 72, 77, 170, 350, 357, 358

House Concurrent Resolutions: 438, 991

Motions: 17, 123, 185, 499, 637, 787, 949, 1349, 1479, 2103

Requests: 172

**RETZER**

Standing Committee: 38, 40

Conference Committee: 1420, 1688

Bills: 81 (2), 132, 273, 330, 334

House Concurrent Resolutions: 438, 992, 1676

Motions: 278

Requests: 278

**RICHARD**

Standing Committee: 38, 40

Conference Committee: 1851, 1934, 1973

Interim Committee: 2364

Bills: 74, 76, 77, 82, 104, 212, 295, 338, 339, 352, 357

House Concurrent Resolutions: 183, 992

Motions: 638, 867, 1601

Remarks: 1565, 2363

Requests: 638, 867, 2266

**RICHIE**

Standing Committee: 38, 39

Conference Committee: 2084, 2106

Bills: 106, 198, 251, 297 (2), 299, 328, 329, 332, 341, 346, 351

House Resolutions: 993

Announcements: 1583

**RIEHL**

Standing Committee: 38, 40

Conference Committee: 1720, 2080

Bills: 327, 334 (2), 342, 349, 354, 357

Motions: 756

Requests: 756

**RUED**

Standing Committee: Chr., Industry, Business and Labor Committee: 38, 40

Conference Committee: 1934, 1973

Committee Reports: 114, 119, 126, 127, 147, 194, 209, 210, 211, 229, 230, 231, 232, 233, 294, 326, 375, 376, 377, 378, 379, 380, 382, 400, 432, 436, 444, 445, 461, 464, 465, 492, 493, 494, 495, 518, 519, 520, 521, 522, 523, 620, 627, 662, 663, 664, 665, 698, 699, 700, 701, 702, 703, 735, 736, 850, 853, 857, 858, 859, 860, 893, 895, 896, 943, 1037, 1042, 1044, 1076, 1142, 1143, 1144, 1145, 1156, 1228, 1230, 1268, 1270, 1295, 1298, 1299, 1301, 1302, 1303, 1426, 1428, 1429, 1465, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1519, 1520, 1521, 1522, 1524, 1526, 1528, 1613, 1615, 1656, 1703, 1709, 1710, 1711, 1712, 1753, 1879, 2086, 2120, 2200

Bills: 74, 76, 198, 214, 273, 295 (2), 349, 352, 355

House Concurrent Resolutions: 783, 819, 860, 993, 1275

Motions: 117, 123, 217, 239, 240, 386, 387, 472, 500, 530, 553, 638, 641, 642, 671, 710, 748, 801, 865, 866, 918, 1053, 1216, 1242, 1256, 1275, 1398, 1399, 1419, 1438, 1446, 1483, 1484, 1538, 1544, 1583, 1631, 1675, 1676, 1719, 1720, 1775, 1776, 1888, 1889, 2103, 2139

Personal Privilege: 1187

Requests: 117

**SCHINDLER**

Standing Committee: 37, 39

Conference Committee: 1934, 1973, 2065, 2073  
Committee Reports: 2093  
Bills: 80, 149, 181, 213, 252, 298, 329, 333  
House Concurrent Resolutions: 947  
Motions: 4, 2103

### **SCOFIELD**

Standing Committee: 38, 40  
Procedural Committee: 13  
Conference Committee: 671, 1973, 2159, 2198, 2288  
Interim Committee: 2364  
Bills: 117, 170, 200, 235, 298, 350  
House Concurrent Resolutions: 301, 1275, 1944  
Motions: 5  
Personal Privilege: 601  
Requests: 1967

### **SOLBERG**

Standing Committee: 37  
Conference Committee: 1946, 1947, 2007 (2), 2107  
Interim Committee: 2364  
Bills: 76, 117, 212, 351  
House Concurrent Resolutions: 439, 597  
Motions: 140, 163, 362  
Announcements: 1  
Personal Privilege: 242, 822  
Remarks: 2360  
Requests: 362

### **STENEHJEM**

Standing Committee: 38, 40  
Procedural Committee: 13, 14  
Conference Committee: 1698, 1774 (2), 1775, 1784, 2079, 2083, 2122  
Committee Reports: 123, 135, 157, 173, 185, 203, 217, 239, 255, 277, 303, 361, 362, 385, 386, 411, 444, 459, 471, 473, 500, 529, 530, 565, 566, 602, 637, 653, 669, 670, 679, 710, 747, 748, 787, 821, 822, 863, 864, 912, 950, 995, 996, 1052, 1114, 1154, 1192, 1208, 1235, 1236, 1274, 1308, 1349, 1350, 1381, 1382, 1410, 1436, 1438, 1463, 1482, 1483, 1506, 1507, 1535, 1536, 1556, 1580, 1609, 1618, 1650, 1665, 1693, 1716, 1743, 1773, 1828, 1829, 1859, 1883, 1931, 1976, 1998, 2028, 2060, 2061, 2080, 2097, 2111, 2130, 2172, 2215, 2217, 2240, 2299, 2319, 2365, 2366, 2368, 2369, 2370, 2371, 2374, 2376, 2377, 2378, 2379  
Bills: 62, 72, 78, 80, 149, 170, 182, 198, 200 (2), 201, 252, 270, 297, 326, 328, 331 (3), 334 (2), 337, 338, 339, 343, 344, 345 (2), 346, 348 (2), 349, 350, 354, 355 (3), 356, 358, 1486  
House Concurrent Resolutions: 139, 667, 991, 993 (3)  
Motions: 255, 412, 421, 472, 1057, 1411, 1484, 2239  
Requests: 412, 472

### **STRINDEN**

Procedural Committee: 13, 14  
Interim Committee: 2364  
Bills: 78, 106, 171, 234, 295, 300 (2), 349, 1208 (2)  
House Concurrent Resolutions: 301, 438 (2), 667 (2), 744, 991, 992 (2), 1208, 1236, 1676, 1979

**House and Senate Joint Resolution: 416**

Motions: 4, 10, 13, 15, 17, 41, 43, 57, 93, 99, 101, 109, 135, 157, 174, 176, 283, 326, 363, 395, 412, 415, 416, 422, 438, 471, 472, 475, 500, 501, 533, 542, 544, 547, 554, 564, 603, 611, 615, 640, 671, 673, 691, 717, 720, 722, 752, 753, 754, 762, 770, 824, 831, 839, 841, 871, 874, 931, 959, 964, 996, 999, 1000, 1009, 1018, 1056, 1064, 1124, 1138, 1159, 1167, 1170, 1190, 1194, 1200, 1209, 1223, 1225, 1227, 1312, 1326, 1336, 1348, 1351, 1358, 1360, 1385, 1410, 1434, 1435, 1439, 1449, 1462, 1496, 1505, 1506, 1511, 1516, 1535, 1545, 1554, 1562, 1564, 1565, 1568, 1582, 1583, 1585, 1586, 1591, 1669, 1670, 1671, 1676, 1680, 1687, 1691, 1694, 1717, 1725, 1731, 1736, 1737, 1742, 1768, 1769, 1776, 1778, 1779, 1792, 1793, 1794, 1830, 1831, 1835, 1837, 1851, 1862, 1868, 1875, 1886, 1887, 1888, 1909, 1913, 1923, 1924, 1927, 1928, 1933, 1945, 1964, 1965, 1971, 1972, 1973, 1980, 1998, 2002, 2004, 2009, 2015, 2025, 2026, 2029, 2036, 2037, 2052, 2065, 2068, 2080, 2071, 2078, 2079, 2083, 2084, 2101, 2107, 2108, 2109, 2122, 2126, 2129, 2134, 2139, 2142, 2145, 2151, 2153, 2159, 2166, 2172, 2173, 2174, 2175, 2176, 2177, 2182, 2188, 2189, 2290, 2291, 2297, 2301, 2305, 2309, 2318, 2320, 2321, 2324, 2330, 2332, 2333, 2342, 2345, 2346, 2352, 2353, 2354, 2360, 2363, 2365, 2380

Remarks: 1501, 2355

Requests: 108, 466, 472, 499, 554, 638, 690, 950, 1009, 1065, 1213, 1385, 1439, 1690, 1730, 1768, 1965, 1967, 2166, 2176

**SWIONTEK**

Standing Committee: 37, 40 (2)

Procedural Committee: 14

Conference Committee: 2122

Committee Reports: 17, 41, 90, 103, 111, 123, 135, 170, 173, 185, 203, 217, 239, 255, 277, 303, 331, 361, 385, 411, 443, 471, 499, 529, 565, 601, 637, 669, 709, 747, 787, 821, 863, 907, 949, 995, 1051, 1113, 1157, 1207, 1235, 1273, 1307, 1349, 1381, 1409, 1437, 1479, 1533, 1579, 1617, 1665, 1715, 1767, 1823, 1883, 1943, 1999, 2063, 2103, 2139, 2187, 2285

Bills: 106 (2), 129, 149, 157, 200, 236, 270, 297, 335, 337, 343, 351, 355, 356

House Concurrent Resolutions: 139, 947, 991, 993 (3)

Motions: 362, 823, 1000

Requests: 362, 510, 823, 1000

**THOMPSON**

Standing Committee: 38, 40

Conference Committee: 1774 (2), 2300

Committee Reports: 2345

Bills: 77, 81, 212, 213, 251, 296, 329, 340

Motions: 912

**THORSGARD**

Standing Committee: 37

Conference Committee: 1946, 1947, 1972, 2027, 2069, 2345, 2354, 2360

Interim Committee: 2354

Bills: 300, 349

Motions: 840, 2902

**TIMM**

Standing Committee: 38, Vice Chr., Transportation Committee: 40

Conference Committee: 1889, 1973 (2), 2009, 2033 (2), 2100, 2213, 2298

Interim Committee: 2364

Committee Reports: 2120, 2165, 2218



Bills: 181, 182, 298 (2), 329, 331, 332, 333, 340, 349, 354  
House Concurrent Resolutions: 183  
Motions: 161, 1638, 1767, 2139  
Personal Privilege: 1158

**TINJUM**

Standing Committee: 37, 39  
Conference Committee: 1353, 1547, 2065, 2073  
Bills: 62, 81, 128, 170, 182, 200, 215, 298, 351, 352 (2)  
Motions: 1820

**TWETEN**

Standing Committee: 37  
Conference Committee: 1547, 2027, 2107  
Committee Reports: 2085  
Bills: 81, 201, 252, 253, 297, 346, 356 (2)  
House Concurrent Resolutions: 1309  
Motions: 500, 1185

**UNHJEM**

Standing Committee: 37  
Procedural Committee: 14  
Conference Committee: 1547 (2), 1946, 1968, 2027, 2107, 2197  
Committee Reports: 37, 251, 2131, 2132, 2163, 2224  
Bills: 62, 106, 149, 170, 181, 198 (2), 200 (2), 251 (2), 273, 296 (2), 330, 331, 334 (2), 343, 344, 346, 347, 349, 350, 351, 353 (2), 355  
House Concurrent Resolutions: 139, 439, 667, 991, 992 (3)  
Motions: 128, 472, 690, 841, 1209, 1237, 1485, 1868, 2065, 2139, 2239, 2266  
Announcements: 157  
Requests: 128, 690, 841, 1209, 1237, 1991

**VANDER VORST**

Standing Committee: Vice Chr., Industry, Business and Labor Committee: 38, 39  
Conference Committee: 1242, 1795, 1823, 2108  
Committee Reports: 1883, 2087  
Bills: 80, 106, 272, 298, 346 (2), 347, 348  
House Concurrent Resolutions: 783  
Motions: 1947, 2104

**VIG**

Standing Committee: 38, 39  
Bills: 77, 170, 234, 345, 357, 358  
House Concurrent Resolutions: 438  
Motions: 916  
Requests: 916

**WAGNER**

Procedural Committee: 13, 14  
Interim Committee: 2364  
Motions: 1639  
Announcements: 11, 19, 135, 141, 219, 240, 305, 365, 387, 416, 422, 448, 454, 481, 504, 514, 538, 547, 575, 610, 671, 712, 1001, 1126, 1164, 1193, 1209, 1368, 1483, 1485, 1533, 1603, 1648, 1666, 1717, 2013  
Remarks: 2357  
Requests: 283

**WALD**

Standing Committee: 38, 39

Conference Committee: 1242, 1720, 1795, 1823, 1851

Committee Reports: 2142

Bills: 182, 212, 214 (2), 251, 270, 271, 295, 297, 298 (2), 299, 328, 329 (2), 342, 351 (2), 352

House Concurrent Resolutions: 744

Motions: 362, 2239

Personal Privilege: 1972, 1997, 2195, 2326

Remarks: 1950

Requests: 362, 1189, 1290

**WALSH**

Standing Committee: 39 (2)

Committee Reports: 2095, 2150, 2318

Bills: 298, 354

House Concurrent Resolutions: 439

Requests: 1851

**WEBER**

Standing Committee: 38, 39

Conference Committee: 1889, 1973, 2213, 2298

Bills: 104, 171, 198, 235, 300, 327, 338, 339, 351

House Concurrent Resolutions: 253

Motions: 530, 960

Announcements: 142

**WENTZ**

Standing Committee: 38, 39

Conference Committee: 1485, 2222, 2240

Committee Reports: 2222, 2322

Bills: 129, 171, 199, 200, 296, 298, 326, 335 (3), 336 (2), 343, 346, 352, 354 (2)

House Concurrent Resolutions: 467, 991, 1720

**WESSMAN**

Standing Committee: 38, 39

Conference Committee: 1547, 1698

Committee Reports: 1830, 2237

Bills: 82, 99 (2), 171, 234, 236, 271, 273, 297, 327, 330, 337, 347, 351, 355

House Concurrent Resolutions: 253, 991

Motions: 228, 445, 882, 912, 1639, 1887

Requests: 228, 395, 445, 882, 1155, 2266

**WINKJER**

Standing Committee: Chr., Judiciary Committee: 38, 39

Procedural Committee: 13

Conference Committee: 1054, 1973, 2106

Committee Reports: 126, 128, 148, 165, 192, 208, 209, 210, 211, 319, 320, 321, 322, 377, 400, 403, 405, 430, 444, 489, 495, 518, 520, 521, 524, 525, 526, 558, 562, 563, 590, 592, 596, 621, 625, 627, 628, 629, 631, 633, 661, 665, 666, 694, 698, 699, 701, 702, 703, 705, 730, 734, 737, 738, 808, 809, 811, 813, 816, 817, 849, 850, 853, 855, 856, 891, 892, 899, 902, 1031, 1033, 1037, 1040, 1044, 1045, 1097, 1099, 1102, 1109, 1229, 1230, 1231, 1269, 1271, 1272, 1302, 1303, 1304, 1404, 1426, 1430, 1432, 1433, 1467, 1471, 1472, 1474, 1476, 1477, 1610,

1611, 1614, 1616, 1658, 1663, 1707, 1708, 1711, 1712, 1713, 1761, 2083, 2166, 2180, 2230

Bills: 78, 82 (2), 105 (2), 170 (2), 182, 183, 198, 200, 212, 270, 273 (2), 295 (2), 296, 341 (4), 342, 343, 346, 349, 357

House Concurrent Resolutions: 183, 301, 744, 902, 1944

Motions: 5, 128, 136, 158, 173, 204, 217, 304, 356, 363, 387, 500, 603, 638, 641, 667, 680, 710, 711, 748, 806, 807, 822, 865, 918, 960, 961, 1004, 1006, 1053, 1115, 1116, 1132, 1138, 1182, 1237, 1275, 1309, 1384, 1411, 1438, 1483, 1484, 1546, 1583, 1584, 1603, 1621, 1631, 1637, 1638, 1677, 1718, 1719, 1775, 1778, 1794, 1889, 2065, 2083, 2106, 2124, 2125, 2126, 2188, 2189, 2266

Personal Privilege: 601

Requests: 128, 387, 806, 807

## Record of House Bills

**House Bill No. 1001.** Legislative Branch — A Bill for an Act to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
57

Reported Back: Amended, 883

Amendments adopted, 918

Engrossed, 949

Final Passage: Passed, 962

Messaged to Senate, 1054

Returned to House: Amended, 1837

House concurs, 1972

Final Passage: Passed and emergency clause carried, 2000

Enrolled, 2096

Signed by Speaker, 2096

Sent to Senate, signed by Speaker, 2096

Returned to House, signed by President, 2104

Sent to Governor, 2111

Approved by Governor, 2285

**House Bill No. 1002.** — A Bill for an Act directing the legislative council to administer a scientific and technological research and development program, to set out its responsibilities and duties, to provide for its staffing; to set forth legislative intent concerning the coal trust fund; and to provide an appropriation.

Introduced by Legislative Council Resources Research Committee

Introduction, first reading, referred to Committee on Appropriations,  
58

Reported Back: Amended, 1023-1024

Amendments adopted, 1052

Engrossed, 113

Final Passage: Lost, 1123

Reconsidered action by which House Bill failed to pass — motion prevailed, 1132

Final Passage: Passed and emergency clause failed, 1133

Messaged to Senate, 1172

Returned to House: Amended, 1891

House does not concur, 1972

Conference Committee: House, 1972 Senate 2017

House adopts, 2154

Senate adopts, 2275

Conference Committee amendments adopted, 2188

Final Passage: Passed, 2189

Enrolled, 2370

Signed by Speaker, 2370

Sent to Senate, signed by Speaker, 2370

Returned to House, signed by President, 2370

Sent to Governor, 2371

Vetoed by Governor, 2381

**House Bill No. 1003.** — A Bill for an Act making an appropriation to the legislative assembly for improvements to and renovation of the state capitol; and declaring an emergency.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 58  
 Reported Back: Amended, 842  
 Amendments adopted, 864  
 Engrossed, 912  
 Final Passage: Passed, 919  
 Messaged to Senate, 996  
 Returned to House: Amended, 1604  
 House concurs, 1972  
 Final Passage: Passed and emergency clause carried, 2001  
 Enrolled, 2096  
 Signed by Speaker, 2096  
 Sent to Senate, signed by Speaker, 2096  
 Returned to House, signed by President, 2104  
 Sent to Governor, 2111  
 Approved by Governor, 2285

**House Bill No. 1004.** Board of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the board of higher education and various divisions thereof of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 58  
 Reported Back: Amended, 1024-1025  
 Amendments adopted, 1052  
 Engrossed, 113  
 Final Passage: Passed, 1123  
 Messaged to Senate, 1172  
 House requests return, 1248  
 Senate accedes to request, 1259  
 Reconsideration action by which House Bill passed — motion  
 prevailed, 1267  
 Re-referred to Committee on Appropriations, 1267  
 Reported Back: Amend, 1341  
 Amendments adopted, 351  
 Rules suspended, properly re-engrossed and placed on second  
 reading and final passage, 1351  
 Final Passage: Passed, 1351  
 Messaged to Senate, 1352  
 Returned to House: Amended, 2039  
 House does not concur, 2068  
 Conference Committee: House, 2068 Senate, 2097  
 Rules suspended, Conference Committee amendments adopted,  
 properly re-engrossed, second reading and final passage, 2175  
 Final Passage: Passed, 2175  
 Enrolled, 2376  
 Signed by Speaker, 2376  
 Sent to Senate, signed by Speaker, 2376  
 Returned to House, signed by President, 2377  
 Sent to Governor, 2377  
 Approved by Governor, 2380

**House Bill No. 1005.** Institutions of Higher Education — A Bill for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
58  
Reported Back: Amended, 1076-1080  
Amendments adopted, 1114  
Engrossed, 1153  
Final Passage: Passed, 1155  
Messaged to Senate, 1200  
Returned to House: Amended, 2040-2041  
House does not concur, 2068  
Conference Committee: House, 2068 Senate, 2097  
Conference Committee Report:  
House adopts, 2158  
Senate adopts, 2275  
Conference Committee amendments adopted, properly re-engrossed,  
second reading and final passage 2172  
Final Passage: Passed, 2173  
Enrolled, 2370  
Signed by Speaker, 2370  
Sent to Senate, signed by Speaker, 2370  
Returned to House, signed by President, 2370  
Sent to Governor, 2371  
Approved by Governor, 2380

**House Bill No. 1006.** Vocational Education — A Bill for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
58  
Reported Back: Amended, 653-654  
Amendments adopted, 670  
Engrossed, 710  
Final Passage: Passed, 718  
Messaged to Senate, 789  
Returned to House: Amended, 1421-1423  
House does not concur, 1546  
Conference Committee:  
House, 1547  
Senate, 1609  
Conference Committee Report: House adopts, 2064 Senate adopts,  
2275  
Conference Committee amendments adopted, 2103  
Final Passage: Passed, 2146  
Enrolled, 2366  
Signed by Speaker, 2366  
Sent to Senate, signed by Speaker, 2366  
Returned to House, signed by President, 2367  
Sent to Governor, 2367  
Approved by Governor, 2380

**House Bill No. 1007.** State Aid to Junior Colleges — A Bill for an Act making an appropriation for providing assistance to the junior colleges of the state of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
58  
Reported Back: Amended, 1083  
Amendments adopted, 1115  
Engrossed, 1153  
Final Passage: Passed, 1156  
Messaged to Senate, 1200  
Returned to House: Amended, 2018  
House concurs, 2065  
Final Passage: Passed, 2107  
Enrolled, 2172  
Signed by Speaker, 2183  
Sent to Senate, signed by Speaker, 2183  
Returned to House, signed by President, 2199  
Sent to Governor, 2239  
Approved by Governor, 2380

**House Bill No. 1008.** Division of Independent Study — A Bill for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
58  
Reported Back: Amended, 932  
Amendments adopted, 962  
Engrossed, 995  
Final Passage: Passed, 1006  
Messaged to Senate, 1116  
Returned to House: Passed, 1864  
Enrolled, 1883  
Signed by Speaker, 1890  
Sent to Senate, signed by Speaker, 1891  
Returned to House, signed by President, 1928  
Sent to Governor, 1931  
Approved by Governor, 2084

**House Bill No. 1009.** Extension Division and Experiment Stations — A Bill for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
58  
Reported Back: Amended, 883-885  
Reconsidered action by which House accepted Committee Report —  
motion prevailed, 914  
Re-referred to Committee on Appropriations, 915  
Reported Back: Amended, 1025-1027  
Amendments adopted, 1052

Engrossed, 1113  
 Final Passage: Passed, 1124  
 Messaged to Senate, 1172  
 Returned to House: Amended, 2041-2042  
 House concurs, 2083  
 Reconsidered action by which House concurred on Senate amendments, motion prevailed, 2106  
 House does not concur, 2106  
 Conference Committee:  
 House, 2107  
 Senate, 2122  
 Conference Committee Report:  
 House adopts, 2159  
 Senate adopts, 2275  
 Conference Committee amendments adopted, properly re-engrossed, second reading and final passage, 2173  
 Final Passage: Passed, 2173  
 Enrolled, 2366  
 Signed by Speaker, 2366  
 Sent to Senate, signed by Speaker, 2367  
 Returned to House, signed by President, 2367  
 Sent to Governor, 2367  
 Approved by Governor, 2380

**House Bill No. 1010.** Department of Health — A Bill for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations, 58  
 Reported Back: Amended, 1083-1085  
 Amendments adopted, 1115  
 Engrossed, 1153  
 Final Passage: Passed, 1156  
 Messaged to Senate, 1200  
 Returned to House: Amended, 2042-2048  
 House does not concur, 2068  
 Conference Committee: House, 2068 Senate, 2098  
 Majority Committee on Conference Committee failed to pass — roll call vote, 2204  
 Minority Committee of Conference Committee failed to pass — roll call vote, 2207  
 Conference Committee Report: House, 2208 Senate, 2213  
 Conference Committee dissolved — new committee appointed, 2208  
 Conference Committee Report: House does not adopt, 2313  
 Conference Committee dissolved — new committee appointed, 2318  
 Conference Committee: House, 2318 Senate, 2321  
 Conference Committee: House, 2349 Senate, 2361  
 Rules suspended, Conference Committee amendments adopted, properly re-engrossed, second reading and final passage, 2352  
 Final Passage: Passed, 2352  
 Enrolled, 2376  
 Signed by Speaker, 2376



Sent to Senate, signed by Speaker, 2376  
 Returned to House, signed by President, 2377  
 Sent to Governor, 2377  
 Approved by Governor, 2380

**House Bill No. 1011.** Social Service Board — A Bill for an Act making an appropriation for defraying the expenses of the social service board of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 59  
 Reported Back: Amended, 1086-1088  
 Amendments adopted, 1115  
 Engrossed, 1153  
 Final Passage: Passed, 1157  
 Messaged to Senate, 1206  
 Returned to House: Amended, 2048-2049  
 House concurs, 2080  
 Final Passage: Passed, 2108  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183  
 Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2380

**House Bill No. 1012.** Council on Human Resources — A Bill for an Act making an appropriation for defraying the expenses of the governor's council on human resources of the State of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 59  
 Reported Back: Amended, 459-460  
 Amendments adopted, 472  
 Engrossed, 499  
 Final Passage: Passed, 505  
 Messaged to Senate, 571  
 Returned to House: Amended, 1286-1287  
 House concurs, 1309  
 Final Passage: Passed, 1353  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1412  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1435  
 Approved by Governor, 1618

**House Bill No. 1013.** — A Bill for an Act making an appropriation for defraying the expenses of the Indian Affairs Commission of the State of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 59

**Reported Back: Do Pass, 460**  
**Engrossed, 1236**  
**Final Passage: Passed, 476**  
**Messaged to Senate, 537**  
**Returned to House: Amended, 1162**  
**House concurs, 1209**  
**Final Passage: Passed, 1237**  
**Enrolled, 1307**  
**Signed by Speaker, 1337**  
**Sent to Senate, signed by Speaker, 1337**  
**Returned to House, signed by President, 1350**  
**Sent to Governor, 1372**  
**Approved by Governor, 1479**

**House Bill No. 1014.** Department of Veterans' Affairs — A Bill for an Act making an appropriation for defraying the expenses of the department of veterans' affairs of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 59

**Reported Back: Amended, 487**  
**Amendments adopted, 500**  
**Engrossed, 529**  
**Final Passage: Passed, 538**  
**Messaged to Senate, 607**  
**Returned to House: Amended, 1218**  
**House concurs, 1275**  
**Final Passage: Passed, 1309**  
**Enrolled, 1381**  
**Signed by Speaker, 1392**  
**Sent to Senate, signed by Speaker, 1393**  
**Returned to House, signed by President, 1405**  
**Sent to Governor, 1407**  
**Vetoed by Governor, 1534**  
**Reconsidered as a vetoed measure, 1535**  
**Laid over one legislative day, 1535**  
**Placed on second reading and final passage for purpose of reconsideration of that portion of the measure that was vetoed, 1589**  
**Final Passage: Failed to pass over that portion which Governor vetoed, 1589**  
**House Bill 1014 delivered to Secretary of State, 1666**

**House Bill No. 1015.** — Office of Economic Opportunity — A Bill for an Act making an appropriation for defraying the expenses of the office of economic opportunity of the State of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 59

**Reported Back: Amended, 933**  
**Amendments adopted, 960**  
**Engrossed, 995**  
**Final Passage: Passed, 1007**  
**Messaged to Senate, 1116**  
**Returned to House: Failed to pass, 1441**

**House Bill No. 1016.** Aeronautics Commission — A Bill for an Act making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
59

Reported Back: Amended, 842  
Amendments adopted, 864  
Engrossed, 912  
Final Passage: Passed, 919  
Messaged to Senate, 996  
Returned to House: Passed, 1323  
Enrolled, 1381  
Signed by Speaker, 1392  
Sent to Senate, signed by Speaker, 1393  
Returned to House, signed by President, 1405  
Sent to Governor, 1407  
Approved by Governor, 1533

**House Bill No. 1017.** Weather Modification Board — A Bill for an Act making an appropriation for defraying the expenses of the weather modification board of the State of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
59

Reported Back: Amended, 772  
Amendments adopted, 788  
Engrossed, 821  
Final Passage: Lost, 830  
Reconsidered action by which House failed to pass — motion prevailed, 866  
Final Passage: Passed, 867  
Messaged to Senate, 950  
Returned to House: Amended, 1286  
Enrolled, 1349  
Signed by Speaker, 1359  
Sent to Senate, signed by Speaker, 1360  
Returned to House, signed by President, 1375  
Sent to Governor, 1376  
Approved by Governor, 1480

**House Bill No. 1018.** Department of Banking and Financial Institutions — A Bill for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations,  
59

Reported Back: Amended, 488  
Amendments adopted, 500  
Engrossed, 529  
Final Passage: Passed, 539  
Messaged to Senate, 607

Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1479

**House Bill No. 1019.** Securities Commissioner — A Bill for an Act making an appropriation for defraying the expenses of the securities commissioner of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 59

Reported Back: Amended, 317  
 Reconsidered action by which House accepted Committee Report —  
 motion prevailed, 362

Re-referred to Committee on Appropriations, 362

Reported Back: Amend 693

Engrossed, 747

Final Passage: Passed, 759

Messaged to Senate, 826

Returned to House: Amended, 1441

House does not concur, 1546

Conference Committee: House, 1547 Senate, 1609

Conference Committee Report: House adopts, 2085 Senate adopts,  
 2137

Enrolled, 2299

Signed by Speaker, 2303

Sent to Senate, signed by Speaker, 2303

Returned to House, signed by President, 2319

Sent to Governor, 2365

Approved by Governor, 2380

**House Bill No. 1020.** State Fire Marshall — A Bill for an Act making an appropriation for defraying the expenses of the state fire marshall of the State of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 60

Reported Back: Do Pass, 1028

Final Passage: Passed, 1059

Messaged to Senate, 1134

Returned to House: Passed, 1392

Enrolled, 1437

Signed by Speaker, 1445

Sent to Senate, signed by Speaker, 1445

Returned to House, signed by President, 1453

Sent to Governor, 1462

Approved by Governor, 1618

**House Bill No. 1021.** State Laboratories Department — A Bill for an

Act making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
60

Reported Back: Amended, 554

Amendments adopted, 566

Engrossed, 602

Final Passage: Passed, 604

Messaged to Senate, 674

Returned to House: Failed to pass, 2038

**House Bill No. 1022.** Livestock Sanitary Board — A Bill for an Act making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
60

Reported Back: Amended, 515

Amendments adopted, 530

Engrossed, 565

Final Passage: Passed, 573

Messaged to Senate, 652

Returned to House: Passed, 1161

Enrolled, 1207

Signed by Speaker, 1212

Sent to Senate, signed by Speaker, 1220

Returned to House, signed by President, 1226

Sent to Governor, 1373

Approved by Governor, 1479

**House Bill No. 1023.** Milk Stabilization Board — A Bill for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
60

Reported Back: Amended, 515

Amendments adopted, 530

Engrossed, 565

Final Passage: Passed, 573

Messaged to Senate, 652

Returned to House: Passed, 1218

Enrolled, 1273

Signed by Speaker, 1279

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308

Sent to Governor, 1373

Approved by Governor, 1479

**House Bill No. 1024.** North Dakota State Fair Association — A Bill for an Act making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
60

Reported Back: Amended, 1028

Amendments adopted, 1053

Engrossed, 1113

Final Passage: Passed, 1125

Messaged to Senate, 1172

Returned to House: Amended, 2049-2050

House does not concur, 2068

Conference Committee: House, 2069 Senate, 2098

Conference Committee Report: House adopts, 2160 Senate adopts, 2275

Rules suspended, Conference Committee amendments adopted,  
properly re-engrossed, second reading and final passage, 2174

Final Passage: Passed, 2174

Enrolled, 2366

Signed by Speaker, 2366

Sent to Senate, signed by Speaker, 2367

Returned to House, signed by President, 2367

Sent to Governor, 2367

Approved by Governor, 2380

**House Bill No. 1025.** Business and Industrial Development Department — A Bill for an Act making an appropriation for defraying the expenses of the business and industrial development department of the State of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
60

Reported Back: Amended, 584-585

Amendments adopted, 603

Engrossed, 637

Final Passage: Passed, 647

Messaged to Senate, 714

Returned to House: Amended, 1540

House concurs, 1972

Final Passage: Passed, 2001

Enrolled, 2060

Signed by Speaker, 2072

Sent to Senate, signed by Speaker, 2072

Returned to House, signed by President, 2075

Sent to Governor, 2080

Approved by Governor, 2146

**House Bill No. 1026.** Abandoned Motor Vehicles — A Bill for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations; 60

Reported Back: Do pass, 246  
 Final Passage: Passed, 257  
 Messaged to Senate, 316  
 Returned to House: Amended, 1162-1163  
 House concurs, 1209  
 Final Passage: Passed, 1238  
 Enrolled, 1349  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1359  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1027.** Combined Law Enforcement Council — A Bill for an Act making an appropriation for defraying the expenses of the combined law enforcement council of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 60  
 Reported Back: Amended, 843  
 Amendments adopted, 864  
 Engrossed, 912  
 Final Passage: Passed, 920  
 Messaged to Senate, 996  
 Returned to House: Amended, 1978  
 House does not concur, 2069  
 Conference Committee: House, 2069 Senate, 2098  
 Conference Committee Report: House adopts, 2135 Senate adopts,  
 2275  
 Conference Committee amendments adopted, 2140  
 Final Passage: Passed, 2193  
 Enrolled, 2376  
 Signed by Speaker, 2376  
 Sent to Senate, signed by Speaker, 2376  
 Returned to House, signed by President, 2377  
 Sent to Governor, 2377  
 Approved by Governor, 2380

**House Bill No. 1028.** Highway Patrol — A Bill for an Act making an appropriation for defraying the expenses of the highway patrol and the various divisions thereof of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 60  
 Reported Back: Amended, 1090  
 Amendments adopted, 1115  
 Engrossed, 1153  
 Final Passage: Passed, 1158  
 Messaged to Senate, 1200  
 Returned to House: Amended, 2019  
 House concurs, 2065  
 Final Passage: Passed, 2122  
 Enrolled, 2215

Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker, 2274  
 Returned to House, signed by President, 2283  
 Sent to Governor, 2298  
 Approved by Governor, 2380

**House Bill No. 1029.** Highway Department — A Bill for an Act making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 61

Reported Back: Amended, 1091  
 Amendments adopted, 1115  
 Engrossed, 1153  
 Final Passage: Passed, 1158  
 Messaged to Senate, 1200  
 Returned to House: Amended, 2019  
 House concurs, 2065  
 Final Passage: Passed, 2123  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183  
 Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2380

**House Bill No. 1030.** Upper Great Plains Transportation Institute — A Bill for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 61

Reported Back: Do pass, 967  
 Final Passage: Passed, 997  
 Messaged to Senate, 1116  
 Returned to House: Amended, 1895  
 House does not concur, 1972  
 Conference Committee: House, 1972 Senate, 2017  
 Conference Committee Report: House adopts, 2141 Senate adopts,  
 2275  
 Rules suspended, Conference Committee amendments adopted,  
 properly engrossed, second reading and final passage, 2174  
 Final Passage: Passed, 2175  
 Enrolled, 2370  
 Signed by Speaker, 2370  
 Sent to Senate, signed by Speaker, 2370  
 Returned to House, signed by President, 2370  
 Sent to Governor, 2371  
 Approved by Governor, 2380

**House Bill No. 1031.** — A Bill for an Act making an appropriation for



defraying the expenses of the motor vehicle department of the state of North Dakota; and declaring an emergency.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
61

Reported Back: Amended, 772-773

Amendments adopted, 788

Engrossed, 821

Final Passage: Passed and emergency clause carried, 830

Messaged to Senate, 917

Returned to House: Passed, 1420

Enrolled, 1482

Signed by Speaker, 1485

Sent to Senate, signed by Speaker, 1486

Returned to House, signed by President, 1500

Sent to Governor, 1506

Approved by Governor, 1667

**House Bill No. 1032.** Commissioner of University and School Lands — A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
61

Reported Back: Amended, 886-887

Amendments adopted, 918

Engrossed, 949

Final Passage: Passed, 962

Messaged to Senate, 1054

Returned to House: Amended, 1441

House does not concur, 1546

Conference Committee: House, 1547 Senate, 1609

Conference Committee Report: House adopts, 2130 Senate adopts,  
2275

Conference Committee amendments adopted, 2140

Final Passage: Passed, 2194

Enrolled, 2366

Signed by Speaker, 2366

Sent to Senate, signed by Speaker, 2367

Returned to House, signed by President, 2367

Sent to Governor, 2367

Approved by Governor, 2381

**House Bill No. 1033.** Industrial Commission — A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
61

Reported Back: Amended, 887-888

Amendments adopted, 918  
 Engrossed, 949  
 Final Passage: Passed, 963  
 Messaged to Senate, 1054  
 Returned to House: Amended, 1977  
 House does not concur, 2068  
 Conference Committee: House, 2069 Senate, 2098  
 Conference Committee Report: House adopts, 2149 Senate adopts,  
 2275  
 Conference Committee amendments adopted, 2188  
 Final Passage: Passed, 2190  
 Enrolled, 2366  
 Signed by Speaker, 2366  
 Sent to Senate, signed by Speaker, 2367  
 Returned to House, signed by President, 2367  
 Sent to Governor, 2367  
 Approved by Governor, 2381

**House Bill No. 1034.** Public Employees Retirement System and Group Insurance — A Bill for an Act making an appropriation for defraying the administrative expenses of the public employees retirement system and the group insurance program of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 61  
 Reported Back: Do pass, 1069  
 Final Passage: Passed, 1125  
 Messaged to Senate, 1172  
 Returned to House: Passed, 1420  
 Enrolled, 1482  
 Signed by Speaker, 1485  
 Sent to Senate, signed by Speaker, 1486  
 Returned to House, signed by President, 1501  
 Sent to Governor, 1506  
 Approved by Governor, 1667

**House Bill No. 1035.** Teachers' Fund for Retirement — A Bill for an Act making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 61  
 Reported Back: Amend,  
 Amendments adopted, 500  
 Engrossed, 529  
 Final Passage: Passed, 539  
 Messaged to Senate, 607  
 Returned to House: Amended, 1162

House concurs, 1209  
 Final Passage: Passed, 1238  
 Senate requests return, 1259  
 Reconsidered action by which House Bill was passed — motion prevailed, 1259  
 Reconsidered action by which House concurred in Senate amendments, 1259  
 House accedes to request, 1259  
 Returned to Senate, 1259  
 Returned to House, Amended, 1371  
 House Concurs, 1546  
 Final Passage: Passed, 1584  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1692  
 Approved by Governor, 1832

**House Bill No. 1036.** Employment Security Bureau — A Bill for an Act making an appropriation for defraying the expenses of the employment security bureau and divisions thereof of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 61  
 Reported Back: Amended, 843-844  
 Amendments adopted, 864  
 Engrossed, 912  
 Final Passage: Passed 920  
 Messaged to Senate, 996  
 Returned to House: Amended, 1838  
 House concurs, 1972  
 Final Passage: Passed, 2001  
 Enrolled, 2096  
 Signed by Speaker, 2096  
 Returned to House, signed by President, 2104  
 Sent to Senate signed by Speaker, 2096  
 Sent to Governor, 2111  
 Approved by Governor, 2285

**House Bill No. 1037.** Workmen's Compensation Bureau — A Bill for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 62  
 Reported Back: Amended, 585-586

Amendments adopted, 603  
 Engrossed, 637  
 Final Passage: Passed, 648  
 Messaged to Senate, 714  
 Returned to House: Amended, 1390  
 House concurs, 1547  
 Final Passage: Passed, 1584  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1692  
 Approved by Governor, 1832

**House Bill No. 1038.** — A Bill for an Act making an appropriation for defraying the expenses of the crime victims reparations act under the supervision of the workmen's compensation bureau of the State of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 62  
 Reported Back: Amended, 317-318  
 Amendments adopted, 362  
 Engrossed, 385  
 Final Passage: Passed, 389  
 Messaged to Senate, 450  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1479

**House Bill No. 1039.** Transfer From Mill and Elevator — A Bill for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

Introduced by Appropriations  
 Introduction, first reading, referred to Committee on Appropriations,  
 62  
 Reported Back: Amended, 516  
 Final Passage: Passed, 540  
 Messaged to Senate, 607  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1479

**House Bill No. 1040.** Transfer From Bank of North Dakota — A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state of North Dakota.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations, 62

Reported Back: Do pass, 516

Final Passage: Passed, 540

Messaged to Senate, 607

Returned to House: Passed, 1161

Enrolled, 1207

Signed by Speaker, 1212

Sent to Senate, signed by Speaker, 1220

Returned to House, signed by President, 1226

Sent to Governor, 1373

Approved by Governor, 1479

**House Bill No. 1041.** — A Bill for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to distribution of the North Dakota Administrative Code to each member of the legislative assembly; to amend and reenact section 28-32-03.2 of the North Dakota Century Code, relating to printing, sales, and distribution of the administrative code; and providing an appropriation.

Introduced by Representatives Unhjem and Stenehjem

Introduction, first reading, referred to Committee on Appropriations, 62

Reported Back: Amended, 398-399

Amendments adopted, 412

Engrossed, 443

Final Passage: Passed, 448

Messaged to Senate, 501

Returned to House: Passed, 1161

Enrolled, 1207

Signed by Speaker, 1212

Sent to Senate, signed by Speaker, 1220

Returned to House, signed by President, 1226

Sent to Governor, 1373

Approved by Governor, 1480

**House Bill No. 1042.** — A Bill for an Act to create and enact two new sections to chapter 54-44.3 of the North Dakota Century Code, relating to revisions to the classification and compensation plan established by the central personnel division, and setting forth intent that employee complaints be resolved by basic agency grievance procedures and a statewide appeal mechanism.

Introduced by Legislative Council Budget A Committee

Introduction, first reading, referred to Committee on State and Federal Government, 62

Reported Back: Amended, 229

Amendments adopted, 239

Engrossed, 255  
 Final Passage: Passed, 257  
 Messaged to Senate, 316  
 Returned to House: Amended, 609  
 House concurs, 653  
 Reconsidered action by which House concurred in Senate amend-  
 ments, motion prevailed, 671  
 House does not concur, 671  
 Conference Committee: House, 671 Senate, 723  
 Conference Committee Report: House adopts, 1716 Senate adopts,  
 2074  
 Conference Committee amendments adopted, 1775  
 Final Passage: Passed, 1856  
 Enrolled, 2111  
 Signed by Speaker, 2113  
 Sent to Senate, signed by Speaker, 2114  
 Returned to House, signed by President, 2129  
 Sent to Governor, 2129  
 Approved by Governor, 2349

**House Bill No. 1043.** — A Bill for an Act to amend and reenact sections 54-27-10 and 54-27-11 of the North Dakota Century Code, relating to the time during which appropriations become available.

Introduced by Legislative Council Budget A Committee  
 Introduction, first reading, referred to Committee on State and  
 Federal Government, 62  
 Reported Back: Do pass, 285  
 Final Passage: Passed, 307  
 Messaged to Senate, 389  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1279  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1479

**House Bill No. 1044** — A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to establishing jails, jail contracts, and regional corrections centers; definitions; grades of jail facilities; who may be confined in jail; confinement of state and federal inmates; housing of inmates; detained witnesses and pretrial detainees; commitment papers; jail registers; jail physical plants; safety and sanitation; jail administration; organization and management; supervision of inmates; inmate rights; meal payments; inmate personal property; searches; punishment of inmates; prohibited acts; removal of inmates in emergencies; inmate work programs; annoyance of inmates; inmate educational and counseling programs; jail standards and inspections; jail variances; and corrective action and enforcement; to amend and reenact section 19-03.1-23 of the North Dakota Century Code, relating to penalties for unlawful manufacture, delivery, or possession of controlled substances; and to repeal chapter 12-44, and sections 12-61-05, 58-03-04, and 58-03-05 of the North Dakota Century Code, relating to county jails and workhouses; the law

enforcement council recommending jail rules; a township's power to establish a jail; and newspaper notice of a township jail.

Introduced by Legislative Council Corrections and Penology Committee

Introduction, first reading, referred to Committee on Judiciary, 63

Reported Back: Amended, 729-730

Amendments adopted, 748

Engrossed, 787

Final Passage: Passed, 795

Messaged to Senate, 866

Returned to House: Amended, 2076-2077

House concurs, 2083

Final Passage: Passed, 2124

Enrolled, 2215

Signed by Speaker, 2274

Sent to Senate, signed by Speaker, 2274

Returned to House, signed by President, 2283

Sent to Governor, 2299

Approved by Governor, 2381

**House Bill No. 1045.** — A Bill for an Act to amend and reenact section 12-47-22 of the North Dakota Century Code, relating to the confinement of and communication with penitentiary inmates and removing the prohibition against all communication between male and female inmates; and declaring an emergency.

Introduced by Legislative Council Corrections and Penology Committee

Introduction, first reading, referred to Committee on State and Federal Government, 63

Reported Back: Do pass, 145

Final Passage: Passed and emergency clause carried, 160

Messaged to Senate, 192

Returned to House: Passed, 571

Enrolled, 602

Signed by Speaker, 602

Sent to Senate, signed by Speaker, 608

Returned to House, signed by President, 611

Sent to Governor, 653

Approved by Governor, 822

**House Bill No. 1046.** — A Bill for an Act to provide for annual fire inspection of all state institutions and buildings.

Introduced by Legislative Council Corrections and Penology Committee

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 63

Reported Back: Amended and re-referred to Committee on Appropriations, 286

Amendments adopted and re-referred to Committee on Appropriations, 304

Reported Back: Do pass, 888

Engrossed, 362

Final Passage: Passed, 921

Messaged to Senate, 996  
 Returned to House: Amended, 1838  
 Senate requests return, 1970  
 House accedes to request, 1972  
 Messaged to Senate, 1977  
 Returned to House: Amended, 2137  
 House concurs, 2145  
 Final Passage: Passed, 2187  
 Enrolled, 2370  
 Signed by Speaker, 2370  
 Sent to Senate, signed by Speaker, 2370  
 Returned to House, signed by President, 2370  
 Sent to Governor, 2371  
 Approved by Governor, 2381

**House Bill No. 1047.** — A Bill for an Act to create and enact a new section to chapter 23-09 of the North Dakota Century Code, relating to annual food service, sanitation, and medical services inspection of all state institutions by the state department of health.

Introduced by Legislative Council Corrections and Penology Committee

Introduction, first reading, referred to Committee on Social Welfare and Veterans Affairs, 63

Reported Back: Amended, 286

Amendments adopted, 304

Engrossed, 362

Final Passage: Passed, 366

Messaged to Senate, 414

Returned to House: Failed to pass, 1497

**House Bill No. 1048.** — A Bill for an Act to create a drug enforcement unit within the office of attorney general and to establish its jurisdiction and duties, and the powers of enforcement personnel; to amend and reenact subsection 1 of section 19-03.1-32 and section 54-12-14 of the North Dakota Century Code, relating to the powers of controlled substances enforcement personnel and the drug control cash fund.

Introduced by Legislative Council Criminal Justice Committee

Introduction, first reading, referred to Committee on State and Federal Government, 63

Returned to House and re-refer to Committee on Judiciary, 99

Reported Back: Amended and re-refer to Committee on Appropriations, 489

Amendments adopted and re-referred to Committee on Appropriations, 500

Engrossed, 529

Reported Back: Amend, 1029

Amendments adopted, 1053

Re-engrossed, 1114

Final Passage: Passed, 1126

Messaged to Senate, 1173

Returned to House: Amended, 2050

House concurs, 2083



Final Passage: Passed, 2124  
Enrolled, 2172  
Signed by Speaker, 2183  
Sent to Senate, signed by Speaker, 2183  
Returned to House, signed by President, 2199  
Sent to Governor, 2240  
Approved by Governor, 2381

**House Bill No. 1049.** — A Bill for an Act to amend and reenact section 19-03.1-36 of the North Dakota Century Code, relating to the forfeiture of conveyances used to illegally transport controlled substances, raw materials, products, and equipment; for the seizure of such conveyances by law enforcement agencies; and allowing for the sale of conveyances and the deposit of remainder proceeds in the state, county, or city general fund.

Introduced by Legislative Council Criminal Justice Committee  
Introduction, first reading, referred to Committee on Judiciary, 64  
Reported Back: Do pass, 287  
Final Passage: Passed, 308  
Messaged to Senate, 389  
Returned to House: Passed, 1286  
Enrolled, 1349  
Signed by Speaker, 1359  
Sent to Senate, signed by Speaker, 1359  
Returned to House, signed by President, 1375  
Sent to Governor, 1376  
Approved by Governor, 1480

**House Bill No. 1050.** — A Bill for an Act to allow the controlled use of marijuana to alleviate the nausea and ill effects of cancer chemotherapy and glaucoma and such other disease groups as the patient qualification review board may include, to establish a marijuana research program under the health department and a patient qualification review board to certify patient applicants, to provide for the distribution of marijuana under the Act, and for a report to the governor and the legislative assembly; to create and enact a new subsection to section 19-03.1-05 and two new subdivisions to subsection 2 of section 19-03.1-07 of the North Dakota Century Code, exempting marijuana and tetrahydrocannabinols from the schedule I list of controlled substances having no accepted medical use for purposes of this Act, and including the substances under schedule II for purposes of this Act as having currently accepted medical use; and to provide that the provisions of this Act shall be temporary.

Introduced by Legislative Council Criminal Justice Committee  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 64  
Reported Back: Do not pass, 164  
Final Passage: Lost, 175

**House Bill No. 1051.** — A Bill for an Act to create and enact a new subsection to section 23-02.1-19 of the North Dakota Century Code, relating to the reporting of alcohol or drug-related deaths on death certificates and medical certifications for statistical and informational purposes.

Introduced by Legislative Council Criminal Justice Committee  
Introduction, first reading, referred to Committee on Social Services  
and Veterans Affairs, 64

Reported Back: Do not pass, 164 Final Passage: Lost, 175

**House Bill No. 1052.** — A Bill for an Act to create and enact section 29-28-06.1 of the North Dakota Century Code, allowing a defendant to appeal a felony sentence to the supreme court; and to amend and reenact sections 29-28-06 and 29-28-28 of the North Dakota Century Code, relating to supreme court appeals allowed a criminal defendant and to powers of the supreme court on criminal appeal.

Introduced by Legislative Council Criminal Justice Committee  
Introduction, first reading, referred to Committee on Judiciary, 64

Reported Back: Amend, 164-165

Amendments adopted, 173

Engrossed, 185

Final Passage: Passed, 186

Messaged to Senate, 219

Returned to House: Failed to pass, 1217

**House Bill No. 1053.** — A Bill for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to simple assault and increasing the punishment.

Introduced by Legislative Council Criminal Justice Committee

Introduction, first reading, referred to Committee on Judiciary, 64

Reported Back: Amend, 126

Amendments adopted, 136

Engrossed, 157

Final Passage: Passed, 160

Messaged to Senate, 192

Returned to House: Amended, 1287

House concurs, 1309

Final Passage: Passed, 1354

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1412

Returned to House, signed by President, 1435

Sent to Governor, 1435

Approved by Governor, 1618

**House Bill No. 1054.** — A Bill for an Act to provide a criminal penalty for the removal from or detention of a child outside North Dakota by a noncustodial parent in violation of a custody decree.

Introduced by Legislative Council Criminal Justice Committee

Introduction, first reading, referred to Committee on Judiciary, 64

Reported Back: Do pass, 165

Final Passage: Passed, 177

Messaged to Senate, 204

Returned to House: Passed, 1218

Enrolled, 1273

Signed by Speaker, 1279

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1055.** — A Bill for an Act to amend and reenact section 27-20-54 of the North Dakota Century Code, relating to the sealing and disposal of juvenile records; and to repeal section 27-20-54.1 of the North Dakota Century Code, relating to the destruction of juvenile records.

Introduced by Legislative Council Criminal Justice Committee  
 Introduction, first reading, referred to Committee on Judiciary, 65  
 Reported Back: Amended, 208  
 Amendments adopted, 217  
 Engrossed, 239  
 Final Passage: Passed, 242  
 Messaged to Senate, 278  
 Returned to House: Passed, 1323  
 Enrolled, 1381  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1533

**House Bill No. 1056.** — A Bill for an Act to amend and reenact sections 15-20.1-10, 15-40.1-03, 15-40.1-04, 15-40.1-05, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-10, 15-40.1-11, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-45-01, 15-45-02, 15-47-16, and 15-59-06 of the North Dakota Century Code, relating to state support for public kindergarten programs, and to the payment of state foundation aid payments directly to school districts and to the establishment, length, and funding of kindergarten programs.

Introduced by Legislative Council Education Committee  
 Introduction, first reading, referred to Committee on Education, 65  
 Reported Back: Amend and re-refer to Committee on Appropriations, 654-656  
 Amendments adopted, 670 and re-referred to Committee on Appropriations, 670  
 Reported Back: Amended, 1092-1094  
 Amendments adopted, 1115  
 Engrossed, 710  
 Floor amendment, motion prevailed, 1160  
 Final Passage: Passed and emergency clause carried, 1161  
 Messaged to Senate, 1200  
 Returned to House: Amended, 2019-2021  
 House does not concur, 2065  
 Conference Committee: House, 2065 Senate, 2097  
 Conference Committee Report: House adopts, 2178 Senate adopts, 2283  
 Reconsidered action by which House adopted Conference Committee Report - motion failed, 2188  
 Conference Committee amendments adopted, 2188

Final Passage: Passed, 2190  
Enrolled, 2378  
Signed by Speaker, 2378  
Sent to Senate, signed by Speaker, 2378  
Returned to House, signed by President, 2378  
Sent to Governor, 2379  
Approved by Governor, 2381

**House Bill No. 1057.** — A Bill for an Act to prohibit school boards from selling textbooks to pupils or otherwise charging unauthorized fees, to allow school boards to establish authorized fees, to allow the superintendent of public instruction to withhold foundation payments if a school district has charged unauthorized fees and, after notification, refuses to discontinue such action, to exempt postsecondary instructional programs; to repeal sections 15-43-07, 15-43-08, 15-43-09, 15-43-10, and 15-43-11 of the North Dakota Century Code, relating to selling textbooks to pupils, purchase of textbooks from families moving from a school district, discretionary authority of school districts to provide free textbooks, prescribing the duty of parents or guardians of pupils to furnish textbooks, and changing of textbooks.

Introduced by Legislative Council Education Committee  
Introduction, first reading, referred to Committee on Education, 65  
Reported Back: Amended, 246-247  
Amendments adopted, 256  
Engrossed, 277  
Final Passage: Passed, 280  
Messaged to Senate, 363  
Returned to House: Passed, 1161  
Enrolled, 1207  
Signed by Speaker, 1213  
Sent to Senate, signed by Speaker, 1220  
Returned to House, signed by President, 1226  
Sent to Governor, 1374  
Approved by Governor, 1480

**House Bill No. 1058.** — A Bill for an Act to amend and reenact section 57-38-35.1, subsection 1 of section 57-39.2-18, section 57-39.2-25, and subsection 1 of section 57-40.2-15 of the North Dakota Century Code, relating to interest, penalties, and refunds on income taxes and sales and use taxes; and providing an effective date.

Introduced by Legislative Council Finance and Taxation Committee  
Introduction, first reading, referred to Committee on Finance and Taxation, 65  
Reported Back: Amended, 489-490  
Amendments adopted, 500  
Engrossed, 529  
Final Passage: Passed, 541  
Messaged to Senate, 607  
Returned to House: Passed, 1323  
Enrolled, 1381  
Signed by Speaker, 1392  
Sent to Senate, signed by Speaker, 1393  
Returned to House, signed by President, 1405

Sent to Governor, 1407  
Approved by Governor, 1533

**House Bill No. 1059.** — A Bill for an Act to provide for the appointment of a human service center board of directors; to create and enact sections 54-40-10 and 54-40-11 of the North Dakota Century Code, relating to certification of human service centers and to a fiscal incentive for the collocation of county social services with human service centers; and to amend and reenact section 54-40-09 of the North Dakota Century Code, relating to human service centers, their boards of directors, powers, duties, and certification.

Introduced by Legislative Council Health Services Committee  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 65

Reported Back: Amended, 619-620

Amendments adopted, 638

Engrossed, 669

Final Passage: Passed, 676

Messaged to Senate, 752

Returned to House: Passed, 1286

Enrolled, 1349

Signed by Speaker, 1359

Sent to Senate, signed by Speaker, 1359

Returned to House, signed by President, 1375

Sent to Governor, 1376

Approved by Governor, 1480

**House Bill No. 1060.** — A Bill for an Act to create and enact a new section to chapter 25-10 of the North Dakota Century Code, relating to the authority of the mental health and retardation division; and to amend and reenact sections 25-12-01, 25-12-02, 25-12-03, and 25-12-04 of the North Dakota Century Code, relating to the operation of mental health and retardation service units.

Introduced by Legislative Council Health Services Committee  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 65

Reported Back: Do pass, 262

Final Passage: Passed, 280

Messaged to Senate, 363

Returned to House: Passed, 1286

Enrolled, 1349

Signed by Speaker, 1359

Sent to Senate, signed by Speaker, 1359

Returned to House, signed by President, 1375

Sent to Governor, 1376

Approved by Governor, 1486

**House Bill No. 1061** — A Bill for an Act to improve the quality, and efficiency in delivery, of human services through the collocation of social services and mental health services in each of the eight regions of the state; providing for joint intake, interagency referral, and interprogram planning and coordination; encouraging regional collocation of other related human services; providing for a fiscal incentive for the collocation of county social services in the regional centers;

providing for the North Dakota social service board to reimburse qualifying mental health and retardation service units and human service centers for provision of clinical services to medical assistance individuals; and to amend and reenact section 50-24.1-03 of the North Dakota Century Code, relating to medical assistance.

Introduced by Legislative Council Health Services Committee  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 65  
 Reported Back: Do pass, 263  
 Final Passage: Passed, 281  
 Messaged to Senate, 363  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1359  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1062.** — A Bill for an Act to provide for an appropriation for adult basic and secondary education programs.

Introduced by Legislative Council Higher Education Committee  
 Introduction, first reading, referred to Committee on Appropriations, 66  
 Reported Back: Do not pass, 247  
 Final Passage: Lost, 256

**House Bill No. 1063.** — A Bill for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, providing for coordination of adult basic and secondary education by the superintendent of public instruction.

Introduced by Legislative Council Higher Education Committee  
 Introduction, first reading, referred to Committee on Education, 66  
 Reported Back: Do pass, 374  
 Final Passage: Passed, 390  
 Messaged to Senate, 450  
 Returned to House: Passed, 1674  
 Enrolled, 1773  
 Signed by Speaker, 1824  
 Sent to Senate, signed by Speaker, 1824  
 Returned to House, signed by President, 1858  
 Sent to Governor, 1859  
 Approved by Governor, 1946

**House Bill No. 1064.** — A Bill for an Act to amend and reenact sections 15-46-01 and 15-46-04 of the North Dakota Century Code, relating to adult education programs and funding; and to repeal sections 15-46-02, 15-46-03, and 15-46-05 of the North Dakota Century Code, relating to requirements for the establishment of evening schools, salaries of evening school teachers, and the expenditure of evening school funds.

Introduced by Legislative Council Higher Education Committee  
 Introduction, first reading, referred to Committee on Education, 66  
 Reported Back: Do pass, 263 Re-referred to Committee on Education, 278  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 278  
 Reported Back: Amended, 318  
 Amendments adopted, 362  
 Engrossed, 385  
 Final Passage: Passed, 390  
 Messaged to Senate, 450  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1279  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1065.** — A Bill for an Act to create and enact a new section to chapter 40-57 of the North Dakota Century Code, relating to restrictions on the use of financing under the Municipal Industrial Development Act of 1955 for the construction of public vocational education facilities.

Introduced by Legislative Council Industry, Business and Labor Committee  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 66  
 Reported Back: Without recommendation, 229  
 Reconsidered action by which House accepted Committee report — motion prevailed, 246  
 Re-referred to Committee on Industry, Business and Labor, 246  
 Reported Back: Amended, 375  
 Amendments adopted, 386  
 Engrossed, 411  
 Final Passage: Passed, 415  
 Messaged to Senate, 475  
 Returned to House: Amended, 1219  
 House does not concur, 1242  
 Conference Committee: House, 1242 Senate, 1323  
 Conference Committee Report: House adopts, 1884  
 Conference Committee amendments adopted, 1947  
 Final Passage: Lost, 202

**House Bill No. 1066.** — A Bill for an Act to establish a unified judicial system, to abolish county courts, county justice courts, and county courts of increased jurisdiction; and to create and enact chapters 27-01.1, 27-02.1, 27-03.1, 27-04.1, 27-06.1, 27-07.1, and 27-24 of the North Dakota Century Code, relating to the general provisions of the unified judicial system, the supreme court, supreme court officials, the district courts, district court officials, probate matters and magistrates, and the municipal courts; and to repeal chapter 11-17, chapters 27-01 through 27-05, chapters 27-06 through 27-08, chapters 27-18 and 30-26, chapters 33-01 through 33-05, chapters 33-07 through 33-12, chapter 40-18, sections 11-09-22 and 11-09-23, subsection 8 of section 11-10-06, and

section 11-11-12, 11-15-10, subsection 17 of section 12.1-01-04, and sections 24-07-25, 27-09.1-21, 27-20-04, 28-20-19, 28-26-03, 29-07-06, 31-09-05, 31-09-06, 31-09-07, 32-22-18, 47-18-28, and 47-19-37 of the North Dakota Century Code, relating to clerks of the district courts, the general provisions of the judicial branch of government, the supreme court and its personnel, the district courts, district court clerks and reporters, the county courts, the county courts with increased jurisdiction, probate appeals, the county justice courts, municipal judges, the duty of the boards of county commissioners to provide courts with supplies and attendants, the committal jurisdiction of juvenile courts, preliminary examinations before police magistrates, and the acknowledgment of record title instruments before county justices.

Introduced by Legislative Council Judicial System Committee  
 Introduction, first reading, referred to Committee on Judiciary, 67  
 Reported Back: Amended, 656-659  
 Amendments adopted, 670  
 Engrossed, 710  
 Final Passage: Passed, 718  
 Messaged to Senate, 788  
 Returned to House: Failed to pass, 2018

**House Bill No. 1067.** — A Bill for an Act to create and enact chapter 27-25 of the North Dakota Century Code, relating to the creation of a judicial nominating committee.

Introduced by Legislative Council Judicial System Committee  
 Introduction, first reading, referred to Committee on Judiciary, 67  
 Reported Back: Amended, 192  
 Amendments adopted, 204  
 Engrossed, 217  
 Final Passage: Passed, 219  
 Messaged to Senate, 269  
 Returned to House: Amended, 1839  
 House concurs, 1889  
 Final Passage: Passed, 1947  
 Reconsidered action by which House Bill passed – motion prevailed, 2106  
 Reconsider action by which House concurred in Senate amendments, motion prevailed, 2106  
 House does not concur, 2106  
 Conference Committee: House, 2106 Senate, 2158  
 Conference Committee Report: House adopts, 2180 Senate adopts, 2283  
 Conference Committee amendments adopted, 2188  
 Final Passage: Passed, 2191  
 Enrolled, 2376  
 Signed by Speaker, 2376  
 Sent to Senate, signed by Speaker, 2376  
 Returned to House, signed by President, 2377  
 Sent to Governor, 2377  
 Vetoed by Governor, 2381

**House Bill No. 1068.** — A Bill for an Act to require the assignment of justices of the supreme court to temporary duty in district court.



Introduced by Legislative Council Judicial System Committee  
 Introduction, first reading, referred to Committee on Judiciary, 67  
 Reported Back: Do pass, 287  
 Final Passage: Passed, 308  
 Messaged to Senate, 389  
 Returned to House: Failed to pass, 1323

**House Bill No. 1069.** — A Bill for an Act to create and enact chapter 27-17.1 of the North Dakota Century Code, relating to the retirement of supreme court justices and district judges; and to repeal chapter 27-17 of the North Dakota Century Code, relating to judicial retirement.

Introduced by Legislative Council Judicial System Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 67  
 Reported Back: Do not pass, 375  
 Final Passage: Lost, 387

**House Bill No. 1070.** — A Bill for an Act to create and enact chapter 27-17.1 of the North Dakota Century Code, relating to retirement of judges.

Introduced by Legislative Council Judicial System Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 67  
 Reported Back: Do not pass, 375  
 Final Passage: Lost, 388  
 Reconsidered action by which House Bill lost – motion prevailed, 415  
 Final Passage: Passed, 445  
 Messaged to Senate, 501  
 Returned to House: Failed to pass, 1863

**House Bill No. 1071.** — A Bill for an Act to amend and reenact sections 4-16-09, 4-30-54, 4-33-06, 6-05-19, subsection 5 of section 6-05.1-05, sections 11-03-08, 11-05-16, 11-07-04, 11-08-06, subsection 1 of section 11-08-08, sections 11-08-13, 11-08-14, 11-09-29, 11-10-02, 11-10-10, 11-10-11, 11-10-20, 11-11-10, 11-12-05, 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-19-25, 11-20-01, 11-20-03, 11-21-02, 11-21-03, 11-21-04, 11-21-12, 11-21-13, 11-21-14, 11-30-16, 12-45-01, 12-46-13, 12-51-07, 12-53-01, 12-53-05, 12-53-13, 12-60-13.1, subsection 5 of section 12.1-01-04, sections 14-03-09, 14-03-10, 14-03-11, 14-03-12, 14-03-13, 14-03-15, 14-03-17, 14-03-19, 14-03-20, 14-03-21, 14-03-22, 14-03-24, 15-22-06, 15-40.2-05, 16-13-09, 16-13-11, 16-14-06, 16-21-03, 16-21.1-09, 18-02-09, 19-01-12, subsection 1 of section 19-03.1-33, 23-04-08, 23-05-06, 24-06-05, 24-07-22, 24-07-24, 24-07-28, 25-03.1-02, 25-03.1-03, 25-03.1-08, subsection 1 of section 25-03.1-09, sections 25-03.1-29 and 25-03.1-38, subsection 3 of section 25-04-05.1, sections 25-05-13, 25-05-14, 25-05-21, 25-05-22, 25-09-02.2, 25-09-03, 25-11-05, 27-05.1-07, 27-08.1-01, 27-08.1-03, 27-08.1-08, 27-08.2-01, subsection 2 of section 27-09.1-09, sections 27-09.1-14, 27-11-03, 27-15-01, 27-15-02, 27-15-10, 27-19-08, subsection 2 of section 27-20-47, subsection 2 of section 27-23-01, sections 27-23-02, 28-18-09, 28-20-22, 28-26-19, 28-29-04, subsection 3 of section 29-01-01, subsection 4 of section 29-01-09, sections 29-01-14, 29-01-15, 29-02-13, 29-05-31, 29-08-02, 29-08-16, 29-10.1-38, subsection 1 of section 29-15-21, section 29-22-01, subsection 6 of section 30.1-01-06, sections 30.1-02-02, 30.1-02-07, subdivision c of subsection 2 of section 30.1-10-01, sections 32-09-03, 32-09-10, 32-15-14, 32-19-23, 32-19-24, 32-19-30, 32-24-01, 32-

29-05, 33-06-01, 33-06-03, 33-06-04, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 37-16-04, subsection 4 of section 38-10-01, sections 38-10-03, 38-10-05, 38-10-06, 38-10-08, 39-06-16, subsection 5 of section 39-06.1-03, sections 40-02-16, 40-09-16, 40-11-12, 40-13-02, 42-01-07, 42-03-01, 42-03-03, subsection 2 of section 43-23-07, sections 44-02-05, 44-03-02, 44-05-01, 44-08-04, 44-08-09, 44-09-01, 44-11-01, 44-11-12, 46-04-05, 47-03-06, 47-18-22, subsection 9 of section 47-19-02, sections 47-19-06, 47-19-14, subsection 4 of section 47-24-01, subsection 2 of section 50-01.1-04, sections 54-10-13, 57-26-02, 57-37.1-06, 57-37.1-12, and 58-02-23 of the North Dakota Century Code, removing references in the North Dakota Century Code to county judges with increased jurisdiction, county judges, county justices, justices of the peace, county courts, and county justice courts, and to require judicial expenses to be paid by the state.

Introduced by Legislative Council Judicial System Committee  
 Introduction, first reading, referred to Committee on Judiciary, 67  
 Reported Back: Amended, 1029-1031  
 Amendments adopted, 1053  
 Engrossed, 1113  
 Final Passage: Passed, 1127  
 Messaged to Senate, 1173  
 Returned to House: Failed to pass, 2018

**House Bill No. 1072.** — A Bill for an Act to amend and reenact section 54-03-04 of the North Dakota Century Code, relating to calling the house and senate to order on the first day of the organizational session of the legislative assembly.

Introduced by Legislative Council Legislative Procedure and Arrangements Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 68  
 Reported Back: Amended, 193  
 Amendments adopted, 204  
 Engrossed, 217  
 Final Passage: Passed, 220  
 Messaged to Senate, 269  
 Returned to House: Amended, 642  
 House does not concur, 690  
 Conference Committee: House, 690 Senate, 723  
 Conference Committee Report: House adopts, 1236 Senate adopts, 1390  
 Conference Committee amendments adopted, 1275  
 Final Passage: Passed, 1312  
 Enrolled, 1437  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1618

**House Bill No. 1073.** — A Bill for an Act to amend and reenact subsection 2 of section 13-03-18, sections 15-19-06, 15-28-10, 15-40.1-03, 15-52-19, 15-52-20, 15-52-21, 15-52-27, subsections 1 and 3 of section 15-61-02, sections 15-61-04, 16-04-07, 16-11-12, 16-15-05, 16-15-07, 16-15-09, 16-16-17.1, 16-18-17, 16-20-07, subsection 5 of section 16-20-08, sections 18-03-05, 18-05-

04, 18-05-13, 18-10-09, 18-11-09, 18-11-22, 19-01-12, subsections 14 through 23 of section 19-02.1-02, subsections 4 through 10 of section 19-02.1-05, sections 19-03.1-23, 19-07-02, 21-03-23, 21-04-09, 21-05-05, 21-10-10, subsection 4 of section 23-07-01.1, sections 23-15.1-07, 24-01-13, 24-01-41.1, 24-02-11, 24-06-02, 24-06-07, 25-01.1-20, subsections 1 and 3 of section 25-04-07, subsections 10 through 14 of section 26-01-02, sections 26-01-10, 26-08-13, 26-10-02, 26-10-14, 26-10-16, 26-26-14, 26-27-14, 26-27.1-18, 26-27.2-18, 26-33-04, 27-11-26, subsection 6 of section 27-14-02, sections 29-01-06.1, 29-03-20, 29-05-31, and 29-12-13, subsection 9 of section 29-15-21, sections 29-21-15, 29-21-17, 29-21-25, 29-22-20, 29-26-16, 34-01-12, 35-20-13, 36-05-10, 37-12-14, 37-20-03, 38-10-08, subsection 1 of section 39-01-01, sections 39-01-13 and 39-04-06, introductory paragraph of subsection 2 of section 39-04-18, section 39-06.1-09, paragraph 16 of subdivision a of subsection 3 of section 39-06.1-10, and sections 39-07-11, 39-08-13, 39-23-08, 40-33-24, 43-03-02, 43-12-27, 43-12-31, 43-15-01, 43-15-14, 44-04-14, 44-08-12, 44-08-13, 47-11-01, 47-18-14, 47-19-18, 49-03-01.3, 49-09-09, 49-09-11, 52-02-09, 54-23A-04, 54-27-08, 54-48-06, 54-49.1-02, 65-05-09, 65-06-01, 65-06-02, 65-06-03, 65-06-04, and 65-06-05 of the North Dakota Century Code, relating to incorrect or obsolete references in statutes providing for insurance premium on a small loan, duties of school district election officials, budget of the division of independent study, constitution of county equalization funds, loans made from the medical center fund, procedures of the director of surplus property, application for name placement on the primary election ballot, posting of material in polling places, election contest procedures, voting eligibility of former residents, absent voter ballot procedure, charitable contributions and payments by candidates, campaign contributions by corporations, appropriation desired by the state firemen's association, apportionment of insurance taxes received by cities, examinations of firemen's relief associations, deposit of funds of rural fire protection districts, seizure of products unlawful under the food and drug laws, prohibited practices under the Food, Drug, and Cosmetic Act, prohibited acts under the Uniform Controlled Substances Act, egg rules of the state laboratories department, municipal bond register, pledge of security in place of depository bond, county or township voucher form, operating cost estimates of the state investment board, reporting of physical or mental disorders, penalty for violating the model rocketry law, enforcement of highway laws, highway relocation assistance payments, highway department records, purchase of township road machinery, custody of funds of patients of state institutions, mentally deficient defendants, duties of the commissioner of insurance, insurance company examinations, insurance company property, evaluation of policies of cooperative or assessment life associations, penalty and prosecution for discrimination or misrepresentation with respect to insurance matters, licensing of sales representatives of contracts of hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations, issuance and revocation of insurance vending machine licenses, bar admission without examination, suspension or revocation of certification of admission to bar, rights of defendant charged with multiple counts, jurisdiction of prize fighting violation, uniform traffic complaint and summons, summons issuance, change of judge, mistake in charging proper offense, trial on charge after mistake, discharge of accused, sealed verdict, hearing of evidence, payment of wages due surviving spouse or heirs, house mover's lien statement, livestock inspection, state guard commissions,

administration of veterans' children scholarships, order for sale of mineral rights of an estate, definition of authorized emergency vehicles, record of process served on nonresident motor vehicle users, reciprocal highway use agreements, definition of moving violation, noncriminal traffic offense, magistrate's record of traffic offense convictions, accident report forms, budgets of the vehicle equipment safety commission, funds of jointly operated municipal utilities, persons exempt from architect licensure, duties of the state board of nursing, collection and cancellation of nursing scholarship loans, the definition of "device" under the pharmacist registration law, sale of drugs, poisons, medicines, and chemicals, examination of county officers' records, definitions and the use of facsimile signatures by authorized public officials, mode of transferring personal property, disposition of homestead sale proceeds, taking of acknowledgments by deputies, certificate of public convenience and necessity application, sale of railroad property under trust deed or upon mortgage foreclosure, compensation for another railroad's property, unemployment compensation administration fund, state radio broadcasting dispatches, state treasury warrants, publication of emergency interim successors for legislators, natural resources council membership, and workmen's compensation for disaster emergency personnel; and to repeal chapter 15-62, section 27-07-03, chapter 39-15, subsection 5 of section 46-02-04, and sections 47-10-21, 47-10-22, and 49-03-01.2 of the North Dakota Century Code, relating to the state scholarship board, limited county court jurisdiction over unorganized territory, guest statute, printing of the publicity pamphlet, reservation of coal deposits, and limitation on issuance on orders and certificates of public convenience and of necessity to electric public utilities.

Introduced by Legislative Council Procedure and Arrangements Committee

Introduction, first reading, referred to Committee on State and Federal Government, 70

Reported Back: Do pass, 208

Final Passage: Passed, 220

Reconsidered action by which House Bill passed — motion failed, 220

Messaged to Senate, 269

Returned to House: Amended, 1219

House does not concur, 1237

Conference Committee: House, 1237 Senate, 1285

Conference Committee Report: House adopts, 1293 Senate adopts, 1421

Conference Committee amendments adopted, 1309

Final Passage: Passed, 1358

Enrolled, 1535

Signed by Speaker, 1551

Sent to Senate, signed by Speaker, 1551

Returned to House, signed by President, 1554

Sent to Governor, 1555

Approved by Governor, 1668

**House Bill No. 1074.** — A Bill for an Act to amend and reenact sections 61-02-46 and 61-02-50 of the North Dakota Century Code, relating to the amount and negotiability of revenue bonds issued by the water commission.

Introduced by Legislative Council Legislative Procedure and Arrangements Committee

Introduction, first reading, referred to Committee on Natural Resources, 70

Reported Back: Amended, 399

Amendments adopted, 412

Engrossed, 443

Final Passage: Lost, 459

**House Bill No. 1075.** — A Bill for an Act to restrict and regulate products liability actions by establishing a statute of limitations, granting limited immunity to manufacturers or sellers of products against actions based on products liability, providing tests for determining whether or not a product shall be deemed to be defective or unreasonably dangerous, establishing rebuttable presumptions of freedom from defects, and precluding certain evidence from admission in products liability actions.

Introduced by Legislative Council Products Liability Committee

Introduction, first reading, referred to Committee on Industry, Business and Labor, 70

Reported Back: Do pass, 399

Final Passage: Passed, 413

Messaged to Senate, 475

Enrolled, 1579

Returned to House: Passed, 1496

Signed by Speaker, 1605

Sent to Senate signed by Speaker, 1606

Returned to House, signed by President, 1608

Sent to Governor, 1608

Vetoed by Governor, 1770-1772

Reconsideration as a vetoed measure, 1772

Laid over one Legislative day, 1772

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 1965

Final Passage: Passed over Governor's Veto, 1965

Messaged to Senate, 1968

Received from Senate — passed over Governor's Veto, 2136

Speaker signs certification, 2273

Messaged to Senate, 2273

Received from Senate, certification signed by President, 2365

Delivered to Secretary of State, 2366

**House Bill No. 1076.** — A Bill for an Act relating to insurance companies, providing for the reporting of products liability claims and other information to the commissioner of insurance, and providing for the confidentiality of the reported information.

Introduced by Legislative Council Products Liability Committee

Introduction, first reading, referred to Committee on Industry, Business and Labor, 70

Reported Back: Amended, 620

Amendments adopted, 638

Engrossed, 669

Final Passage: Passed, 677

Messaged to Senate, 752

Returned to House: Amended, 1624-1625

House concurs, 1675  
 Final Passage: Passed, 1721  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 2064

**House Bill No. 1077.** — A Bill for an Act to create and enact two new sections to chapter 50-18 of the North Dakota Century Code, relating to cooperation between the state laboratories department and the state social service board in determining licensing responsibility and actions against operations without a license; and to amend and reenact section 50-18-01 of the North Dakota Century Code, relating to the definition of boarding home for the aged and infirm.

Introduced by Legislative Council Social Services Committee  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 70  
 Reported Back: Do pass, 429  
 Final Passage: Passed, 449  
 Messaged to Senate, 501  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1213  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1374

**House Bill No. 1078.** — A Bill for an Act to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to a historical study of the Yellowstone and Missouri River confluence; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to gubernatorial appointments; and to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri-Fort Union commission.

Introduced by Legislative Council State and Federal Government Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 70  
 Reported Back: Do not pass, 287  
 Final Passage: Lost, 304

**House Bill No. 1079.** — A Bill for an Act to repeal chapters 4-06 and 25-04.1 and section 55-01-09 of the North Dakota Century Code, relating to the federated cooperative agricultural association and agricultural code commission, compulsory sterilization, and the North Dakota heritage study committee.

Introduced by Legislative Council State and Federal Government Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 70

Reported Back: Do pass, 146  
Final Passage: Passed, 161  
Messaged to Senate, 192  
Returned to House: Passed, 571  
Enrolled, 602  
Signed by Speaker, 602  
Sent to Senate, signed by Speaker, 608  
Sent to Governor, 653  
Approved by Governor, 822  
Returned to House, signed by President, 611

**House Bill No. 1080.** — A Bill for an Act to provide for the deposit of trade commission funds in the general fund; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to gubernatorial appointments; and to repeal subsections 1 through 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the North Dakota Century Code, relating to the North Dakota trade commission.

Introduced by Legislative Council State and Federal Government Committee

Introduction, first reading, referred to Committee on State and Federal Government, 71

Reported Back: Do pass, 460

Final Passage: Passed, 477

Messaged to Senate, 537

Returned to House: Failed to pass, 1369

**House Bill No. 1081.** — A Bill for an Act to repeal chapter 55-09 of the North Dakota Century Code, relating to the North Dakota heritage commission; and providing an effective date.

Introduced by Legislative Council State and Federal Government Committee

Introduction, first reading, referred to Committee on State and Federal Government, 71

Reported Back: Do not pass, 146

Final Passage: Lost, 159

Reconsidered action by which House Bill 1081 failed to pass, which motion prevailed, 175

Final Passage: Passed, 176

Messaged to Senate, 204

Returned to House: Passed, 1161

Enrolled, 1207

Signed by Speaker, 1212

Sent to Senate, signed by Speaker, 1220

Returned to House, signed by President, 1226

Sent to Governor, 1374

Approved by Governor, 1480

**House Bill No. 1082.** — A Bill for an Act to repeal section 15-62.2-03 of the North Dakota Century Code, relating to the student financial assistance program advisory board.

Introduced by Legislative Council State and Federal Government Committee

Introduction, first reading, referred to Committee on State and Federal Government, 71

Reported Back: Do not pass, 146

Final Passage: Lost, 159

**House Bill No. 1083.** — A Bill for an Act to provide for the transfer of property and funds of the Minot district fair; and to repeal sections 4-02-17, 4-02-18, 4-02-19, 4-02-20, 4-02-22, 4-02-23, 4-02-24, and 4-02-25 of the North Dakota Century Code, relating to the location, premises, title to land, board of directors, executive committee, contributions, and report of the prize list of the Minot district fair.

Introduced by Legislative Council State and Federal Government Committee

Introduction, first reading, referred to Committee on Agriculture, 71

Reported Back: Do pass, 107

Final Passage: Passed, 115

Messaged to Senate, 141

Returned to House: Passed, 609

Enrolled, 670

Signed by Speaker, 672

Sent to Senate, signed by Speaker, 673

Returned to House, signed by President, 673

Sent to Governor, 679

Approved by Governor, 822

**House Bill No. 1084.** — A Bill for an Act to amend and reenact subsection 1 of section 54-07-01.2 and section 54-54-02 of the North Dakota Century Code, relating to the North Dakota council on the arts and humanities.

Introduced by Legislative Council State and Federal Government Committee

Introduction, first reading, referred to Committee on State and Federal Government, 71

Reported Back: Do pass, 287

Final Passage: Passed, 309

Messaged to Senate, 390

Enrolled, 1273

Signed by Speaker, 1279

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308

Sent to Governor, 1374

Approved by Governor, 1480

**House Bill No. 1085.** — A Bill for an Act to amend and reenact sections 40-38-01, 40-38-04, 40-38-05, 40-38-09, 40-38-10, 40-38-11, 54-24-01, 54-24-02, 54-24-03, 54-24-03.1, 54-24-07, 54-24-08, 54-24-09, and 54-24.1-03 of the North Dakota Century Code, relating to public libraries and the nature and duties of the state library commission; and to repeal section 55-01-09 of the North Dakota Century Code, relating to the heritage study committee.

Introduced by Legislative Council State and Federal Government Committee



Introduction, first reading, referred to Committee on Education, 72  
 Reported Back: Do pass, 146  
 Final Passage: Passed, 158  
 Messaged to Senate, 192  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1086.** — A Bill for an Act to require the state personnel board to advertise all employment opportunities by all state boards, councils, committees, and commissions, except occupational and professional licensing boards; and providing an appropriation.

Introduced by Legislative Council State and Federal Government Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 72  
 Reported Back: Do not pass, 288  
 Final Passage: Lost, 305

**House Bill No. 1087.** — A Bill for an Act to limit the creation of statutory boards, councils, committees, and commissions, except occupational and professional licensing boards; and declaring an emergency.

Introduced by Legislative Council State and Federal Government Committee  
 Introduction, first reading, referred to Committee on State and Federal Government, 72  
 Reported Back: Do not pass, 288  
 Final Passage: Lost, 305  
 Reconsidered action by which House failed to pass— motion failed, 362

**House Bill No. 1088.** — A Bill for an Act to provide for the automatic termination, and the review, continuation, or reestablishment of the state board for Indian scholarships, student financial assistance program advisory board, and the scholarship program administered by the state board of nursing; providing for the mechanics of termination, including a year's phaseout period; providing a schedule for the termination and review process; providing for performance reviews of these agencies and activities by the state auditor; providing for consideration of these performance reviews and the holding of hearings and the preparing of reports and recommendations on these reviews by the legislative audit and fiscal review committee; providing for legislative review of all agencies and activities scheduled for termination; and to amend section 54-35-02.2, relating to the powers and duties of the legislative audit and fiscal review committee.

Introduced by Legislative Council State and Federal Government Committee

Introduction, first reading, referred to Committee on State and Federal Government, 72

Reported Back: Do not pass, 516

Final Passage: Lost, 530

**House Bill No. 1089.** — A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks of election.

Introduced by Representatives Reed, Stenehjem and Gackle

Introduction, first reading, referred to Committee on Judiciary, 72

Reported Back: Do not pass, 621

Final Passage: Lost, 642

**House Bill No. 1090.** — A Bill for an Act to create and enact section 11-33-09.1 of the North Dakota Century Code, relating to referral to the electors of amendments to county zoning plans; and to amend and reenact sections 11-33-09, 11-33-10, and 11-33-13 of the North Dakota Century Code, relating to the adoption and amendment of zoning plans, separate hearings on the adoption of such amendments, and the effect on existing uses of land.

Introduced by Representative Murphy

Introduction, first reading, referred to Committee on Political Subdivisions, 72

Returned to House and re-referred to Committee on Agriculture, 117

Reported Back: Do not pass, 621

Final Passage: Lost, 643

Reconsidered action by which House Bill failed to pass — motion prevailed, 671

Final Passage: Passed, 671

Messaged to Senate, 752

Returned to House: Failed to pass, 1420

**House Bill No. 1091.** — A Bill for an Act to amend and reenact subdivision c and e of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exempting certain motor vehicles from registration.

Introduced by Representative Murphy

Introduction, first reading, referred to Committee on Transportation, 72

Reported Back: Amended, 247-248

Amendments adopted, 256

Engrossed, 277

Reconsidered action by which House adopted amendments — motion failed, 282

Final Passage: Passed, 282

Messaged to Senate, 363

Returned to House: Failed to pass, 1285

**House Bill No. 1092.** — A Bill for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to exhibiting obscene motion pictures at outdoor theaters; to create and enact a new subsection to section 12.1-27.1-01 of the North Dakota

Century Code, relating to definition of sexual excitement; and to amend and reenact section 12.1-27.1-02 of the North Dakota Century Code, relating to promoting obscenity to minors.

Introduced by Representative Lardy

Introduction, first reading, referred to Committee on Judiciary, 73

Reported Back: Do pass, 400

Final Passage: Passed, 422

Messaged to Senate, 475

Returned to House: Amended, 1540-1541

House concurs, 1583

Final Passage: Passed, 1631

Enrolled, 1716

Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729

Returned to House, signed by President, 1729

Sent to Governor, 1743

Approved by Governor, 1833

**House Bill No. 1093.** — A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the prohibition against dispensing of alcoholic beverages on certain days.

Introduced by Representative Black

Introduction, first reading, referred to Committee on Industry, Business and Labor, 73

Reported Back: Do not pass, 230

Final Passage: Lost, 240

**House Bill No. 1094.** — A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the prohibition against dispensing alcoholic beverages during certain hours of the day.

Introduced by Representative Black

Introduction, first reading, referred to Committee on Industry, Business and Labor, 73

Reported Back: Do not pass, 230

Final Passage: Lost, 240

**House Bill No. 1095.** — A Bill for an Act to create and enact new sections to chapters 47-10 and 47-11 of the North Dakota Century Code, relating to a presumption that a nontestamentary transfer of real or personal property between spouses is always for a consideration, and not a gift, unless stated in writing.

Introduced by Representative Erickson

Introduction, first reading, referred to Committee on Judiciary, 73

Reported Back: Do pass, 208

Final Passage: Passed, 222

Messaged to Senate, 269

Returned to House: Amended, 1864

House concurs, 1889

Final Passage: Passed, 1948

Enrolled, 2060

Signed by Speaker, 2072

Sent to Senate, signed by Speaker, 2072  
 Returned to House, signed by President, 2075  
 Sent to Governor, 2080  
 Approved by Governor, 2146

**House Bill No. 1096.** — A Bill for an Act to amend and reenact section 57-15-52.1 of the North Dakota Century Code, relating to the school district levy for district-owned school bus costs.

Introduced by Representative Erickson  
 Introduction, first reading, referred to Committee on Education, 73  
 Reported Back: Do pass, 147  
 Re-referred to Committee on Education, 161  
 Reported Back: Amended, 209  
 Amendments adopted, 217  
 Engrossed, 239  
 Final Passage: Passed, 243  
 Messaged to Senate, 278  
 Returned to House: Passed, 1725  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate signed by Speaker, 1826  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1097.** — A Bill for an Act to create and enact new sections to chapters 47-10 and 47-11 of the North Dakota Century Code, relating to a presumption that a nontestamentary transfer of real or personal property between parent and child is for a consideration, and not a gift, unless stated in writing.

Introduced by Representative Erickson  
 Introduction, first reading, referred to Committee on Judiciary, 73  
 Returned to House, 386  
 Withdrawn, 386

**House Bill No. 1098.** — A Bill for an Act to amend and reenact section 39-24-05 of the North Dakota Century Code, relating to disposition of the snowmobile trail tax.

Introduced by Representative Gackle  
 Introduction, first reading, referred to Committee on Natural Resources, 73  
 Reported Back: Do pass and re-refer to Committee on Appropriations, 400  
 Reported Back: Do pass, 659  
 Final Passage: Passed, 677  
 Messaged to Senate, 752  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1359  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1482

**House Bill No. 1099.** — A Bill for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to restrictions on the planting of treerows, shelterbelts, or hedges near roads or highways in the state.

Introduced by Representative Gackle  
 Introduction, first reading, referred to Committee on Transportation,  
 74  
 Reported Back: Do not pass, 165  
 Motion to Re-refer to Committee on Transportation failed, 176  
 Final Passage: Lost, 176

**House Bill No. 1100.** — A Bill for an Act to create and enact a new section to chapter 2-03 of the North Dakota Century Code, relating to strobe lights on structures in excess of five hundred feet.

Introduced by Representative Erickson  
 Introduction, first reading, referred to Committee on Transportation,  
 74  
 Reported Back: Do not pass, 429  
 Final Passage: Lost, 445

**House Bill No. 1101.** — A Bill for an Act to create and enact a new subsection to section 39-16-01 of the North Dakota Century Code, relating to the definition of consumer reporting agency; and to amend and reenact section 39-16-03.1 of the North Dakota Century Code, relating to making a driver record or abstract available to the public.

Introduced by Representative Rued  
 Introduction, first reading, referred to Committee on Industry,  
 Business and Labor, 74  
 Reported Back: Do pass, 147  
 Final Passage: Passed, 162  
 Messaged to Senate, 192  
 Returned to House: Failed to pass, 1603

**House Bill No. 1102.** — A Bill for an Act to amend and reenact subsection 13, 14, and 15 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits, and providing for unemployment compensation benefits for nonprofessional employees of educational institutions, other than institutions of higher education.

Introduced by Representative Richard  
 Introduction, first reading, referred to Committee on Industry,  
 Business and Labor, 74  
 Reported Back: Do not pass, 230  
 Final Passage: Lost, 241

**House Bill No. 1103.** — A Bill for an Act to authorize the state highway department, upon approval by the public service commission, to apply for rail service assistance under the Railroad Revitalization and Regulatory Reform Act of 1976, to authorize the highway department to act as the designated state agency to receive rail service assistance, and to authorize cooperation between the highway

department and the public service commission to take steps necessary to improve transportation utilization; and declaring an emergency.

Introduced by Representative Erickson

Introduction, first reading, referred to Committee on Transportation,  
74

Reported Back: Amended, 263-264

Amendments adopted, 278

Engrossed, 303

Final Passage: Passed and emergency clause carried, 310

Messaged to Senate, 389

Returned to House: Amended, 929

House concurs, 932

Final Passage: Passed and emergency clause carried, 951

Enrolled, 996

Signed by Speaker, 1003

Sent to Senate, signed by Speaker, 1001

Returned to House, signed by President, 1006

Sent to Governor, 1009

Approved by Governor, 1153

**House Bill No. 1104.** — A Bill for an Act to create and enact a new section to chapter 49-09 of the North Dakota Century Code, relating to authorizing the public service commission to enter into limited trust agreements with railway corporations abandoning railroad lines, for the purposes of reorganization or negotiated attempts to open the line for use, and to provide for reversion of the property to the railway corporation after five years in certain instances.

Introduced by Representative Erickson

Introduction, first reading, referred to Committee on Transportation,  
74

Reported Back: Amended, 773-774

Amendments adopted, 788

Engrossed, 821

Final Passage: Passed, 831

Messaged to Senate, 917

Returned to House: Passed, 1623

Enrolled, 1716

Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729

Returned to House, signed by President, 1736

Sent to Governor, 1743

Approved by Governor, 1833

**House Bill No. 1105.** — A Bill for an Act to amend and reenact section 39-03-04 of the North Dakota Century Code, relating to the qualifications of patrolmen.

Introduced by Committee on State and Federal Government

Introduction, first reading, referred to Committee on State and  
Federal Government, 74

Reported Back: Do pass, 230

Final Passage: Lost, 243

**House Bill No. 1106.** — A Bill for an Act to amend and reenact section 6-09-04 of the North Dakota Century Code, relating to the bonding of Bank of North Dakota employees.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 75  
 Reported Back: Do pass, 126  
 Final Passage: Passed, 137  
 Messaged to Senate, 180  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1279  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1107.** — A Bill for an Act to repeal section 6-09-06 of the North Dakota Century Code, relating to authorization of Bank of North Dakota to transact business after delivery of two million dollars in bonds as capital.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 75  
 Reported Back: Do pass, 126  
 Final Passage: Passed, 137  
 Messaged to Senate, 180  
 Returned to House: Amended, 1219  
 House concurs, 1242  
 Final Passage: Passed, 1275  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1359  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1108.** — A Bill for an Act to amend and reenact section 6-09-12 of the North Dakota Century Code, relating to fixing interest rates to be charged by Bank of North by the industrial commission without regard to limitations established by usury definitions.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 75  
 Returned to House, 117  
 Withdrawn, 117

**House Bill No. 1109.** — A Bill for an Act to repeal chapter 15-62 of the North Dakota Century Code, relating to the discontinued state scholarship revolving fund.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 75  
 Reported Back: Do pass, 127  
 Final Passage: Passed, 138  
 Messaged to Senate, 180  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1110.** — A Bill for an Act to amend and reenact section 54-17-25 of the North Dakota Century Code, relating to maximum interest rates on student loan bonds.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 75  
 Reported Back: Do pass, 127  
 Final Passage: Passed, 138  
 Messaged to Senate, 180  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1279  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1111.** — A Bill for an Act to amend and reenact section 57-47-04 of the North Dakota Century Code, relating to the approval of loan applications by the Bank of North Dakota instead of the industrial commission.

Introduced by Committee on Political Subdivisions  
 Introduction, first reading, referred to Committee on Political Subdivisions, 75  
 Reported Back: Do pass, 90-91  
 Final Passage: Passed, 103  
 Messaged to Senate, 125  
 Returned to House: Passed, 501  
 Enrolled, 530  
 Signed by Speaker, 602  
 Sent to Senate, signed by Speaker, 608  
 Returned to House, signed by President, 611  
 Sent to Governor, 653  
 Approved by Governor, 822

**House Bill No. 1112.** — A Bill for an Act to amend and reenact sections 54-30-06 and 54-30-09 of the North Dakota Century Code, relating to the maximum interest rates, coupons, and sale at less than par of real estate bonds.



Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry,  
 Business and Labor, 75  
 Reported Back: Do not pass, 114  
 Final Passage: Passed, 124  
 Messaged to Senate, 158  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1113.** — A Bill for an Act to amend and reenact section 23-02.1-13 of the North Dakota Century Code, relating to the registration of births.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on Social Services  
 and Veteran Affairs  
 Reported Back: Amended, 166  
 Amendments adopted, 173  
 Engrossed, 185  
 Final Passage: Passed, 187  
 Messaged to Senate, 219  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1114.** — A Bill for an Act to amend and reenact section 15-62.1-13 of the North Dakota Century Code, relating to the state scholarship revolving fund, guarantee loan reserve fund, and write-off of uncollectible state scholarship student loans.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Education, 75  
 Reported Back: Do pass, 147  
 Final Passage: Passed, 162  
 Messaged to Senate, 192  
 Returned to House: Failed to pass, 1392

**House Bill No. 1115.** — A Bill for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy.

Introduced by Committee on Agriculture  
 Introduction, first reading, referred to Committee on Agriculture, 76  
 Reported Back: Do not pass, 88  
 Returned to House, 98  
 Withdrawn, 98

**House Bill No. 1116.** — A Bill for an Act to amend and reenact sections 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota Century Code, relating to the administration and purpose of the Indian development fund.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 76  
 Reported Back: Do pass, 288  
 Final Passage: Passed, 310  
 Messaged to Senate, 389  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1117.** — A Bill for an Act to amend and reenact section 48-10-02 of the North Dakota Century Code, relating to the authority of the capitol grounds planning commission with respect to the capitol building fund, and making an appropriation.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 76  
 Reported Back: Do pass and re-refer to the Committee on Appropriations, 193  
 Re-ferred to Committee on Appropriations, 193  
 Reported Back: Amended, 660  
 Amendments adopted, 670  
 Engrossed, 710  
 Final Passage: Passed, 719  
 Messaged to Senate, 789  
 Returned to House: Amended, 1626  
 House concurs, 1675  
 Final Passage: Passed, 1721  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1118.** — A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations and authorizing such stations to be established in unincorporated townsites located within Indian reservations, and declaring an emergency.

Introduced by Representatives Richard and Solberg  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 76

Reported Back: Amended, 231  
 Amendments adopted, 239  
 Engrossed, 255  
 Final Passage: Passed, and emergency clause carried, 258,  
 Messaged to Senate, 316  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1533

**House Bill No. 1119.** — A Bill for an Act to amend and reenact subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to retirement dates under the public employees retirement system.

Introduced by Representative Mertens  
 Introduction, first reading, referred to Committee on State and Federal Government, 76  
 Reported Back: Do pass, 288  
 Final Passage: Passed, 311  
 Messaged to Senate, 389  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1120.** — A Bill for an Act to amend and reenact section 39-21-01 of the North Dakota Century Code, relating to the use of lighted lamps on motor vehicles.

Introduced by Representative Rued  
 Introduction, first reading, referred to Committee on Transportation, 76  
 Reported Back: Do pass, 108  
 Final Passage: Passed, 116  
 Messaged to Senate, 141  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1121.** — A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation of inspectors, judges, and clerks of election.

Introduced by Representatives Kingsbury and Gorder  
Introduction, first reading, referred to Committee on Judiciary, 76  
Reported Back: Do not pass, 127-128  
Final Passage: Lost, 136

**House Bill No. 1122.** — A Bill for an Act to set aside accumulated and undivided profits of the state mill and elevator association for agricultural research relating to production, utilization, transportation, and marketing.

Introduced by Representatives Mertens and Berg  
Introduction, first reading, referred to Committee on Agriculture, 76  
Reported Back: Do pass and re-refer to Committee on Appropriations, 179  
Final Passage: Passed, 187  
Reconsidered action by which House passed — motion prevailed, 204  
Referred to Committee on Appropriations, 204  
Reported Back: Amended, 693-694  
Amendments adopted, 710  
Engrossed, 747  
Final Passage: Passed, 760  
Messaged to Senate, 826  
Returned to House: Failed to pass, 1863

**House Bill No. 1123.** — A Bill for an Act to amend and reenact section 11-33-04 of the North Dakota Century Code, relating to county planning commissions and requiring election of members by residents of the area affected by the plan.

Introduced by Representative Murphy  
Introduction, first reading, referred to Committee on Political Subdivisions, 77  
Reported Back: Do not pass, 621  
Returned to House and re-referred to Committee on Agriculture, 117  
Final Passage: Lost, 643

**House Bill No. 1124.** — A Bill for an Act to repeal section 15-37-04 of the North Dakota Century Code, relating to administering teacher's oath.

Introduced by Committee on Education  
Introduction, first reading, referred to Committee on Education, 77  
Reported Back: Do pass, 114  
Final Passage: Passed, 124  
Messaged to Senate, 158  
Returned to House: Passed, 1161  
Enrolled, 1207  
Signed by Speaker, 1212  
Sent to Senate, signed by Speaker, 1220  
Returned to House, signed by President, 1226  
Sent to Governor, 1373  
Approved by Governor, 1480

**House Bill No. 1125.** — A Bill for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to annexation hearings.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 77  
 Reported Back: Do no pass, 193-194  
 Final Passage: Lost, 204

**House Bill No. 1126.** — A Bill for an Act to amend and reenact subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to foundation program payments; and to provide an effective date.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 77  
 Reported Back: Amended, 1070  
 Amendments adopted, 1115  
 Engrossed, 1153  
 Final Passage: Passed 1164  
 Messaged to Senate, 1200  
 Returned to House: Passed, 1603  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Senate to Senate signed by Speaker, 1692  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1692  
 Approved by Governor, 1832

**House Bill No. 1127.** — A Bill for an Act to amend and reenact section 15-45-03 of the North Dakota Century Code, relating to kindergarten teachers.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 77  
 Reported Back: Do pass, 127  
 Final Passage: Passed, 142  
 Messaged to Senate, 180  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1128.** — A Bill for an Act to amend and reenact section 61-16-28.1 of the North Dakota Century Code, relating to removal of obstructions to a drain, and providing a definition of "obstruction to a drain".

Introduced by Representative Berg  
 Introduction, first reading, referred to Committee on Agriculture, 77  
 Reported Back: Amended, 621-622  
 Amendments adopted, 638  
 Engrossed, 669  
 Final Passage: Passed, 678  
 Messaged to Senate, 752  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1129.** — A Bill for an Act to amend and reenact section 39-04-36 of the North Dakota Century Code, relating to transfer of registration and registration plates upon transferring or assigning title.

Introduced by Representatives Reed and Vig  
 Introduction, first reading, referred to Committee on Transportation,  
 77  
 Returned to House: 172  
 Withdrawn, 172

**House Bill No. 1130.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 and subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries and to adjustments to taxable income for corporations; to repeal section 57-38-66 of the North Dakota Century Code, providing for a business and corporation privilege tax; and to provide an effective date.

Introduced by Representatives Kingsbury, Bjorson, Melby, Peltier and Thompson  
 Introduction, first reading, referred to Committee on Finance and Taxation, 77  
 Reported Back: Amended, 844  
 Amendments adopted, 864  
 Engrossed, 912  
 Final Passage: Passed, 921  
 Messaged to Senate, 996  
 Returned to House: Passed, 1864  
 Enrolled, 1883  
 Signed by Speaker, 1890  
 Sent to Senate signed by Speaker, 1891  
 Returned to House, signed by President, 1928  
 Sent to Governor, 1931  
 Approved by Governor, 2114

**House Bill No. 1131.** — A Bill for an Act to require mineral owners to bear the cost of updating the surface abstract to reflect a transfer or conveyance of the mineral rights.

Introduced by Representative Richard  
 Introduction, first reading, referred to Committee on Natural Resources, 78  
 Reported Back: Do not pass, 166  
 Final Passage: Lost, 177  
 Reconsidered action by which House failed to pass — motion failed, 186

**House Bill No. 1132.** — A Bill for an Act to amend and reenact subsection 6 of section 21-03-07 and section 21-03-15 of the North Dakota Century Code, relating to the vote required in school district bond issue elections and providing a tax on income of school district residents to pay the interest on and principal of school district bond issues.

Introduced by Representative Murphy  
 Introduction, first reading, referred to Committee on Finance and Taxation, 78  
 Reported Back: Amended, 622  
 Amendments adopted, 638  
 Engrossed, 669  
 Final Passage: Lost, 678

**House Bill No. 1133.** — A Bill for an Act to amend and reenact subsection 37 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of “waterfowl”.

Introduced by Committee on Natural Resources  
 Introduction, first reading, referred to Committee on Natural Resources, 78  
 Reported Back: Do pass, 106  
 Final Passage: Passed, 116  
 Messaged to Senate, 141  
 Returned to House: Passed, 1161  
 Enrolled, 1207  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1134.** — A Bill for an Act to create and enact new subsections to section 20.1-02-05 and section 20.1-03-12 of the North Dakota Century Code, relating to the powers of the commissioner to establish rules and regulations for fishing contests, issuing permits and to establish a fee for a fishing contest permit.

Introduced by Committee on Natural Resources  
 Introduction, first reading, referred to Committee on Natural Resources, 78  
 Reported Back: Do not pass, 107  
 Final Passage: Lost, 114

**House Bill No. 1135.** — A Bill for an Act creating a new section relating to claims against the North Dakota national guard resulting from state active duty.

Introduced by Committee on Judiciary  
 Introduction, first reading, referred to Committee on State and Federal Government, 78  
 Reported Back: Do pass, 147  
 Re-referred to Committee on Appropriations, 157  
 Amendments adopted, 362  
 Reported Back: Amend, 318-319  
 Engrossed, 386  
 Final Passage: Passed, 391  
 Messaged to Senate, 450  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1136.** — A Bill for an Act to amend and reenact sections 37-03-08, 37-10-01, 37-10-03, 37-10-03.3 and 37-10-03.4, and to repeal sections 37-10-05 and 37-10-06 of the North Dakota Century Code, relating to national guard facilities and military property.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 78  
 Reported Back: Do pass, 148  
 Re-referred to Committee on State and Federal Government, 163  
 Reported Back: Amend, 289  
 Amendments: Adopted, 304  
 Engrossed, 362  
 Final Passage: Passed, 367  
 Messaged to Senate, 414  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1137.** — A Bill for an Act to amend and reenact section 47-16-07 of the North Dakota Century Code, relating to notice of changes in terms of leases of land or tenements.

Introduced by Representatives Koski and Hoffner  
 Introduction, first reading, referred to Committee on Judiciary, 78  
 Reported Back: Do not pass, 319  
 Final Passage: Lost, 364

**House Bill No. 1138.** — A Bill for an Act to create and enact chapters 16.1-01, 16.1-04, 16.1-05, 16.1-06, 16.1-07, 16.1-08, 16.1-09, 16.1-10, 16.1-12, 16.1-13, 16.1-14, 16.1-15, and 16.1-16, and sections 16.1-11-03 through 16.1-11-24 and sections 16.1-11-26 through 16.1-11-34 of the North Dakota Century Code, relating to a new election code establishing qualifica-



tions for electors, initiative and referendum procedures, election offenses, the administration of elections, the establishment of voting precincts, the qualifications and duties of election officers, election supplies, ballots, electronic voting systems, and voting machines, absent voters' ballots, political contributions by corporations and associations, the disclosure of financial interests, corrupt practices, primary elections, nominations at the general election, the conduct of elections, presidential electors, election returns, recounts, and contests; and to repeal chapters 16-01, 16-03, 16-05, 16-06, 16-08, 16-09, 16-10, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-18, 16-20, 16-21, 16-21.1, 16-22, and sections 16-04-02, 16-04-02.1, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-07, 16-04-08, 16-04-09, 16-04-10, 16-04-12, 16-04-13, 16-04-15.1, 16-04-15.2, 16-04-16, 16-04-17, 16-04-18, 16-04-19, 16-04-21, 16-04-25, 16-04-26, 16-04-27, 16-04-28, 16-04-29, 16-04-30, 16-04-31, 16-04-32, 16-04-33, 16-04-34, 16-04-35, 16-04-36, 16-07-01, 16-07-02, 16-07-03, 16-07-04, 16-07-05, 16-07-06, 16-07-07, 16-07-08, 16-07-09, 16-17-10, and 16-17-12 of the North Dakota Century Code, relating to general election provisions, individual nominations, primary elections, nominations for office, general and special elections, the no-party ballot, the establishment of precincts and voting places, election officers and supplies, the conduct of elections, returns and contests of elections, voting by new residents, absent voters' ballots, corrupt practices, voting machines, electronic voting systems, and the disclosure of financial interest.

Introduced by Representatives Winkjer, Conmy, Stenehjem and Strinden

Introduction, first reading, referred to Committee on Judiciary, 78

Reported Back: Amended, 586-590

Adoption of amendments divided, 638-639

Substitute motion to reconsider acceptance of Committee Report — motion failed, 639

Division A: Amendments not adopted, 640

Division B: Amendments adopted, 640

Amendments excluding Division A adoption, 640

Engrossed, 669

Final Passage: Passed, 680

Messaged to Senate, 752

Returned to House: Amended, 1839-1845

House concurs, 1889

Rules suspended, Conference Committee amendments adopted, properly re-engrossed, second reading and final passage, which motion failed, 1889

Final Passage: Passed, 1948

Enrolled, 1976

Signed by Speaker, 1977

Sent to Senate, signed by Speaker, 1977

Returned to House, signed by President, 1997

Sent to Governor, 1998

Vetoed by Governor, 2114

Reconsideration of vetoed measure, 2116

Placed at foot of calendar, 2176

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 2176

Final Passage: Passed over Governor's veto, 2177

Messaged to Senate: 2198

Received from Senate, passed over Governor's veto, 2214  
 Speaker signs certification, 2368  
 Messaged to Senate, 2368  
 Returned to House, certification signed by President, 2368  
 Delivered to Secretary of State, 2369

**House Bill No. 1139.** — A Bill for an Act making an appropriation for the national guard tuition waiver program.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations,  
 79

Reported Back: Amended, 319-320  
 Amendments adopted, 363  
 Engrossed, 386  
 Final Passage: Passed, 392  
 Messaged to Senate, 450  
 Returned to House: Passed, 1161  
 Enrolled, 1208  
 Signed by Speaker, 1212  
 Sent to Senate signed by Speaker, 1220  
 Returned to House, signed by President, 1227  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1140.** — A Bill for an Act to amend and reenact subdivision k of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to individual income for amounts received from the armed services; and providing an effective date.

Introduced by Representative A. Hausauer

Introduction, first reading, referred to Committee on Finance and  
 Taxation, 79

Reported Back: Amended, 231-232  
 Amendments adopted, 240  
 Engrossed, 255  
 Final Passage: Passed, 259  
 Messaged to Senate, 316  
 Returned to House: Passed, 1161  
 Enrolled, 1208  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1141.** — A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the use of motor vehicles in hunting big or small game other than waterfowl.

Introduced by Representative Opedahl  
 Introduction, first reading, referred to Committee on Natural Resources, 79  
 Reported Back: Amended, 107  
 Amendments adopted, 114  
 Engrossed, 123  
 Final Passage: Lost, 125  
 Reconsidered by which House failed to pass and re-referred to Committee on Natural Resources, 136  
 Reported Back: Amend 289  
 Amendments adopted, 304  
 Final Passage: Passed 367  
 Re-engrossed 361  
 Messaged to Senate, 414  
 Returned to House: Passed, 1161  
 Enrolled, 1208  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1142.** — A Bill for an Act to amend and reenact sections 16-20-01, 16-20-01.1, 39-01-03, 39-01-04, 39-01-05, and 44-08-19 of the North Dakota Century Code, relating to what constitutes corrupt practice, use of state services or property for political purposes, state-owned motor vehicles not to be used for private use or in political activities, the definition of “political activity”, expenses not to be collected by state officers or employees engaged in political activity, and the prohibition of political activities by public employees while on duty; and extending the various prohibitions to political subdivision employees and officers.

Introduced by Representative Eagles  
 Introduction, first reading, referred to Committee on Judiciary, 79  
 Reported Back: Amended, 933-934  
 Amendments adopted, 960  
 Engrossed, 995  
 Final Passage: Passed, 1007  
 Messaged to Senate, 1116  
 Returned to House: Failed to pass, 1540

**House Bill No. 1143.** — A Bill for an Act to provide for the disposition of animals injured or killed by being struck by a motor vehicle.

Introduced by Representative Gerl  
 Introduction, first reading, referred to Committee on Natural Resources, 79  
 Reported Back: Amended, 166-167  
 Amendments adopted, 174  
 Engrossed, 185  
 Final Passage: Passed, 188  
 Messaged to Senate, 219  
 Returned to House: Passed, 1161  
 Enrolled, 1208  
 Signed by Speaker, 1212

Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1374  
 Approved by Governor, 1480

**House Bill No. 1144.** — A Bill for an Act to repeal subsection 6 of section 52-06-02 of the North Dakota Century Code, relating to the disqualification of students registered for full attendance at an established school, college, or university from receiving unemployment benefits.

Introduced by Representative Pomeroy  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 80  
 Reported Back: Do not pass, 209  
 Final Passage: Lost, 218

**House Bill No. 1145.** — A Bill for an Act to amend and reenact sections 12-46-15, 12-52-01, 27-21-01, 27-21-02, 27-21-05, 27-21-07, and 27-21-09 of the North Dakota Century Code, relating to granting full authority for treatment and transfer of students to administrators of the state industrial school, and to provide for public and private aftercare services for students of the state industrial school; change the terminology from public welfare to social service board, and board of administration to director of institutions; and grant the state youth authority the right to contract for services.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 80  
 Reported Back: Amended, 167  
 Amendments adopted, 174  
 Engrossed, 185  
 Final Passage: Passed, 188  
 Messaged to Senate, 219  
 Returned to House: Passed, 1420  
 Enrolled, 1482  
 Signed by Speaker, 1485  
 Sent to Senate, signed by Speaker, 1486  
 Returned to House, signed by President, 1501  
 Sent to Governor, 1506  
 Approved by Governor, 1667

**House Bill No. 1146.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, providing a committee to review the decisions of the coal development impact office director, and relating to the creation of the coal development impact office and appointment of the director, and providing for senate confirmation of the director's appointment.

Introduced by Representative Murphy  
 Introduction, first reading, referred to Committee on State and Federal Government, 80  
 Reported Back: Do not pass, 516  
 Final Passage: Lost, 531

**House Bill No. 1147.** — A Bill for an Act to amend and reenact sections 16-10-12 and 16-10-16 of the North Dakota Century Code, relating to election poll clerks, additional poll clerks and their compensation, and to compensation of election inspectors, judges, and clerks of election.

Introduced by Representative Vander Vorst

Introduction, first reading, referred to Committee on Judiciary, 80

Reported Back: Do not pass, 622

Final Passage: Lost, 644

**House Bill No. 1148.** — A Bill for an Act to amend and reenact section 18-10-10 of the North Dakota Century Code, relating to rural fire protection districts entering into contracts with other rural fire protection districts or state and local government agencies and requiring federal, state, and local agencies to reimburse the districts for fire protection services.

Introduced by Representative Schindler

Introduction, first reading, referred to Committee on Political Subdivisions, 80

Reported Back: Amended, 119

Amendments adopted, 123

Engrossed, 135

Final Passage: Passed, 142

Messaged to Senate, 180

Returned to House: Amended, 1163

House concurs, 1209

Final Passage: Passed, 1239

Enrolled, 1350

Signed by Speaker, 1359

Sent to Senate, signed by Speaker, 1360

Returned to House, signed by President, 1375

Sent to Governor, 1376

Approved by Governor, 1480

**House Bill No. 1149.** — A Bill for an Act to amend and reenact sections 54-05.1-02, 54-05.1-03, 54-05.1-05, and 54-05.1-06 of the North Dakota Century Code, relating to the registration and activities of lobbyists.

Introduced by Representative Black

Introduction, first reading, referred to Committee on State and Federal Government, 80

Reported Back: Do not pass, 290

Final Passage: Lost, 306

**House Bill No. 1150.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an income tax credit for insulating residential property; and providing an effective date.

Introduced by Representative Olson, Lee and Stenehjem

Introduction, first reading, referred to Committee on Finance and Taxation, 81

Reported Back: Amended, 264-265

Amendments adopted, 278

Engrossed, 303

Final Passage: Lost, 364

**House Bill No. 1151.** — A Bill for an Act to repeal chapter 54-21.1 of the North Dakota Century Code, relating to the Uniform Standards Code for Mobile Homes.

Introduced by Committee on Transportation

Introduction, first reading, referred to Committee on Industry, Business and Labor, 81

Reported Back: Do pass, 194

Final Passage: Passed, 205

Messaged to Senate, 250

Returned to House: Passed, 1323

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1152.** — A Bill for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the killing of dogs pursuing or killing big game; and declaring an emergency.

Introduced by Committee on Natural Resources

Introduction, first reading, referred to Committee on Natural Resources, 81

Reported Back: Do pass, 91

Final Passage: Passed, 104

Messaged to Senate, 125

Returned to House: Amended, 1219

House concurs, 1241

Enrolled, 1350

Signed by Speaker, 1359

Sent to Senate, signed by Speaker, 1360

Returned to House, signed by President, 1375

Sent to Governor, 1376

Approved by Governor, 1480

**House Bill No. 1153.** — A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 39-01-01 and section 39-10-03.2 of the North Dakota Century Code, relating to the definition of class C emergency vehicles, and authorizing class C vehicles to display a blue light in place of a red light.

Introduced by Representative Retzer

Introduction, first reading, referred to Committee on Transportation, 81

Reported Back: Amended, 167-168

Amendments adopted, 174

Engrossed, 185  
 Final Passage: Passed, 189  
 Messaged to Senate, 219  
 Returned to House: Amended, 1163  
 House concurs, 1209  
 Final Passage: Passed, 1239  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1154.** — A Bill for an Act to amend and reenact section 34-14-08 of the North Dakota Century Code, relating to assignment of wage claims to the commissioner of labor for recovery by civil action.

Introduced by Representative Tinjum  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 81  
 Reported Back: Amended, 120-121  
 Amendments adopted, 123  
 Engrossed, 135  
 Final Passage: Passed, 143  
 Messaged to Senate, 180  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1155.** — A Bill for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to membership of water management district boards of commissioners.

Introduced by Representatives Kingsbury and Gorder  
 Introduction, first reading, referred to Committee on Political Subdivisions, 81  
 Reported Back: Amended, 121  
 Amendments adopted, 124  
 Engrossed, 135  
 Final Passage: Passed, 143  
 Messaged to Senate, 180  
 Returned to House: Amended, 1163  
 House concurs, 1209  
 Final Passage: Passed, 1240  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1156.** — A Bill for an Act to state legislative intent concerning estate taxes; to amend and reenact subsection 8 of section 57-37.1-01 and section 57-37.1-04 of the North Dakota Century Code, relating to estate tax definitions and providing that the rate of the estate tax shall equal the maximum federal estate tax credit for state death taxes; to repeal section 57-37.1-03 of the North Dakota Century Code, relating to determination of North Dakota taxable estate; and declaring an emergency.

Introduced by Representatives Tweten, Crabtree, Thompson and Sen. Goodman

Introduction, first reading, referred to Committee on Finance and Taxation, 81

Reported Back: Do pass, 127

Final Passage: Passed, 144

Messaged to Senate, 180

Returned to House: Amended, 1163-1164

House does not concur, 1209

Conference Committee: House, 1209 Senate, 1256

Conference Committee Report: House adopts, 1351 Senate adopts, 1340

Conference Committee amendments adopted, 1556

Final Passage: Passed and emergency clause carried, 1414

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, signed by Speaker, 1621

Returned to House, signed by President, 1649

Sent to Governor, 1650

Approved by Governor, 1832

**House Bill No. 1157.** — A Bill for an Act to create and enact a new subsection to section 44-08-04 of the North Dakota Century Code, relating to reimbursement of state officials for foreign travel.

Introduced by Committee on State and Federal Government

Introduction, first reading, referred to Committee on State and Federal Government, 81

Reported Back: Amended, 290

Amendments adopted, 304

Engrossed, 362

Final Passage: Passed, 368

Messaged to Senate, 414

Returned to House: Failed to pass, 1162

**House Bill No. 1158.** — A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the definition of "farmer".

Introduced by Representatives G. Larson and Retzer

Introduction, first reading, referred to Committee on Finance and Taxation, 82

Reported Back: Do not pass, 232

Final Passage: Lost, 242



**House Bill No. 1159.** — A Bill for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to the establishment of a revolving fund in the central personnel division for state-wide training and employee development.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 82  
 Reported Back: Do pass, 232  
 Final Passage: Lost, 244  
 Reconsidered action by which House failed to pass — motion failed, 244

**House Bill No. 1160.** — A Bill for an Act to amend and reenact sections 47-16-07 and 47-16-15, relating to the notice required to be given by a landlord to change the terms of a lease and the notice required to be given by either party to terminate a lease.

Introduced by Representative Black  
 Introduction, first reading, referred to Committee on Judiciary, 82  
 Reported Back: Amended, 320  
 Amendments adopted, 363  
 Engrossed, 386  
 Final Passage: Passed, 392  
 Messaged to Senate, 450  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376

**House Bill No. 1161.** — A Bill for an Act to amend and reenact sections 30.1-10-01 and 30.1-21-03 of the North Dakota Century Code, relating to renunciation of succession and closing estates under the uniform probate code; and to provide for retroactivity.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Judiciary, 82  
 Reported Back: Amended, 148  
 Final Passage: Passed, 163  
 Vote by which House Bill 1161 was passed be reconsidered and the motion to reconsider be laid on the table, 163  
 Messaged to Senate, 192  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1162.** — A Bill for an Act to amend and reenact subdivision k of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to individual income for amounts received from the armed services.

Introduced by Representative Wessman  
Introduction, first reading, referred to Committee on Finance and Taxation, 82  
Returned to House, 228  
Withdrawn, 228

**House Bill No. 1163.** — A Bill for an Act to create and enact subsection 9 of section 11-18-10 of the North Dakota Century Code, relating to the contents of the book known as the reception book kept by the register of deeds; and to amend and reenact subsection 8 of section 11-18-10 of the North Dakota Century Code, relating to the contents of the book known as the reception book kept by the register of deeds.

Introduced by Representative Winkjer  
Introduction, first reading, referred to Committee on Political Subdivisions, 82  
Returned to House, 128  
Withdrawn, 128

**House Bill No. 1164.** — A Bill for an Act to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the confidentiality of hearings and records in adoption proceedings.

Introduced by Representative Unhjem  
Introduction, first reading, referred to Committee on Judiciary, 82  
Returned to House, 128  
Withdrawn, 128

**House Bill No. 1165.** — A Bill for an Act to create and enact a new section to title 30.1 of the North Dakota Century Code, to provide that a nonresident alien may not take land suitable for agricultural purposes either through intestate succession as an heir or by will, and providing for the disposal of such land; and to amend and reenact sections 30.1-04-12 and 47-01-11 of the North Dakota Century Code, relating to an alien's right to inherit and persons qualified to own property, and providing that an alien may not inherit land suitable for agricultural purposes.

Introduced by Representative Richard  
Introduction, first reading, referred to Committee on Judiciary, 82  
Re-referred to Committee on Agriculture, 204  
Returned to House from Committee, 204  
Reported Back: Do not pass, 1031-1032  
Amendments adopted, 1053  
Engrossed, 1113  
Final Passage: Lost, 1117

**House Bill No. 1166.** — A Bill for an Act to amend and reenact subsection 3 of section 26-08-11 of the North Dakota Century Code, relating to authorized investments of domestic insurance companies with respect to notes secured by mortgages on improved unencumbered real estate.

Introduced by Representative Kloubec

Introduction, first reading, referred to Committee on Industry, Business and Labor, 83  
 Reported Back: Do pass, 194  
 Final Passage: Passed, 205  
 Messaged to Senate, 250  
 Returned to House: Passed, 1369  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1618

**House Bill No. 1167.** — A Bill for an Act to amend and reenact sections 11-07-02, 11-07-03, and 11-07-05 of the North Dakota Century Code, relating to when county districts are changed, the method of county redistricting, and the first redistricting under the chapter, and providing for redistricting during a census interim, for contiguous districts following township lines where practicable, for filing by April first in an even-numbered year to be effective for that year's elections, and for redistricting at least each ten years.

Introduced by Representative Kretschmar  
 Introduction, first reading, referred to Committee on Political Subdivisions, 83  
 Reported Back: Amended, 121  
 Amendments adopted, 124  
 Engrossed, 135  
 Final Passage: Passed, 135  
 Messaged to Senate, 180  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1480

**House Bill No. 1168.** — A Bill for an Act to amend and reenact section 16-01-11.1 of the North Dakota Century Code, relating to the passing of the sufficiency of petitions by the secretary of state.

Introduced by Committee on Judiciary  
 Introduction, first reading, referred to Committee on Judiciary, 83  
 Reported Back: Amended, 148  
 Amendments adopted, 158  
 Engrossed, 173  
 Final Passage: Passed, 178  
 Messaged to Senate, 204  
 House concurs, 2065  
 Final Passage: Passed, 2125  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183

Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2381

**House Bill No. 1169.** — A Bill for an Act to create and enact seven new sections to chapter 49-09 of the North Dakota Century Code, relating to authority for the public service commission to enter into negotiations or aid in negotiation for the reopening or reorganization of abandoned railway lines or for the sale, transfer, or lease of railroad property; and to amend and reenact sections 49-11-02, 49-11-05, and 57-05-01 of the North Dakota Century Code, relating to railroad bridge repair, maintaining sufficient railway highway crossings, and assessment of railroad property.

Introduced by Representatives Erickson, Hedstrom, Hove, Melby and Peltier

Introduction, first reading, referred to Committee on Transportation, 83

Reported Back: Amended, 807  
 Amendments adopted, 822  
 Engrossed, 863  
 Final Passage: Passed, 873  
 Messaged to Senate, 950  
 Returned to House: Passed, 1623  
 Enrolled, 1716  
 Signed by Speaker, 1729  
 Sent to Senate, signed by Speaker, 1729  
 Returned to House, signed by President, 1736  
 Sent to Governor, 1743  
 Approved by Governor, 1833

**House Bill No. 1170.** — A Bill for an Act to amend and reenact section 15-20.1-08 of the North Dakota Century Code, relating to a mill levy for vocational education.

Introduced by Representative Freborg

Introduction, first reading, referred to Committee on Education, 83

Reported Back: Amended, 844-845  
 Amendments adopted, 865  
 Engrossed, 912  
 Final Passage: Passed, 922  
 Messaged to Senate, 996  
 Returned to House: Passed, 1392  
 Enrolled, 1437  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1453  
 Returned to House, signed by President, 1462  
 Sent to Governor, 1618  
 Approved by Governor, 1618

**House Bill No. 1171.** — A Bill for an Act to amend and reenact sections 26-15-01.1 and 26-15-02.1 of the North Dakota Century Code, relating to liability insurance contracts made by county mutual insurance companies.

Introduced by Representatives Kingsbury and Olson  
 Introduction, first reading, referred to Committee on Industry,  
 Business and Labor, 83  
 Reported Back: Do pass, 194  
 Final Passage: Passed, 206  
 Messaged to Senate, 250  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1172.** — A Bill for an Act to repeal subsection 4 of section 54-44.3-07 of the North Dakota Century Code, relating to submission of a biennial report by the state personnel board.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and  
 Federal Government, 83  
 Returned to House, 204  
 Withdrawn, 204

**House Bill No. 1173.** — A Bill for an Act to repeal section 54-44.2-05 of the North Dakota Century Code, relating to the biennial report required of the director of central data processing to the governor and the legislature.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and  
 Federal Government, 84  
 Reported Back: Do pass, 209  
 Final Passage: Passed, 223  
 Messaged to Senate, 269  
 Returned to House: Passed, 1392  
 Enrolled, 1443  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1618

**House Bill No. 1174.** — A Bill for an Act to amend and reenact section 4-02.1-15 of the North Dakota Century Code, relating to the retention of profits from the operation of the state fair.

Introduced by Committee on Agriculture  
 Introduction, first reading, referred to Committee on Agriculture, 84  
 Reported Back: Do not pass, 265  
 Final Passage: Lost, 278

**House Bill No. 1175.** — A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to the contingency fund of the Emergency Commission.

Introduced by Committee on State and Federal Government  
Introduction, first reading, referred to Committee on State and Federal Government, 84  
Reported Back: Do not pass, 967  
Final Passage: Lost, 1002

**House Bill No. 1176.** — A Bill for an Act to amend and reenact subsection 15 of section 54-44-04 of the North Dakota Century Code, relating to the contents of the biennial report of the director of the department of accounts and purchases.

Introduced by Committee on State and Federal Government  
Introduction, first reading, referred to Committee on State and Federal Government, 84  
Reported Back: Do pass, 210  
Final Passage: Passed, 224  
Messaged to Senate, 269  
Returned to House: Passed, 1392  
Enrolled, 1392  
Signed by Speaker, 1445  
Sent to Senate, signed by Speaker, 1445  
Returned to House, signed by President, 1453  
Sent to Governor, 1462  
Approved by Governor, 1618

**House Bill No. 1177.** — A Bill for an Act to create and enact a new section to chapter 57-47 of the North Dakota Century Code, relating to limitation of county deficiency loans.

Introduced by Committee on Political Subdivisions  
Introduction, first reading, referred to Committee on Political Subdivisions, 84  
Reported Back: Do not pass, 248  
Final Passage: Lost, 256

**House Bill No. 1178.** — A Bill for an Act to create and enact subsection 6 of section 4-35-12 of the North Dakota Code, relating to renewal of a pesticide dealer license.

Introduced by Committee on Agriculture  
Introduction, first reading, referred to Committee on Agriculture, 84  
Reported Back: Amended, 168  
Amendments adopted, 174  
Engrossed, 185  
Final Passage: Passed, 189  
Messaged to Senate, 219  
Returned to House: Passed, 1161  
Enrolled, 1208  
Signed by Speaker, 1212  
Sent to Senate, signed by Speaker, 1220  
Returned to House, signed by President, 1226

Sent to Governor, 1373  
Approved by Governor, 1480

**House Bill No. 1179.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the adjustment of individual income tax brackets.

Introduced by Representative Koski  
Introduction, first reading, referred to Committee on Finance and Taxation, 84  
Reported Back: Do not pass, 490  
Final Passage: Lost, 502

**House Bill No. 1180.** — A Bill for an Act to amend and reenact subsection 3 of section 38-08-11 of the North Dakota Century Code, relating to emergency rules of the industrial commission.

Introduced by Committee on Natural Resources  
Introduction, first reading, referred to Committee on Natural Resources, 84  
Reported Back: Amended, 195  
Reconsidered action by which House accepted amendments, motion prevailed, 204  
Re-referred to Committee on Natural Resources, 204  
Reported Back: Amended, 265  
Amendments adopted, 278  
Engrossed, 303  
Final Passage: Passed, 311  
Messaged to Senate, 389  
Returned to House: Passed, 1161  
Enrolled, 1208  
Signed by Speaker, 1212  
Sent to Senate, signed by Speaker, 1220  
Returned to House, signed by President, 1226  
Sent to Governor, 1373  
Approved by Governor, 1480

**House Bill No. 1181.** — A Bill for an Act to amend and reenact subsection 1 of section 14-08-07 of the North Dakota Century Code, relating to actions for the support of married women and children.

Introduced by Committee on Judiciary  
Introduction, first reading, referred to Committee on Judiciary, 85  
Reported Back: Do pass, 210  
Final Passage: Passed, 224  
Messaged to Senate, 269  
Returned to House: Failed to pass, 1217

**House Bill No. 1182.** — A Bill for an Act to create and enact a new subsection to section 30.1-19-03 of the North Dakota Century Code, relating to limitations on the presentation of claims against a decedent's estate.

Introduced by Committee on Judiciary  
Introduction, first reading, referred to Committee on Judiciary, 85

Reported Back: Do pass, 320  
 Final Passage: Passed, 369  
 Messaged to Senate, 414  
 Returned to House: Failed to pass, 1323

**House Bill No. 1183.** — A Bill for an Act to amend and reenact subsection 12 of section 51-13-01 of the North Dakota Century Code, relating to retail installment sales.

Introduced by Representative Conmy  
 Introduction, first reading, referred to Committee on Transportation,  
 85  
 Returned to House, 128  
 Withdrawn, 128

**House Bill No. 1184.** — A Bill for an Act to amend and reenact subsection 2 of section 14-12.1-02 of the North Dakota Century Code, relating to the definition of duty of support under the Revised Uniform Reciprocal Enforcement of Support Act; to amend and reenact section 14-12.1-24 of the North Dakota Century Code, relating to the powers and duties of district courts when acting as responding courts in actions for enforcement of support under the Revised Uniform Reciprocal Enforcement of Support Act; and to amend and reenact section 14-12.1-31 of the North Dakota Century Code, relating to the application of payments made under the Uniform Reciprocal Enforcement of Support Act.

Introduced by Committee on Judiciary  
 Introduction, first reading, referred to Committee on Judiciary, 85  
 Reported Back: Do pass, 400  
 Final Passage: Passed, 422  
 Messaged to Senate, 475  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1185.** — A Bill for an Act to create and enact a new section of chapter 14-17 of the North Dakota Century Code, relating to a presumption as to when a child was conceived; to amend and reenact subdivision e of subsection 1 of section 14-17-04 of the North Dakota Century Code, relating to the presumption of paternity; and to amend and reenact section 14-17-15 of the North Dakota Century Code, relating to the costs associated with the action under the Uniform Parentage Act.

Introduced by Committee on Judiciary  
 Introduction, first reading, referred to Committee on Judiciary, 85  
 Reported Back: Amended, 321  
 Amendments adopted, 363  
 Engrossed, 386



Final Passage: Passed, 393  
 Messaged to Senate, 450  
 Returned to House: Failed to pass, 1323

**House Bill No. 1186.** — A Bill for an Act to amend and reenact sections 50-11.1-01, 50-11.1-02, 50-11.1-04, 50-11.1-05, 50-11.1-06, subsections 1 and 3 of section 50-11.1-07, subsection 2 of section 50-11.1-08, subsection 2 of section 50-11.1-09, and section 50-11.1-11 of the North Dakota Century Code, relating to the regulation of supplemental parental care for children.

Introduced by Committee on Social Services and Veterans Affairs  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 85  
 Reported Back: Amended, 555  
 Amendments adopted, 566  
 Engrossed, 602  
 Final Passage: Passed, 605  
 Messaged to Senate, 674  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376

**House Bill No. 1187** — A Bill for an Act to amend and reenact section 27-08.1-06 of the North Dakota Century Code, relating to the docketing and execution of judgments of the small claims courts.

Introduced by Representative Conmy  
 Introduction, first reading, referred to Committee on Judiciary, 99  
 Returned to House, 671  
 Withdrawn, 671

**House Bill No. 1188** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to authorizing the motor vehicle registrar to issue special registration plates bearing a special symbol to identify handicapped individuals.

Introduced by Representative Wessman  
 Introduction, first reading, referred to Committee on Transportation, 99  
 Reported Back: Amended, 168  
 Amendments adopted, 174  
 Engrossed, 185  
 Final Passage: Passed, 190  
 Messaged to Senate, 219  
 Returned to House: Passed, 1161  
 Enrolled, 1208  
 Signed by Speaker, 1212  
 Sent to Senate, signed by Speaker, 1220  
 Returned to House, signed by President, 1226  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1189** — A Bill for an Act to amend and reenact subsection 5 of section 39-01-15 of the North Dakota Century Code, empowering police to enforce handicapped parking privileges in public and private parking lots.

Introduced by Representative Wessman

Introduction, first reading, referred to Committee on Transportation, 100

Reported Back: Do pass, 16

Final Passage: Passed, 178

Messaged to Senate, 204

Returned to House: Passed, 1161

Enrolled, 1208

Signed by Speaker, 1212

Sent to Senate, signed by Speaker, 1220

Returned to House, signed by President, 1226

Sent to Governor, 1373

Approved by Governor, 1480

**House Bill No. 1190** — A Bill for an Act to amend and reenact subsection 2 of section 28-26-01 of the North Dakota Century Code, relating to the awarding of costs in frivolous actions.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Judiciary, 100

Reported Back: Amended, 694

Amendments adopted, 710

Engrossed, 747

Final Passage: Passed, 760

Messaged to Senate, 826

Returned to House: Passed, 1539

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, signed by Speaker, 1621

Returned to House, signed by President, 1649

Sent to Governor, 1650

Approved by Governor, 1832

**House Bill No. 1191** — A Bill for an Act to amend and reenact section 4-30-05, 6-07-14, 25-09-05, 32-12-02, 36-04-11, 36-04-13, 52-06-27, 57-08-01, 57-08-02, 60-04-03, and 65-10-01 of the North Dakota Century Code, relating to the venue of various actions.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Judiciary, 100

Reported Back: Amended, 291

Amendments adopted, 304

Engrossed, 362

Final Passage: Passed, 369

Messaged to Senate, 414

Returned to House: Passed, 1369

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1413

Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1618

**House Bill No. 1192** — A Bill for an Act to create and enact a new section to chapter 20.1-10 of the North Dakota Century Code, relating to searching a building without a search warrant or permission; to amend and reenact section 20.1-02-15 of the North Dakota Century Code, relating to the police powers of the game and fish commissioner and his appointees, and prohibiting building searches without a warrant or permission; and providing a penalty.

Introduced by Representative Murphy  
 Introduction, first reading, referred to Committee on Natural Resources, 100

Reported Back: Amended, 195

Amendments adopted, 204

Engrossed, 217

Final Passage: Passed, 225

Messaged to Senate, 269

Returned to House: Amended, 1324-1325

House does not concur, 1353

Conference Committee: House, 1353 Senate, 1390

House concurs, 1516

Final Passage: Passed, 1547

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, signed by Speaker, 1621

Returned to House, signed by President, 1649

Sent to Governor, 1650

Vetoed by Governor, 1833-1834

Reconsideration of vetoed measure, 1834

Laid over one legislative day, 1834

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 1966

Final Passage: Failed to pass over Governor's Veto, 1966

House Bill No. 1192 delivered to Secretary of State, 2097

**House Bill No. 1193** — A Bill for an Act making an appropriation to the North Dakota state university agricultural experiment station for construction of a total confinement experimental sheep barn at the Hettinger branch experiment station.

Introduced by Representatives Hickle, Knudson, Senators Krauter, Roen and Wenstrom

Introduction, first reading, referred to Committee on Appropriations, 100

Reported Back: Do not pass, 934

Final Passage: Lost, 951

**House Bill No. 1194** — A Bill for an Act to replace the twenty-one mill county levy for schools with a school district levy; to amend and reenact sections 15-20.1-10, 15-40.1-01, and 15-40.1-05, subdivision a of subsection 3 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-14, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-

47-16, 15-59-06, and 15-59.1-05, and subsection 4 of section 57-01-05 of the North Dakota Century Code, to increase the equalization factor for schools, to provide for the elimination of the county equalization fund for schools, to provide for the distribution of school funds, and relating to the duties of the state supervisor of assessments; and to repeal sections 15-40.1-03, 15-40.1-04, 15-40.1-10, 15-40.1-11, 15-40.1-12, 57-01-06, 57-01-06.1, 57-01-07, subdivision b of subsection 3 of section 57-15-06, and section 57-15-24 of the North Dakota Century Code, relating to the county equalization fund for schools, to the sales, market, and productivity studies, and to the county mill levy for schools.

Introduced by Representatives Kingsbury and Murphy  
 Introduction, first reading, referred to Committee on Education, 100  
 Returned to House: Amended and re-referred to Committee on Finance and Taxation, 128  
 Returned to House, 638  
 Withdrawn, 638

**House Bill No. 1195** — A Bill for an Act to place a two-year freeze on the assessed valuation of real property; providing an effective date; and declaring an emergency.

Introduced by Representatives Kingsbury and Murphy  
 Introduction, first reading, referred to Committee on Finance and Taxation, 100  
 Returned to House, 825  
 Withdrawn, 825

**House Bill No. 1196** — A Bill for an Act to create and enact a new section to chapter 9-12 of the North Dakota Century Code, relating to discharging a debt on real property, when the creditor cannot be located, by depositing the money in a special fund with the county treasurer.

Introduced by Representative Lipsiea  
 Introduction, first reading, referred to Committee on Judiciary, 101  
 Returned to House, 228  
 Withdrawn, 228

**House Bill No. 1197.** — A Bill for an Act to create and enact one new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to the establishment of a habitat improvement program; and providing a continuing appropriation.

Introduced by Representatives Gackle, Kermott, Berg and Weber  
 Introduction, first reading, referred to Committee on Natural Resources, 104  
 Reported Back: Amended and re-refer to Committee on Appropriations, 292  
 Amendments adopted and re-referred to Committee on Appropriations, 304  
 Reported Back: Without recommendation, 623  
 Engrossed, 362  
 Final Passage: Passed, 770  
 Messaged to Senate, 826

Returned to House: Amended, 1864  
 House concurs, 1889  
 Final Passage: Passed, 1950  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, signed by Speaker, 2037  
 Returned to House, signed by President, 2059  
 Sent to Governor, 2060  
 Approved by Governor, 2134

**House Bill No. 1198.** — A Bill for an Act to provide for the award of damages for harm caused by activities associated with the exploration for, the development, and production of oil and gas.

Introduced by Representatives Murphy, Backes, Richard and Senator G. Jacobson

Introduction, first reading, referred to Committee on Natural Resources, 104

Reported Back: Amended, 967-968

Amendments adopted, 1003

Engrossed, 1051

Final Passage: Passed, 1195

Messaged to Senate, 1200

Returned to House: Amended, 1895-1896

House does not concur, 1973

Conference Committee: House, 1973 Senate, 2017

Conference Committee Report: House adopts, 2118 Senate adopts, 2283

Conference Committee amendments adopted, 2140

Final Passage: Passed, 2195

Enrolled, 2370

Signed by Speaker, 2370

Sent to Senate, signed by Speaker, 2370

Returned to House, signed by President, 2371

Sent to Governor, 2371

Approved by Governor, 2381

**House Bill No. 1199.** — A Bill for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to a post-retirement adjustment.

Introduced by Representatives G. Larson, Berger and Knudson

Introduction, first reading, referred to Committee on Education, 104

Reported Back: Do pass and re-refer to Committee on Appropriations, 210

Reported Back: Amended, 968

Amendments adopted, 1003

Engrossed, 1051

Final Passage: Passed, 1059

Messaged to Senate, 1540

Returned to House: Amended, 1979

House does not concur, 1999

Conference Committee: House, 1999 Senate, 2072

Reconsidered action by which House did not concur in Senate

amendments and Conference Committee be dissolved, motion prevailed, 2108

House concurs, 2145

Final Passage: Passed, 2143

Enrolled, 2215

Signed by Speaker, 2274

Sent to Senate, signed by Speaker, 2274

Returned to House, signed by President, 2283

Sent to Governor, 2299

Approved by Governor, 2381

**House Bill No. 1200.** — A Bill for an Act to amend and reenact sections 23-27-01; 23-27-02, 23-27-03, 23-27-04, and 23-27-05 of the North Dakota Century Code, relating to licensing of ambulance services.

Introduced by Committee on Social Services and Veteran Affairs

Introduction, first reading, referred to Committee on Social Services and Veteran Affairs, 105

Reported Back: Amended, 265-266

Amendments adopted, 278

Engrossed, 303

Final Passage: Passed, 312

Messaged to Senate, 389

Returned to House: Amended, 1541

House concurs, 1583

Final Passage: Passed, 1631

Enrolled, 1716

Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729

Returned to House, signed by President, 1736

Sent to Governor, 1743

Approved by Governor, 1832

**House Bill No. 1201.** — A Bill for an Act to amend and reenact sections 5-01-08, 5-01-09, and 5-02-06 of the North Dakota Century Code, relating to the legal age for the purchase and sale of alcoholic beverages.

Introduced by Representative Kucera

Introduction, first reading, referred to Committee on Social Services and Veteran Affairs, 105

Reported Back: Amended, 196

Amendments adopted, 204

Engrossed, 217

Final Passage: Lost, 218

**House Bill No. 1202.** — A Bill for an Act to provide for the execution, validity, and registration of international wills.

Introduced by Representative Winkjer

Introduction, first reading, referred to Committee on Judiciary, 105

Reported Back: Amended, 660

Amendments adopted, 670

Engrossed, 710

Final Passage: Passed, 720

Messaged to Senate, 789  
 Returned to House: Passed, 1539  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1203.** — A Bill for an Act to enact the Uniform Survival and Death Act, relating to the survival of actions and claims for relief arising from actionable conduct; and to repeal chapter 32-21 of the North Dakota Century Code, relating to death by wrongful act.

Introduced by Representatives Winkjer and Conmy  
 Introduction, first reading, referred to Committee on Judiciary, 105  
 Reported Back: Do pass, 807  
 Final Passage: Passed, 831  
 Messaged to Senate, 917  
 Returned to House: Amended but Failed to pass, 1903

**House Bill No. 1204.** — A Bill for an Act to amend and reenact sections 15-04-13, 15-04-15, 15-04-16, and 15-08-11 relating to the issuance of receipts by the state land department.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 105  
 Reported Back: Do pass, 292  
 Final Passage: Passed, 312  
 Messaged to Senate, 389  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1373  
 Approved by Governor, 1480

**House Bill No. 1205.** Capital Construction Fund — A Bill for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing a conditional appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations, 105  
 Reported Back: Do not pass, 1070  
 Final Passage: Lost, 1118

**House Bill No. 1206.** — A Bill for an Act to amend and reenact subsection 1 of section 20.1-13-03 of the North Dakota Century Code, relating to the distribution of revenue derived from motorboat licenses and providing an effective date.

Introduced by Committee on Natural Resources

Introduction, first reading, referred to Committee on Natural Resources, 105

Reported Back: Amended, 429-430

Amendments adopted, 444

Engrossed, 471

Final Passage: Passed, 477

Messaged to Senate, 537

Returned to House: Failed to pass, 1217

**House Bill No. 1207.** — A Bill for an Act to amend and reenact sections 44-08-04 and 54-06-09 of the North Dakota Century Code, relating to expense accounts and mileage and travel expenses of state officers and employees.

Introduced by Committee on Natural Resources

Introduction, first reading, referred to Committee on State and Federal Government, 105

Reported Back: Do pass, 197

Final Passage: Passed, 206

Messaged to Senate, 250

Returned to House: Passed, 1218

Enrolled, 1273

Signed by Speaker, 1280

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308

Sent to Governor, 1373

Approved by Governor, 1480

**House Bill No. 1208.** — A Bill for an Act to amend and reenact sections 15-38.1-04, 15-38.1-05, and paragraphs (1) and (2) of subdivision b of subsection 2 of section 15-38.1-13 of the North Dakota Century Code, relating to the compensation, powers and procedure of the education factfinding commission.

Introduced by Committee on Education

Introduction, first reading, referred to Committee on Education, 106

Reported Back: Amended, 248-249

Amendments adopted, 256

Engrossed, 277

Final Passage: Passed, 282

Messaged to Senate, 363

Returned to House: Passed, 1218

Enrolled, 1273

Signed by Speaker, 1280

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308

Sent to Governor, 1373

Approved by Governor, 1480

**House Bill No. 1209.** — A Bill for an Act to prohibit the sale of agricultural lands to nonresident aliens, to prohibit the recording of instruments of title for nonresident alien purchases of agricultural land, to provide for enforcement by the attorney general, and to require annual reports to the commissioner of agriculture; to amend



and reenact section 47-01-11 of the North Dakota Century Code, relating to qualifications for private ownership of property; and to provide a penalty.

Introduced by Representatives Strinden, Berge, Melby, Swiontek and Vander Vorst

Introduction, first reading, referred to Committee on Agriculture, 106

Reported Back: Amended, 401

Amendments adopted, 412

Engrossed, 443

Final Passage: Passed, 450

Messaged to Senate, 501

Returned to House: Amended, 1726-1727

House does not concur, 1775

Conference Committee: House, 1775 Senate, 1870

Conference Committee Report: House adopts, 2118 Senate adopts, 2283

Conference Committee amendments adopted, 2140

Reconsidered action by which House adopted amendments — motion failed, 2147

Final Passage: Passed, 2195

Enrolled, 2366

Signed by Speaker, 2366

Sent to Senate, signed by Speaker, 2367

Returned to House, signed by President, 2367

Sent to Governor, 2367

Approved by Governor, 2381

**House Bill No. 1210.** — A Bill for an Act to provide for an appropriation for the construction of a music education center at North Dakota state university of agriculture and applied science.

Introduced by Representatives Swiontek, Kelly and Eagles and Senators Hanson, Lashkowitz and Tennefos

Introduction, first reading, referred to Committee on Appropriations, 106

Returned to House, 362

Withdrawn, 362

**House Bill No. 1211.** — A Bill for an Act to provide for the deduction of 1975 federal income taxes on an amended 1975 North Dakota income tax return for individuals, estates, and trusts.

Introduced by Representative Unhjem

Introduction, first reading, referred to Committee on Finance and Taxation, 106

Reported Back: Do not pass, 292

Final Passage: Lost, 307

**House Bill No. 1212.** — A Bill for an Act to amend and reenact sections 39-08-06 and 39-08-07 of the North Dakota Century Code, relating to duty of drivers to give information and render aid and requiring drivers to give information concerning insurance coverage.

Introduced by Representatives Richie and Mattson

Introduction, first reading, referred to Committee on Transportation,  
106

Reported Back: Do pass, 401  
Final Passage: Passed, 423  
Messaged to Senate, 475  
Enrolled, 1274  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1373  
Approved by Governor, 1481

**House Bill No. 1213.** — A Bill for an Act to amend and reenact sections 39-03A-09, 39-03A-12, and 39-03A-14 of the North Dakota Century Code, relating to the North Dakota highway patrolmen's retirement system.

Introduced by Representatives Solberg and Scofield and Senator Heinrich

Introduction, first reading, referred to Committee on State and Federal Government, 117

Reported Back: Do pass, 321  
Final Passage: Passed, 370  
Messaged to Senate, 414  
Returned to House: Passed, 1218  
Enrolled, 1274  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1374  
Approved by Governor, 1481

**House Bill No. 1214.** — A Bill for an Act to provide authorization for the use of laetrile, limit disciplinary actions, and to provide for public hearings on the use of laetrile.

Introduced by Representatives Hedstrom and Fleming  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs

Reported Back: Do pass, 266  
Final Passage: Passed, 283  
Messaged to Senate, 363  
Returned to House: Passed, 1218  
Enrolled, 1274  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1374  
Approved by Governor, 1482

**House Bill No. 1215.** — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct bingo, raffles, pull tabs, jars, punchboards, and sports pools; and to provide for definitions, licensure by the attorney general, city and county

approval in certain instances, restrictions on the conduct of games, bookkeeping requirements, expense requirements, a tax based on adjusted gross proceeds, examination of books and records, licensure of distributors, form and display of licensure, and rules and regulations; to provide a criminal penalty for the violation of this Act; and to provide an expiration date.

Introduced by Representatives Gerl, Conmy and Kretschmar and Senators Tallackson and Wright

Introduction, first reading, referred to Committee on Judiciary, 117

Reported Back: Divided Majority to amend, 896, 899 Minority to amend, 899-901

Reconsidered action by which House accepted Committee Report — motion prevailed, 918

Re-referred to Committee on Judiciary, 918

Reported Back: Divided Majority to amend and place on calendar without recommendation, 1094-1097 Minority to amend and place on calendar without recommendation 1097-1099

Majority amendments not adopted, 1115

Minority amendments adopted, 1115

Engrossed, 1153

Final Passage: Passed, 1196

Messaged to Senate, 1200

Returned to House: Amended, 2081-2082

House does not concur, 2083

Conference Committee: House, 2083 Senate, 2099

Conference Committee Report: House adopts, 2255 Senate adopts, 2298

Conference Committee amendments adopted, 2256

Final Passage: Passed, 2256

Enrolled, 2378

Signed by Speaker, 2378

Sent to Senate, signed by Speaker, 2378

Returned to House, signed by President, 2378

Sent to Governor, 2379

Forwarded from Governor, without signature, 2381

**House Bill No. 1216.** — A Bill for an Act to amend and reenact section 43-31-08 and section 43-31-14 of the North Dakota Century Code, relating to the renewal of lapsed polygraph examiners licenses.

Introduced by Committee on Industry, Business and Labor

Introduction, first reading, referred to Committee on Industry, Business and Labor, 117

Reported Back: Do pass, 211

Final Passage: Passed, 225

Messaged to Senate, 269

Returned to House: Passed, 1323,

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1217.** — A Bill for an Act to amend and reenact section 54-44-11 of the 1977 Supplement to the North Dakota Century Code, relating to the purchasing department operating fund.

Introduced by Committee on State and Federal Government

Introduction, first reading, referred to Committee on State and Federal Government

Reported Back: Do pass, 517

Final Passage: Passed, 541

Messaged to Senate, 607

Returned to House: Amended, 1541

House concurs, 1583

Final Passage: Passed, 1632

Reconsidered action by which House Bill passed — motion prevailed, 1638

Reconsidered action House concurred in Senate amendments, 1638

House does not concur, 1638

Conference Committee: House, 1648 Senate, 1783

Conference Committee Report: House adopts, 1829 Senate adopts, 2074

Conference Committee amendments adopted, 1887

Final Passage: Passed, 1982

Enrolled, 2111

Signed by Speaker, 2114

Sent to Senate, signed by Speaker, 2113

Returned to House, signed by President, 2129

Sent to Governor, 2129

Approved by Governor, 2285

**House Bill No. 1218.** — A Bill for an Act to amend and reenact section 6-01-15 of the North Dakota Century Code, requiring officers and employees of the department to be disinterested.

Introduced by Committee on Industry, Business and Labor

Introduction, first reading, referred to Committee on Industry, Business and Labor, 118

Reported Back: Do pass, 232

Final Passage: Passed, 244

Messaged to Senate, 278

Returned to House: Passed 1218

Enrolled, 1274

Signed by Speaker, 1280

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308

Sent to Governor, 1481

**House Bill No. 1219.** — A Bill for an Act to create four new sections to chapter 43-10.1 of the North Dakota Century Code, relating to application of chapter 28-32 to this chapter, and to fraudulent practices, orders and injunctions, and investigations and subpoenas under the pre-need funeral services laws, to amend and reenact section 43-10.1-07 of the North Dakota Century Code, relating to prosecutions for violation of the pre-need funeral services laws, to amend and reenact section 43-10.1-08 of the North Dakota Century Code, relating to penalties for violation of this Act, and to repeal section 43-10.1-06 of the

North Dakota Century Code, relating to special audits of funeral establishments or cemetery associations under the reporting requirements of the pre-need funeral services laws.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 118  
 Reported Back: Do pass, 211  
 Final Passage: Passed, 226  
 Messaged to Senate, 269  
 Returned to House: Amended, 1391  
 House concurs, 1419  
 Final Passage: Passed, 1419  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Approved by Governor, 1667

**House Bill No. 1220.** — A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to raising the monthly unvouchered expense allowance for members of the legislative assembly.

Introduced by Committee on Constitutional Revision  
 Introduction, first reading, referred to Committee on State and Federal Government, 118  
 Reported Back: Do pass, 517  
 Final Passage: Lost, 543

**House Bill No. 1221.** — A Bill for an Act to appropriate moneys to the North Dakota parks and recreation department for the acquisition of the cross ranch and other land for designation as the veterans memorial state park, describing the park and authorizing its purchase or lease, and providing a contract review committee.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations, 118  
 Reported Back: Amended, 1099-1101  
 Amendments not adopted, 1115  
 Final Passage: Passed, 1165  
 Messaged to Senate, 1200  
 Returned to House: Amended, 2022-2023  
 House concurs, 2068  
 Final Passage: Passed, 2109    Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183  
 Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2381

**House Bill No. 1222.** — A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code, relating to the powers, duties, and limitations of the director of the North Dakota parks and recreation department.

Introduced by Committee on Natural Resources  
Introduction, first reading, referred to Committee on Natural Resources, 118

Reported Back: Amended, 845

Amendments adopted, 865

Engrossed, 912

Final Passage: Passed, 923

Messaged to Senate, 996

Returned to House: Amended, 1497

House does not concur, 1546

Conference Committee: House, 1547 Senate, 1610

Conference Committee Report: House adopts, 1829 Senate adopts, 2074

Conference Committee amendments adopted, 1887

Final Passage: Passed, 1982

Enrolled, 2111

Signed by Speaker, 2113

Sent to Senate, signed by Speaker, 2114

Returned to House, signed by President, 2129

Sent to Governor, 2129

Approved by Governor, 2285

**House Bill No. 1223.** — A Bill for an Act to create and enact four new sections to chapter 55-08 of the North Dakota Century Code, relating to noncriminal park violations, administrative hearing, procedures, appeals, stay orders, regulations, uniform complaint and summons, promise to appear, and providing for statutory costs by the North Dakota parks and recreation department.

Introduced by Committee on Judiciary

Introduction, first reading, referred to Committee on Judiciary, 118

Reported Back: Amended, 1102

Amendments adopted, 1115

Engrossed, 1115

Final Passage: Lost, 1197

**House Bill No. 1224.** — A Bill for an Act to create and enact a new section to chapter 43-31 of the North Dakota Century Code, relating to an internship period for polygraph examiners; to create and enact new subsections to sections 43-31-01 and 43-31-14 of the North Dakota Century Code, relating to the definition of a polygraph examiner internship and the license fees for a polygraph examiner intern; and to amend and reenact subsection 6 of section 43-31-07 of the North Dakota Century Code, relating to qualifications for licensing as a polygraph examiner.

Introduced by Committee on Industry, Business and Labor

Introduction, first reading, referred to Committee on Industry, Business and Labor, 118

Reported Back: Amended, 211

Amendments adopted, 217  
 Engrossed, 239  
 Final Passage: Passed, 245  
 Messaged to Senate, 278  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1481

**House Bill No. 1225.** — A Bill for an Act to amend and reenact section 4-18.1-04 of the North Dakota Century Code relating to the membership of the milk stabilization board, and an appropriation for additional board members.

Introduced by Committee on Agriculture  
 Introduction, first reading, referred to Committee on Agriculture, 119  
 Reported Back: Amended, 266  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 277  
 Re-referred to Committee on Agriculture, 277  
 Reported Back: Amended and re-referred to Committee on Appropriations, 623  
 Amendments adopted, and rereferred to Committee on Appropriations, 640  
 Engrossed, 670  
 Reported Back: Do not pass, 968  
 Final Passage: Lost, 997

**House Bill No. 1226.** — A Bill for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the referral of cases of known or suspected fraud in the medical assistance program to the attorney general and the responsibilities of the attorney general upon receipt of such referral.

Introduced by Committee on Social Services and Veterans Affairs  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 119  
 Reported Back: Do pass, 969  
 Final Passage: Passed, 1008  
 Messaged to Senate, 1116  
 Returned to House: Failed to pass, 1970

**House Bill No. 1227.** — A Bill for an Act to amend and reenact sections 11-11-58 and 40-05-16 and subsections 2 and 4 of section 57-15-56, relating to the expenditure of funds by cities and counties for programs and activities for senior citizens and the levying of a tax for such purposes.

Introduced by Representative Berger  
 Introduction, first reading, referred to Committee on Political Subdivisions, 128  
 Returned to House, 472  
 Withdrawn, 472

**House Bill No. 1228.** — A Bill for an Act to amend and reenact sections 15-28-05 and 40-21-05 of the North Dakota Century Code, relating to compensation of election officials in school district and municipal elections.

Introduced by Representatives Meiers, Tinjum and Brokaw  
 Introduction, first reading, referred to Committee on Judiciary, 128  
 Reported Back: Amended, 1032-1033  
 Amendments adopted, 1053  
 Engrossed, 1113  
 Final Passage: Passed, 1128  
 Messaged to Senate, 1173  
 Returned to House: Amended, 2024  
 House concurs, 2065  
 Final Passage: Passed, 2254  
 Enrolled, 2376  
 Signed by Speaker, 2376  
 Sent to Senate, signed by Speaker, 2376  
 Returned to House, signed by President, 2377  
 Sent to Governor, 2377  
 Approved by Governor, 2381

**House Bill No. 1229.** — A Bill for an Act providing for the filing of statements of campaign contributions and expenditures by candidates and political committees and parties, the audit of such statements; and providing a penalty.

Introduced by Representatives Black and Maixner  
 Introduction, first reading, referred to Committee on Judiciary, 128  
 Reported Back: Amended, 430  
 Amendments adopted, 444  
 Engrossed, 471  
 Final Passage: Passed, 478  
 Reconsidered action by which House Bill passed — motion prevailed,  
 501  
 Final Passage: Passed 543  
 Messaged to Senate, 780  
 Returned to House: Failed to pass 1392

**House Bill No. 1230.** — A Bill for an Act to provide for the renovation of the present warden's residence or the acquisition of a house in Bismarck or Mandan for use as a women's detention facility; detention facility security; alternative women's detention facilities and transfer conditions; and laws applicable to women inmates; to amend and reenact section 12-47-05 of the North Dakota Century Code, relating to officers of the penitentiary; and providing appropriations.

Introduced by Representatives Mushik and Eagles  
 Introduction, first reading, referred to Committee on State and Federal Government, 129  
 Reported Back: Without recommendation and be re-referred to Committee on Appropriations, 376  
 Re-referred to Committee on Appropriations, 376  
 Reported Back: Amend, 661  
 Amendments adopted, 671



Engrossed, 710  
 Final Passage: Passed, 721  
 Messaged to Senate, 789  
 Returned to House: Failed to pass, 1673

**House Bill No. 1231.** — A Bill for an Act to amend and reenact sections 39-17-03 and 39-17-04.1 of the North Dakota Century Code, relating to recovery from the unsatisfied judgment fund, and empowering the attorney general to appoint special counsel, and providing for recovery from the fund in tribal court.

Introduced by Representative Wentz  
 Introduction, first reading, referred to Committee on Judiciary, 129  
 Reported Back: Do not pass, 321  
 Final Passage: Lost, 365

**House Bill No. 1232.** — A Bill for an Act to provide for licensing of marriage and family counselors by the social service board of North Dakota.

Introduced by Representatives Black, Swiontek and Meiers, and Senator Heinrich  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 129  
 Reported Back: Do not pass, 969  
 Final Passage: Lost, 998

**House Bill No. 1233.** — A Bill for an Act to amend and reenact section 26-25-15 of the North Dakota Century Code, relating to the maximum benefits and assessments under a benevolent society membership contract.

Introduced by Representative Meiers  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 129  
 Reported Back: Do pass, 461  
 Final Passage: Passed, 478  
 Returned to House: Amended, 1218  
 Enrolled, 1274  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1374  
 Approved by Governor, 1481

**House Bill No. 1234.** — A Bill for an Act to amend and reenact section 16-11-10 of the North Dakota Century Code, relating to the county auditor's duty to distribute ballots and other election supplies, and providing that tally books or sheets are to have candidates' names listed in the same order as on the ballot.

Introduced by Representatives Meiers and Tinjum  
 Introduction, first reading, referred to Committee on Judiciary, 129  
 Returned to House, 916  
 Withdrawn, 916

**House Bill No. 1235.** — A Bill for an Act to amend and reenact section 20.1-01-08 of the North Dakota Century Code, relating to the hunting of raccoons with an artificial light.

Introduced by Representative Lipsiea  
Introduction, first reading, referred to Committee on Natural Resources, 129  
Reported Back: Amended, 292-293  
Amendments adopted, 304  
Engrossed, 362  
Final Passage: Passed, 370  
Messaged to Senate, 414  
Returned to House: Passed, 1218  
Enrolled, 1274  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1374  
Approved by Governor, 1481

**House Bill No. 1236.** — A Bill for an Act to amend and reenact section 43-34-02 and subsection 1 of section 43-34-03 of the North Dakota Century Code, relating to the composition of the state board of examiners for nursing home administrators, and to qualifications for licensure.

Introduced by Representative Nicholas  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 129  
Reported Back: Amended, 969  
Amendments adopted, 1003  
Engrossed, 1051  
Final Passage: Passed, 1060  
Messaged to Senate, 1134  
Returned to House: Amended, 1541  
House concurs, 1583  
Final Passage: Passed, 1633  
Enrolled, 1716  
Signed by Speaker, 1729  
Sent to Senate, signed by Speaker, 1729  
Returned to House, signed by President, 1736  
Sent to Governor, 1743  
Approved by Governor, 1832

**House Bill No. 1237.** — A Bill for an Act to amend and reenact subsections 4 and 5 of section 4-09-10 of the North Dakota Century Code, relating to weed seed labeling requirements for containers of agricultural seed.

Introduced by Representatives Nicholas and Peltier  
Introduction, first reading, referred to Committee on Agriculture, 130  
Reported Back: Do pass, 249  
Final Passage: Passed, 259  
Messaged to Senate, 316  
Returned to House: Passed, 1218

Enrolled, 1274  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1374  
Approved by Governor, 1481

**House Bill No. 1238.** — A Bill for an Act to assist cities in relocating bridges causing flood damage; and to provide an appropriation.

Introduced by Representatives Knudson and Martin  
Introduction, first reading, referred to Committee on Transportation, 130  
Reported Back: Do not pass, 461  
Final Passage: Lost, 413

**House Bill No. 1239.** — A Bill for an Act to create and enact Chapter 38-14.2 of the North Dakota Century Code, relating to the development of a reclamation program for abandoned surface mined areas.

Introduced by Committee on Natural Resources  
Introduction, first reading, referred to Committee on Natural Resources, 130  
Reported Back: Amended, 969-970  
Amendments adopted, 1003  
Engrossed, 1052  
Final Passage: Passed, 1061  
Messaged to Senate, 1134  
Returned to House: Passed, 1674  
Enrolled, 1773  
Signed by Speaker, 1824  
Sent to Senate, signed by Speaker, 1824  
Returned to House, signed by President, 1858  
Sent to Governor, 1859  
Approved by Governor, 1946

**House Bill No. 1240.** — A Bill for an Act to create and enact four new sections to chapter 50-25.1 of the North Dakota Century Code, relating to the reporting of child abuse and neglect; and to amend and reenact sections 50-25.1-02, subsection 1 of section 50-25.1-03, 50-25.1-04, 50-25.1-05, and subsection 3 of section 50-25.1-11 of the North Dakota Century Code, relating to the reporting of child abuse and neglect.

Introduced by Committee on Social Services and Veterans Affairs  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 130  
Reported Back: Amended, 461-462  
Amendments adopted, 472  
Engrossed, 499  
Final Passage: Passed, 227  
Messaged to Senate, 571  
Returned to House: Amended, 1219-1220  
House concurs, 1241  
Final Passage: Passed, 1277  
Enrolled, 1350

Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1241.** — A Bill for an Act to provide for the discontinuance of annuities from the teachers' fund for retirement on resumption of teaching, and to repeal section 15-39.1-19 of the North Dakota Century Code, relating to discontinuance of annuities from the teachers' fund for retirement on resumption of teaching.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 130  
 Reported Back: Do pass, 212  
 Final Passage: Passed, 227  
 Messaged to Senate, 269  
 Returned to House: Passed, 1864  
 Enrolled, 1883  
 Signed by Speaker, 1890  
 Sent to Senate, signed by Speaker, 1890  
 Returned to House, signed by President, 1928  
 Sent to Governor, 1931  
 Approved by Governor, 2064

**House Bill No. 1242.** — A Bill for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to protecting the teachers' fund for retirement against fraud; and to amend sections 15-39.1-04, 15-39.1-13, 15-39.1-17, and 15-39.1-20 of the North Dakota Century Code relating to the definition of a teacher, exemptions from the legal process, the final payment on a member's account, and withdrawal from the teachers' fund for retirement; and providing a penalty.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 130  
 Reported Back: Do pass, 212  
 Final Passage: Passed, 227  
 Messaged to Senate, 269  
 Returned to House: Amended, 1864  
 House concurs, 1889  
 Final Passage: Passed, 1950  
 Enrolled, 2060  
 Signed by Speaker, 2072  
 Sent to Senate, signed by Speaker, 2072  
 Returned to House, signed by President, 2075  
 Sent to Governor, 2080  
 Approved by Governor, 2146

**House Bill No. 1243.** — A Bill for an Act to amend and reenact section 4-27-11, subsection 10 of section 4-34-05, section 18-03-08, section 18-05-13 and section 18-10-09 of the North Dakota Century Code, relating to the duty of the state auditor to audit books and accounts.

Introduced by Committee on State and Federal Government

Introduction, first reading, referred to Committee on State and Federal Government, 131  
Reported Back: Do pass, 517  
Final Passage: Passed, 544  
Messaged to Senate, 607  
Returned to House: Passed, 1218  
Enrolled, 1274  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1374  
Approved by Governor, 1481

**House Bill No. 1244.** — A Bill for an Act to amend and reenact subsection 1 of section 4-12-01, and sections 4-12-03, 4-12-03.1, 4-12-03.2, 4-12-04, 4-12-08 and 4-12-22 of the North Dakota Century Code, relating to the keeping of bees and the powers and duties of the apiary division of the North Dakota department of agriculture with respect thereto; and declaring an emergency.

Introduced by Committee on Agriculture  
Introduction, first reading, referred to Committee on Agriculture, 131  
referred to Committee on Agriculture, 131  
Reported Back: Amended, 623  
Amendments adopted, 640  
Engrossed, 670  
Floor amendment, 681  
Rules suspended, properly re-engrossed and placed on second reading and final passage 481  
Final Passage: Passed and emergency clause carried, 681  
Returned to House: Passed, 1420  
Enrolled, 1482  
Signed by Speaker, 1485  
Sent to Senate, signed by Speaker, 1486  
Returned to House, signed by President, 1501  
Sent to Governor, 1506  
Approved by Governor, 1667

**House Bill No. 1245.** — A Bill for an Act to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, and 25-16-08 of the North Dakota Century Code, relating to licensure of mental retardation facilities.

Introduced by Committee on Social Services and Veterans Affairs  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 131  
Reported Back: Do not pass, 730  
Final Passage: Lost, 749

**House Bill No. 1246.** — A Bill for an Act to amend and reenact section 22 of chapter 537 of the 1975 Session Laws of North Dakota, relating to an appropriation for administration of the Uniform Crime Victims Reparations Act and providing retroactive application.

Introduced by Committee on Appropriations

Introduction, first reading, referred to Committee on Appropriations, 131

Reported Back: Do not pass, 462

Final Passage: Lost, 473

**House Bill No. 1247.** — A Bill for an Act to create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to assessment of premiums.

Introduced by Committee on Industry, Business and Labor

Introduction, first reading, referred to Committee on Industry, Business and Labor, 131

Reported Back: Amended, 376

Amendments adopted, 386

Engrossed, 411

Final Passage: Passed, 424

Messaged to Senate, 475

Returned to House: Failed to pass, 1392

**House Bill No. 1248.** — A Bill for an Act to amend and reenact section 12-55-03 of the North Dakota Century Code, relating to executive meetings of the pardon board.

Introduced by Committee on Judiciary

Introduction, first reading, referred to Committee on Judiciary, 131

Reported Back: Do pass, 376

Final Passage: Passed, 393

Messaged to Senate, 450

Returned to House: Passed, 1323

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1249.** — A Bill for an Act to provide for the regulation and control, permitting, registration, inspection, and impounding of sources of nonionizing radiation by the state department of health and providing penalties.

Introduced by Committee on Social Services and Veterans Affairs

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 131

Reported Back: Do not pass, 730

Final Passage: Lost, 750

**House Bill No. 1250.** — A Bill for an Act to amend and reenact section 38-12-01, section 38-12-02 and section 38-12-03 of the North Dakota Century Code relating to subsurface mineral regulation.

Introduced by Committee on Natural Resources

Introduction, first reading, referred to Committee on Natural

**Resources, 131**

Reported Back: Amended, 555  
 Amendments adopted, 566  
 Engrossed, 602  
 Final Passage: Passed, 605  
 Messaged to Senate, 674  
 Returned to House: Amended, 1498  
 House concurs, 1546  
 Final Passage: Passed, 1585  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1692  
 Approved by Governor, 1832

**House Bill No. 1251.** — A Bill for an Act to amend and reenact subsection 4 of section 10-04-03 of the North Dakota Century Code, relating to the collection of fees under the Securities Act, to amend and reenact subsection 6 of section 10-04-05 of the North Dakota Century Code, relating to the exemption from registration of certain blue chip securities with proven records, to amend and reenact section 10-04-08 of the North Dakota Century Code, relating to the registration of securities by qualification and to the fees charged for such registration, to amend and reenact subsection 6 of section 10-04-10 of the North Dakota Century Code, relating to the fees charged for registration of dealers, salesmen, and investment advisers under the Securities Act, to amend and reenact section 10-04-14 of the North Dakota Century Code, relating to service of process under the Securities Act, and to amend and reenact section 10-04-18 of the North Dakota Century Code, relating to the penalty for violations of the Securities Act.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 131  
 Reported Back: Do pass, 322  
 Final Passage: Passed, 371  
 Messaged to Senate, 414  
 Returned to House: Passed, 1369  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 119

**House Bill No. 1252.** — A Bill for an act to create and enact Chapter 38-14.1 of the North Dakota Century Code, relating to surface mining and reclamation operations, the designation of areas unsuitable for mining; the necessity of a mining permit; permit terms; permit application requirements; mining and reclamation plans; extended mining plans; performance bonds; release of performance bonds; informal conference procedures; permit renewals; environmental protection performance standards; prohibited mining practices; inspections and monitoring; enforcement procedures; formal hearings;

permit revocations; bond forfeitures; administrative review of regulations; judicial review; small operators; conflict of interest; citizen suits; cooperation with federal and state agencies and penalties; and to repeal chapter 38-14, relating to the regulation of surface coal mining operations.

Introduced by Committee on Natural Resources

Introduction, first reading, referred to Committee on Natural Resources, 132

Reported Back: Amended, 1033-1034

Amendments adopted, 1053

Engrossed, 1113

Final Passage: Passed, 1128

Messaged to Senate, 1173

Returned to House: Amended, 1845-1846

House concurs, 1889

Final Passage: Passed, 1951

Enrolled, 2060

Signed by Speaker, 2072

Sent to Senate, signed by Speaker, 2072

Returned to House, signed by President, 2075

Sent to Governor, 2080

**House Bill No. 1253.** — A Bill for an Act to amend and reenact subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to allowing two trailers to be drawn by trucks or truck-tractors on state highways when the trailers are empty.

Introduced by Representative Retzer

Introduction, first reading, referred to Committee on Transportation, 132

Returned to House, 278

Withdrawn, 278

**House Bill No. 1254.** — A Bill for an Act to authorize the state board of higher education to enter into agreements providing for a regional veterinary medical education program.

Introduced by Representatives Langley, G. Larson and Knutson and Senators Shablow, Wright and Iszler

Introduction, first reading, referred to Committee on Agriculture, 149

Reported Back: Do pass, 249

Reconsidered action by which House accepted amendments, 255

Re-referred to Committee on Agriculture, 256

Reported Back: Do pass and re-refer to Committee on Appropriations, 624

Re-referred to Committee on Appropriations, 624

Returned to House and re-referred to Committee on Agriculture, 749

Reported Back: Amended, 970

Amendments adopted, 1003

Engrossed, 1052

Final Passage: Passed, 1061

Messaged to Senate, 1134

Returned to House: Passed, 1623

Enrolled, 1716



Signed by Speaker, 1729  
 Sent to Senate, signed by Speaker, 1729  
 Returned to House, signed by President, 1736  
 Sent to Governor, 1743  
 Approved by Governor, 1832

**House Bill No. 1255.** — A Bill for an Act to amend and reenact sections 15-40.1-16 and 15-40.1-16.1 of the North Dakota Century Code, relating to aid for school bus transportation within cities.

Introduced by Representatives Unhjem, Stenehjerm and Swiontek  
 Introduction, first reading, referred to Committee on Education, 149  
 Reported Back: Do not pass, 377  
 Final Passage: Lost, 388

**House Bill No. 1256.** — A Bill for an Act to restrict the sale of agricultural lands, to prohibit the recording of instruments of title for certain purchases of agricultural land, to provide for enforcement by the attorney general, and to require annual reports to the commissioner of agriculture; to amend and reenact section 47-01-11 of the North Dakota Century Code, relating to qualifications for private ownership of property; and to provide a penalty.

Introduced by Representatives A. Hausauer and Schindler  
 Introduction, first reading, referred to Committee on Agriculture, 149  
 Returned to House, 278  
 Withdrawn, 278

**House Bill No. 1257.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide for impact loans to be administered by the board of university and school lands; and to provide a penalty.

Introduced by Representatives Freborg, Gackle and Hausauer and Senators Melland, Goodman and Jacobson

Introduction, first reading, referred to Committee on Finance and Taxation, 149

Reported Back: Majority to amend, 934 Minority to amend, 935

Majority amendments adopted, 960

Motion to secure fiscal note for amendments to Minority Report, failed, 960

Minority amendments not adopted, 960

Engrossed, 995

Final Passage: Passed, 1009

Messaged to Senate, 1116

Returned to House: Amended, 1846

House does not concur, 1889

Conference Committee: House, 1889 Senate, 2017

Conference Committee Report: Divided, 2181-2182 Majority Report, 2181 Minority Report, 2181-2182

Ruling requested if a conference committee report may be divided, 2182

Speaker rules divided conference committee report out of order, 2182

Rep. Strinden appeals rule of the chair by motion — prevails, 2182

Motion to consider divided conference reports immediately, fails, 2182,2183

Majority conference committee amendments adopted, 2188

Minority conference committee amendments not adopted, 2188-2189

Final Passage: Passed, 2191

Enrolled, 2366

Signed by Speaker, 2366

Sent to Senate, signed by Speaker, 2367

Returned to House, signed by President, 2367

Sent to Governor, 2367

Forwarded from Governor, without signature, 2381

**House Bill No. 1258.** — A Bill for an Act relating to the promotion, advertising, research and development of honey, prescribing a tax on honey production, providing for its collection; and providing penalties for the violation of the Act; and declaring an emergency.

Introduced by Representatives Boyum and Lee

Introduction, first reading, referred to Committee on Agriculture, 150

Reported Back: Amended, 624

Amendments adopted, 640

Engrossed, 670

Final Passage: Passed and emergency clause failed, 682

Re-engrossed, 709-747

Reconsidered action by which House Bill passed — motion prevailed, 721

Final Passage: Passed and emergency clause carried, 722

Re-engrossed, 747

Messaged to Senate, 789

Returned to House: Passed, 1420

Enrolled, 1482

Signed by Speaker, 1486

Sent to Senate, signed by Speaker, 1486

Returned to House, signed by President, 1501

Sent to Governor, 1506

Approved by Governor, 1667

**House Bill No. 1259.** — A Bill for an Act to amend and reenact section 55-10-11 of the North Dakota Century Code, relating to the acquisition of historic sites by the state historical society.

Introduced by Representative Lipsiea

Introduction, first reading, referred to Committee on State and Federal Government, 150

Reported Back: Do pass, 462

Final Passage: Passed, 479

Messaged to Senate, 537

Returned to House: Passed, 1218

Enrolled, 1273

Signed by Speaker, 1280

Sent to Senate, signed by Speaker, 1280

Returned to House, signed by President, 1308

Sent to Governor, 1374

Approved by Governor, 1481

**House Bill No. 1260.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to raising storage rates for warehouse and storage contracts.

Introduced by Representatives Peltier, Gorder and Hove  
 Introduction, first reading, referred to Committee on Agriculture, 150  
 Reported Back: Amended, 401  
 Amendments adopted, 412  
 Engrossed 443  
 Final Passage: Lost, 451  
 Reconsidered action by which House Bill failed to pass — motion prevailed, 472  
 Re-referred to Committee on Agriculture, 472  
 Reported Back: Amended, 936  
 Amendments adopted, 961  
 Re-engrossed, 996  
 Final Passage: Lost, 1010  
 Reconsidered action by which House Bill failed to pass — motion prevailed, 1057  
 Final Passage: Lost, 1057

**House Bill No. 1261.** — A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to the grain and seed warehouse contract printed on warehouse receipts as it pertains to the amount charged for handling and delivery of grains and seeds.

Introduced by Representatives Peltier, Gorder and Hove  
 Introduction, first reading, referred to Committee on Agriculture, 15  
 Reported Back: Do pass, 402  
 Final Passage: Passed, 424  
 Messaged to Senate, 475  
 Returned to House: Amended, 1442  
 House concurs, 1484  
 Final Passage: Passed, 1548  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1262.** — A Bill for an Act to create and enact subsection 5 to section 38-12.1-04 of the North Dakota Century Code, relating to the jurisdiction of the Industrial Commission; to create and enact a new section under chapter 65-11 of the North Dakota Century Code, relating to the promulgation of rules by the Workmen's Compensation Bureau regarding mine foremen; to amend and reenact sections 38-12.1-05, 38-12.1-08, and 38-16-06, subsections 2 and 4 of section 38-18-06, subsection 1 of section 38-18-07, and subsections 1 and 2 of section 38-18-08 of the North Dakota Century Code, relating to the necessity of a drilling permit, penalties, exemptions from surface mining operation reporting requirements, requirement of surface owner consent to surface mining operations, payment of damages sustained by the surface owner, and financial obligation of the mineral

developer to pay the costs of reclamation; and to repeal chapters 38-03, 38-05, 38-06, and 38-07, and sections 38-01-01 and 38-01-08 of the North Dakota Century Code, relating to the state mine inspector, mine foreman examinations and qualifications, protection of the health and safety of miners, maps or surveys of mines, regulation of surface coal mining and reclamation operations, definitions, and penalties.

Introduced by Committee on Natural Resources  
 Introduction, first reading, referred to Committee on Natural Resources, 150  
 Reported Back: Amended, 970-971  
 Amendments adopted, 1003  
 Engrossed, 1052  
 Final Passage: Passed, 1062  
 Messaged to Senate, 1134  
 Returned to House: Passed, 1725  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1263.** — A Bill for an Act to create and enact a new section to chapter 15-41 of the North Dakota Century Code, providing for the adoption of accreditation standards by the superintendent of public instruction, and to amend and reenact sections 15-53.1-06 and 15-53.1-14 and subsection 1 of section 15-53.1-17 of the North Dakota Century Code, relating to annexation and reorganization of school districts.

Introduced by Committee on Education  
 Introduction, first reading, referred to Committee on Education, 151  
 Reported Back: Amended, 322  
 Amendments adopted, 363  
 Engrossed, 386  
 Final Passage: Lost, 394

**House Bill No. 1264.** — A Bill for an Act to amend and reenact subsection 30 of section 40-05-01 of the North Dakota Century Code, relating to licensing of bowling alleys, pool, billiards, theaters and motion picture theaters; and to repeal chapter 53-06 of the North Dakota Century Code, relating to licensing of games and amusements.

Introduced by Committee on Political Subdivisions  
 Introduction, first reading, referred to Committee on Political Subdivisions, 151  
 Reported Back: Do pass, 249  
 Final Passage: Passed, 260  
 Messaged to Senate, 316  
 Returned to House: Passed, 1218  
 Enrolled, 1273  
 Signed by Speaker, 1280  
 Sent to Senate, signed by Speaker, 1280  
 Returned to House, signed by President, 1308  
 Sent to Governor, 1374  
 Approved by Governor, 1481

**House Bill No. 1265.** — A Bill for an Act to amend and reenact section 60-02-41 of the North Dakota Century Code, relating to voluntary closing or failure to renew warehouse license.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 151  
 Reported Back: Amended, 377  
 Amendments adopted, 386  
 Engrossed, 411  
 Final Passage: Passed, 425  
 Messaged to Senate, 475  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1266.** — A Bill for an Act to provide for a health care occupational licensing board; to create and enact a new subsection of section 43-17.1-01; to amend and reenact subsection 2 of section 43-05-01, sections 43-05-10, 43-05-11, 43-05-16, subsection 2 of section 43-06-01, sections 43-06-08, 43-06-18, subsection 3 of section 43-12-26.1, subsection 1 of section 43-12.1-02, sections 43-12.1-10, 43-12.1-14, subsection 2 of section 43-13-01, sections 43-13-11, sections 43-13-17, 43-13-20, 43-13-23, 43-13-24, 43-13-25, 43-13-26, subsection 2 of section 43-15-01, sections 43-15-18, 43-15-20, 43-15-23, 43-15-24, 43-15-26, 43-15-27, 43-15-45, subsection 3 of section 43-17-01, sections 43-17-17, 43-17-22, 43-17-24, 43-17-25, 43-17-26, 43-17-30, 43-17-35, subsection 1 of section 43-17.1-02, section 43-17.1-03, subsection 2 of section 43-17.1-05, subsection 7 of section 43-17.1-06, sections 43-17.1-07, 43-20-02, 43-20-05, 43-20-06, 43-20-07, 43-20-10, 43-26-02, 43-26-06, 43-26-07, 43-26-08, 43-26-11, subsection 2 of section 43-28-01, subsection 2 of section 43-28-02, sections 43-28-11, 43-28-12.1, 43-28-18, 43-28-19, 43-28-21, 43-28-23, 43-28-25, subsection 1 of section 43-32-01, sections 43-32-18, 43-32-20, 43-32-13, 43-32-14, subsection 1 of section 43-33-01, subsection 4 of section 43-33-01, subsection 1 of section 43-37-02; and to repeal sections 43-05-03, 43-05-04, 43-05-05, 43-05-06, 43-05-07, 43-06-03, 43-06-04, 43-06-05, 43-12.1-05, 43-12.1-06, 43-12.1-07, 43-12.1-09, 43-13-03, 43-13-04, 43-13-05, 43-13-06, 43-13-07, 43-13-08, 43-13-09, 43-13-10, 43-13-12, 43-13-14, 43-13-29, 43-15-03, 43-15-04, 43-15-05, 43-15-06, 43-15-07, 43-15-08, 43-15-09, 43-15-12, 43-15-13, 43-17-03, 43-17-04, 43-17-05, 43-17-06, 43-17-07, 43-17-08, 43-17-12, 43-17-14, 43-17-28, 43-26-03, 43-26-04, 43-26-05, 43-28-03, 43-28-04, 43-28-05, 43-28-09, 43-32-02, 43-32-03, 43-32-04, 43-32-05, 43-32-06, 43-32-07, 43-32-11, 43-33-15, 43-33-16, 43-33-17, 43-37-05, 43-37-07, and 43-37-08, all of the North Dakota Century Code, relating to health care occupations, the licensing thereof, and the promotion of competition therein.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 151  
 Reported Back: Do not pass, 517  
 Final Passage: Lost, 532

**House Bill No. 1267.** — A Bill for an Act to amend and reenact subsections 1, 2, 3, 4, 5 and 9 of section 51-10-06, sections 51-10-10, 51-10-11, and 51-10-15 of the North Dakota Century Code, relating to the administration and enforcement of the Unfair Trade Practices Law; and to repeal sections 51-10-12, and 51-10-13, of the North Dakota Century Code and section 51-10-14 of the 1977 Supplement to the North Dakota Century Code, relating to the powers, duties and composition of the North Dakota Trade Commission, and to the issuance of retailer's licenses.

Introduced by Committee on State and Federal Government

Introduction, first reading, referred to Committee on State and Federal Government, 151

Reported Back: Do not pass, 462

Final Passage: Lost, 474

**House Bill No. 1268.** — A Bill for an Act relating to prohibited provisions in any individual or group accident and sickness insurance policies and nonprofit medical or hospital service contracts, and the responsibility of individual or group insurers and nonprofit medical or hospital service corporations to release information to the social service board of North Dakota pertaining to the coverage of an individual under an individual or group accident and sickness insurance policy or nonprofit medical or hospital service contract; and to amend and reenact section 26-38-24 of the North Dakota Century Code, relating to examinations of health maintenance organizations.

Introduced by Committee on Industry, Business and Labor

Introduction, first reading, referred to Committee on Industry, Business and Labor, 152

Reported Back: Amended, 430-432

Amendments adopted, 444

Engrossed, 471

Final Passage: Passed, 480

Messaged to Senate, 537

Returned to House: Amended, 1626

House concurs, 1675

Final Passage: Passed, 1722

Enrolled, 1826

Signed by Speaker, 1826

Sent to Senate, signed by Speaker, 1827

Returned to House, signed by President, 1860

Sent to Governor, 1862

Approved by Governor, 1946

**House Bill No. 1269.** — A Bill for an Act to amend and reenact section 57-38.1-02 of the North Dakota Century Code, relating to the taxation of public utilities; and providing for an effective date.

Introduced by Committee on Finance and Taxation

Introduction, first reading, referred to Committee on Finance and Taxation, 152

Reported Back: Do pass, 293

Final Passage: Passed, 313

Messaged to Senate, 389

Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1270.** — A Bill for an Act to amend and reenact section 50-18-07 of the North Dakota Century Code, relating to furnishing information to communities and requiring a certificate of need before establishing or expanding boarding home for the aged and infirm.

Introduced by Committee on Social Services and Veterans Affairs  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 152  
 Reported Back: Do not pass, 432  
 Final Passage: Lost, 446

**House Bill No. 1271.** — A Bill for an Act to amend and reenact subsection 2 of section 2-06-13 of the North Dakota Century Code, relating to federal and state aid for airports and designation of the aeronautics commission as agent to receive and disburse federal and state moneys for all general aviation airport authorities for improvements.

Introduced by Committee on Transportation  
 Introduction, first reading, referred to Committee on Transportation, 152  
 Reported Back: Do not pass, 433  
 Final Passage: Lost, 447

**House Bill No. 1272.** — A Bill for an Act to create and enact section 54-52-02.4 of the North Dakota Century Code, relating to newly appointed officials entitled to participate in the public employees retirement system, and to amend and reenact subsection 2 of section 54-52-01 of the North Dakota Century Code, relating to the definition of eligible employees.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 152  
 Reported Back: Do pass, 661  
 Final Passage: Passed, 682  
 Messaged to Senate, 752  
 Returned to House: Passed, 1392  
 Enrolled, 1392  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1619

**House Bill No. 1273.** — A Bill for an Act to create a new section to chapter 57-39.2, relating to the retail sale of carpet and drapes; and to amend and reenact sections 43-07-04, 57-36-08, 57-36-12, 57-36-32, subsection 2 of section 57-39.2-04, subsection 5 of section 57-39.2-14, subsection 4 of section 57-52-03, and subsection 3 of section 57-53-01 of the North Dakota Century Code, relating to the requirement that an applicant for a contractor's license must have a sales tax permit, to provisions of the cigarette tax law for refunds, sale of tax stamps, and collection of the separate and additional tax, to provisions of the sales tax law relating to the exemption for freight transportation service, and the fee charged for reinstatement of a sales tax permit, and relating to the definition of special fuel.

Introduced by Committee on Finance and Taxation  
Introduction, first reading, referred to Committee on Finance and Taxation

Reported Back: Amended, 378  
Amendments adopted, 386  
Engrossed, 411  
Final Passage: Passed, 425  
Messaged to Senate, 475  
Returned to House: Amended, 1391  
House concurs, 1439  
Final Passage: Passed, 1487  
Enrolled, 1579  
Signed by Speaker, 1605  
Sent to Senate, signed by Speaker, 1606  
Returned to House, signed by President, 1608  
Sent to Governor, 1608  
Approved by Governor, 1718

**House Bill No. 1274.** — A Bill for an Act to amend and reenact section 61-16-15 of the North Dakota Century Code, relating to the authorization of dikes and dams.

Introduced by Committee on Natural Resources  
Introduction, first reading, referred to Committee on Natural Resources, 153

Reported Back: Amended, 846-847  
Amendments adopted, 865  
Engrossed, 912  
Final Passage: Passed, 923  
Messaged to Senate, 996  
Returned to House: Passed, 1441  
Enrolled, 1535  
Signed by Speaker, 1551  
Sent to Senate, signed by Speaker, 1551  
Returned to House, signed by President, 1554  
Sent to Governor, 1555  
Approved by Governor, 1667

**House Bill No. 1275.** — A Bill for an Act to amend and reenact subsection 8 of section 57-37.1-01 of the North Dakota Century Code, relating to the federalizing of the estate tax; to amend and reenact subsection 1 of section 57-37.1-03 of the North Dakota Century Code,



relating to the determination of the taxable estate; and to amend and reenact subsection 1 of section 57-37.1-13 of the North Dakota Century Code, relating to notice of transfer of a decedent's assets:

Introduced by Committee on Finance and Taxation  
 Introduction, first reading, referred to Committee on Finance and Taxation, 153  
 Reported Back: Amended, 293-294  
 Amendments adopted, 304  
 Engrossed, 362  
 Final Passage: Passed, 372  
 Messaged to Senate, 414  
 Returned to House: Passed, 1603  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1692  
 Approved by Governor, 1832

**House Bill No. 1276.** — A Bill for an Act to amend and reenact section 61-04-02.1 of the North Dakota Century Code, relating to emergency or temporary use of water.

Introduced by Committee on Natural Resources  
 Introduction, first reading, referred to Committee on Natural Resources, 153  
 Reported Back: Do pass, 556  
 Final Passage: Passed, 574  
 Messaged to Senate, 652  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1277.** — A Bill for an Act to amend and reenact section 61-04-26 of the North Dakota Century Code, relating to the recording of orders affecting water rights.

Introduced by Committee on Political Subdivisions  
 Introduction, first reading, referred to Committee on Political Subdivisions, 153  
 Reported Back: Do pass, 249-250  
 Final Passage: Passed, 260  
 Messaged to Senate, 316  
 Returned to House: Failed to pass, 1217

**House Bill No. 1278.** — A Bill for an Act to create and enact section 54-14-04.2 of the North Dakota Century Code, relating to the use of automatic fund transfer systems by the office of the budget for departmental payrolls.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 153  
 Reported Back: Do pass, 463  
 Final Passage: Passed, 480  
 Messaged to Senate, 537  
 Returned to House: Amended, 1287  
 House does not concur, 1340  
 Conference Committee: House, 1340 Senate, 1399  
 Conference Committee Report: House adopts, 1717 Senate adopts, 1969  
 Conference Committee amendments adopted, 1775  
 Final Passage: Passed, 1856  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, signed by Speaker, 2037  
 Returned to House, signed by President, 2059  
 Sent to Governor, 2060  
 Approved by Governor, 2134

**House Bill No. 1279.** — A Bill for an Act to amend and reenact section 25-01-01.1 of the North Dakota Century Code, relating to the coordinating committee on mental retardation.

Introduced by Committee on Social Services and Veterans Affairs  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 153  
 Reported Back: Do pass, 556  
 Final Passage: Passed, 575  
 Messaged to Senate, 652  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1481

**House Bill No. 1280.** — A Bill for an Act to amend and reenact section 49-04-04 of the North Dakota Century Code, relating to sales of securities by public utilities.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 153  
 Reported Back: Amended, 378  
 Amendments adopted, 387  
 Engrossed, 411  
 Final Passage: Passed, 426  
 Messaged to Senate, 475  
 Returned to House: Passed, 1369  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435

Sent to Governor, 1436  
Approved by Governor, 1619

**House Bill No. 1281.** — A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to employee expenses.

Introduced by Committee on State and Federal Government  
Introduction, first reading, referred to Committee on State and Federal Government, 154  
Reported Back: Do pass, 518  
Final Passage: Passed, 544  
Messaged to Senate, 607  
Returned to House: Failed to pass, 1392

**House Bill No. 1282.** — A Bill for an Act making a deficiency appropriation for defraying expenses of the Payments to Fire Departments program of the State of North Dakota and declaring an emergency.

Introduced by Committee on Appropriations  
Introduction, first reading, referred to Committee on Appropriations, 154  
Reported Back: Amended, 556  
Amendments adopted, 566  
Engrossed, 602  
Final Passage: Passed and emergency clause carried, 606  
Messaged to Senate, 674  
Returned to House: Passed, 1218  
Enrolled, 1273  
Signed by Speaker, 1280  
Sent to Senate, signed by Speaker, 1280  
Returned to House, signed by President, 1308  
Sent to Governor, 1374  
Approved by Governor, 1481

**House Bill No. 1283.** — A Bill for an Act to amend and reenact section 39-01-13, subsections 1 and 2 of section 39-06-07, section 39-06-08, subsection 1 of section 39-06-14, section 39-06-31, subsection 1 of section 39-06-40.1, section 39-08-09, and section 39-16-05 of the North Dakota Century Code, relating to financial responsibility and driver's licenses.

Introduced by Committee on Transportation  
Introduction, first reading, referred to Committee on Transportation, 154  
Reported Back: Amended, 267  
Amendments adopted, 278  
Engrossed, 303  
Final Passage: Passed, 313  
Messaged to Senate, 389  
Returned to House: Passed, 1255  
Enrolled, 1307  
Signed by Speaker, 1337  
Sent to Senate, signed by Speaker, 1337  
Returned to House, signed by President, 1350  
Sent to Governor, 1372  
Approved by Governor, 1481

**House Bill No. 1284.** — A Bill for an Act to amend and reenact section 26-17.1-17 of the North Dakota Century Code, relating to the bonding of insurance brokers and surplus lines insurance brokers.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 154  
 Reported Back: Amended, 233  
 Amendments adopted, 240  
 Engrossed, 255  
 Final Passage: Passed, 261  
 Messaged to Senate, 316  
 Returned to House: Passed, 1369  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1618

**House Bill No. 1285.** — A Bill for an Act to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to interstate carrier registration and identification; to create and enact a new section to chapter 49-18 of the North Dakota Century Code, relating to violation of commission order or rule and penalty; to amend and reenact subsections 4, 5, 6, 7, 8, 9, 10, and 11 of section 49-18-01, subsection 6 of section 49-18-02 and sections 49-18-14 and 49-18-17 of the North Dakota Century Code, relating to definitions, exemption of agricultural commodities, factors to be considered by the commission in granting certificates, and discontinuance of service by common motor carriers by order of the commission; and to repeal sections 49-18-34.1, 49-18-35, 49-18-36, 49-18-37, 49-18-38, 49-18-38.1, 49-18-38.2, 49-18-38.3, and 49-18-39 of the North Dakota Century Code, relating to regulation of agricultural carriers; and declaring an emergency.

Introduced by Committee on Transportation  
 Introduction, first reading, referred to Committee on Transportation, 154  
 Reported Back: Amended, 433  
 Amendments adopted, 444  
 Engrossed, 471  
 Final Passage: Passed, 481  
 Messaged to Senate, 537  
 Returned to House: Amended, 1325  
 House concurs, 1353  
 Final Passage: Passed and emergency clause carried, 1385  
 Enrolled, 1437  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1618

**House Bill No. 1286.** — A Bill for an Act to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees paid to an

examiner for installing and examining the accounting system of an elevator or public warehouse.

Introduced by Committee on State and Federal Government  
 Introduction, first reading, referred to Committee on State and Federal Government, 154  
 Reported Back: Do pass, 294  
 Final Passage: Passed, 314  
 Messaged to Senate, 386  
 Returned to House: Passed, 1255  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1287.** — A Bill for an Act to amend and reenact section 39-06-20 of the North Dakota Century Code, section 39-06-21 of the 1977 supplement to the North Dakota Century Code, and sections 39-06-26 and 39-06-29 of the North Dakota Century Code, relating to drivers' addresses, the reporting of convictions of nonresidents, the reporting of convictions by courts and driver's license application.

Introduced by Committee on Transportation  
 Introduction, first reading, referred to Committee on Transportation, 155  
 Reported Back: Amended, 267-268  
 Amendments adopted, 278  
 Engrossed, 303  
 Final Passage: Passed, 314  
 Messaged to Senate, 389  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1288.** — A Bill for an Act to amend and reenact sections 39-16.1-17 and 39-16.1-19 and to repeal subsection 2 of section 39-16.1-08 and section 39-16.1-14 of the North Dakota Century Code, relating to bonds for financial responsibility.

Introduced by Committee on Transportation  
 Introduction, first reading, referred to Committee on Transportation, 155  
 Reported Back: Do not pass, 268  
 Final Passage: Lost, 279

**House Bill No. 1289.** — A Bill for an Act to create and enact a new subsection to section 65-01-02 of the North Dakota Century Code, relating to definition of disability; and to amend and reenact subsection 11 of section 65-01-02 and sections 65-01-09, 65-01-11, 65-03-02,

65-04-12, 65-05-03, 65-05-05, 65-05-07, 65-05-15, 65-09-02, 65-09-04, 65-10-01, 65-10-02, and 65-13-04.1 of the North Dakota Century Code, relating to definitions, the bureau's subrogation interest, burden of proof on claimants before the bureau, penalties for violation of safety rules and regulations, penalties for failure to obtain coverage, notification of permanent disability and impairment, receipt of compensation in other states, aggravation of prior injuries, appeals from bureau decisions, and denial of benefits to crime victims while incarcerated.

Introduced by Committee on Industry, Business and Labor  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 155  
 Reported Back: Amended, 379  
 Amendments adopted, 387  
 Engrossed, 411  
 Final Passage: Lost, 427

**House Bill No. 1290.** — A Bill for an Act to amend and reenact subsection 26 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption of ostomy supplies from the sales tax.

Introduced by Representatives Herman and Mushik  
 Introduction, first reading, referred to Committee on Finance and Taxation, 169  
 Reported Back: Do pass, 379  
 Final Passage: Passed, 394  
 Messaged to Senate, 450  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1291.** — A Bill for an Act to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to the exemption from property taxes of coal conversion facilities under construction.

Introduced by Representatives Gackle and Senator Goodman  
 Introduction, first reading, referred to Committee on Finance and Taxation, 169  
 Reported Back: Do pass, 590  
 Final Passage: Passed, 606  
 Messaged to Senate, 674  
 Returned to House: Passed, 1496  
 Enrolled, 1579  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Vetoed by Governor, 1772-1773  
 Placed on calendar, 1773  
 Laid over one legislative day, 1773  
 Placed on second reading and final passage for purpose of

reconsideration of a vetoed measure, 1966

Final Passage: Failed to pass over Governor's veto, 1966

House Bill No. 1291 delivered to Secretary of State, 2097

**House Bill No. 1292.** — A Bill for an Act to create and enact a new section to chapter 23-21.1 of the North Dakota Century Code, relating to the resale of abandoned or neglected cemetery lots.

Introduced by Representatives Knudson and Martin

Introduction, first reading, referred to Committee on Industry, Business and Labor, 169

Reported Back: Amended, 379-380

Amendments adopted, 387

Engrossed, 411

Final Passage: Passed, 427

Messaged to Senate, 475

Returned to House: Passed, 1323

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1293.** — A Bill for an Act to create and enact a new section to chapter 40-33.2 of the North Dakota Century Code, relating to joint exercise of powers by a city with another public agency in respect to its electric utility system or any project and relating to joint exercise of powers by a municipal power agency with another public agency; to create and enact two new subsections to section 40-33.2-05 of the North Dakota Century Code, relating to exempting bonds and notes issued by a municipal power agency from taxation, and right of any holder of bonds or notes issued by a municipal power agency to bring suit; and to amend and reenact subsection 6 of section 40-33.2-02, subdivision g of subsection 1 of section 40-33.2-03, subsection 4 of section 40-33.2-03, subsection 9 of section 40-33.2-03, subsection 2 of section 40-33.2-05, and section 40-33.2-08 of the North Dakota Century Code, relating to definition of governing body of a city, requirements for agency agreements, bylaws of municipal power agencies, amendment of agency agreements, issuance of bonds and notes and pledges of revenues by the municipal power agencies, and city powers in regard to municipal power agencies, and contracts for electric power and energy and related services.

Introduced by Representatives Langley, Berge, Hedstrom and Senators Mutch, Strand and Vosper

Introduction, first reading, referred to Committee on Political Subdivisions, 169

Reported Back: Amended, 402

Reconsidered action by the House accepted amendments — motion prevailed, 411

Re-referred to Committee on Political Subdivisions, 412

Reported Back: Amended, 433-434

Amendments adopted, 444

Engrossed, 471

Final Passage: Passed, 482  
 Messaged to Senate, 537  
 Returned to House: Amended, 1325-1326  
 House concurs, 1353  
 Reconsidered action by which House did concur — motion prevailed,  
 1384  
 House does not concur, 1384  
 Conference Committee: House, 1384 Senate, 1421  
 Conference Committee Report: House adopts, 1536 Senate adopts,  
 1783  
 Conference Committee amendments adopted, 1581  
 Final Passage: Passed, 1636  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1294.** — A Bill for an Act to repeal section 32-09-03 of the North Dakota Century Code, relating to the requirement for a notice and demand to be served upon the debtor and the employer prior to the issuance of any garnishment summons against the earnings of any person.

Introduced by Representative Conmy  
 Introduction, first reading, referred to Committee on Judiciary, 169  
 Reported Back: Do pass, 402  
 Final Passage: Passed, 428  
 Messaged to Senate, 475  
 Returned to House: Failed to pass, 1369

**House Bill No. 1295.** — A Bill for an Act to create and enact a new subsection to section 15-40.1-08 of the North Dakota Century Code, relating to foundation aid payments for kindergarten; and to provide an appropriation.

Introduced by Representatives Reed, Black, Wentz, Vig and Tinjum  
 Introduction, first reading, referred to Committee on Education, 170  
 Reported Back: Amended and re-referred to Committee on Appropriations, 403  
 Amendments adopted and re-referred to Committee on Appropriations, 412  
 Engrossed, 443  
 Reported Back: Do not pass, 889  
 Final Passage: Lost, 913

**House Bill No. 1296.** — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to the closing or limiting of hunting in counties by the action of the board of county commissioners.

Introduced by Representatives Maixner, Langley, Meyer and Senators Roen, Krauter and Naaden



Introduction, first reading, referred to Committee on Natural Resources, 170

Reported Back: Without recommendation, 971

Final Passage: Lost, 1197

**House Bill No. 1297.** — A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact office in the office of the governor; to provide for a trust fund to be administered by the board of university and school lands; and to provide a penalty.

Introduced by Representatives Kuchera and Crabtree

Introduction, first reading, referred to Committee on Finance and Taxation, 170

Reported Back: Do not pass, 936

Final Passage: Lost, 952

**House Bill No. 1298.** — A Bill for an Act to create and enact a new subsection to section 5-02-02 of the North Dakota Century Code, relating to requiring liability insurance for on sale beer or liquor retailers to protect against dram shop actions.

Introduced by Representatives Winkjer and Scofield

Introduction, first reading, referred to Committee on Judiciary. 170

Returned to House, 387

Withdrawn, 387

**House Bill No. 1299.** — A Bill for an Act to amend and reenact section 20.1-03-08 of the North Dakota Century Code, relating to nonresident fishing license requirements.

Introduced by Representative Winkjer

Introduction, first reading, referred to Committee on Natural Resources, 170

Reported Back: Do pass, 403

Final Passage: Passed, 452

Messaged to Senate, 501

Returned to House: Failed to pass, 1285

**House Bill No. 1300.** — A Bill for an Act to provide for the establishment of a parent deinstitutionalization aid program for the care, custody, and control of mentally ill individuals or mentally deficient persons who are deinstitutionalized or may be deinstitutionalized.

Introduced by Representatives Conmy and Martinson

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 170

Reported Back: Amended and re-referred to Committee on Appropriations, 557

Amendments adopted and re-referred to Committee on

**Appropriations, 566**

Reported Back: Do not pass, 889

Engrossed, 602

Final Passage: Passed, 914

Messaged to Senate, 996

Returned to House: Failed to pass, 2038

**House Bill No. 1301.** — A Bill for an Act to amend and reenact sections 54-52.1-06 and 54-52.1-07 of the North Dakota Century Code, relating to the state contribution to the uniform group insurance program and optional coverage for employee's family.

Introduced by Representatives Martinson, Kingsbury, Swiontek, Stenehjem and Unhjem

Introduction, first reading, referred to Committee on State and Federal Government, 171

Reported Back: Do pass, 380

Final Passage: Passed, 395

Messaged to Senate, 450

Returned to House: Amended, 1604

House concurs, 1775

Final Passage: Passed, 1852

Enrolled, 1883

Signed by Speaker, 1890

Sent to Senate, signed by Speaker, 1891

Returned to House, signed by President, 1928

Sent to Governor, 1931

Approved by Governor, 2064

**House Bill No. 1302.** — A Bill for an Act to amend and reenact subsection 4 of section 57-02-01 of the North Dakota Century Code, relating to the definition of "true and full value".

Introduced by Representatives Weber and Nicholas and Senator Shablow

Introduction, first reading, referred to Committee on Finance and Taxation, 171

Reported Back: Amended, 847

Amendments adopted, 865

Engrossed, 912

Final Passage: Passed, 924

Messaged to Senate, 996

Returned to House: Amended, 1846-1847

House does not concur, 1889

Conference Committee: House, 1889 Senate, 2017

Conference Committee Report: House adopts, 2093 Senate adopts, 2283

Conference Committee amendments adopted, 2103

Final Passage: Passed, 2146

Enrolled, 2366

Signed by Speaker, 2367

Sent to Senate, signed by Speaker, 2367

Returned to House, signed by President, 2367

Sent to Governor, 2367

Approved by Governor, 2381

**House Bill No. 1303.** — A Bill for an Act to provide credits against individual and corporate income taxes if the balance in the general fund exceeds the estimated balance.

Introduced by Representatives Freborg and Wessman  
Introduction, first reading, referred to Committee on Finance and Taxation, 171

Reported Back: Amended, 591

Amendments adopted, 603

Engrossed, 637

Final Passage: Lost, 645

Reconsidered action by which House Bill failed to pass — motion prevailed, 671

Placed on calendar for final passage after Attorney General's ruling on need for two-thirds, 671

Final Passage: Lost, 952

**House Bill No. 1304.** — A Bill for an Act to create and enact two new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, creating a coal impact office and setting out the powers and duties of the director; to amend and reenact sections 57-62-04 and 57-62-05 of the North Dakota Century Code, providing for a coal development impact office and setting forth the powers and duties of the director.

Introduced by Representative Strinden

Introduction, first reading, referred to Committee on State and Federal Government, 171

Reported Back: Amended, 695

Amendments adopted, 710

Engrossed, 747

Re-referred to Committee on State and Federal Government, 749

Reported Back: Amended, 808

Amendments adopted, 822

Re-engrossed, 864

Final Passage: Passed, 874

Messaged to Senate, 950

Returned to House: Amended, 2184-2186

House does not concur, 2197

Conference Committee: House, 2197 Senate, 2214

Conference Committee Report: House adopts, 2272 Senate adopts, 2298

Rules suspended, Conference Committee amendments adopted, properly re-engrossed, second reading and final passage, 2272

Final Passage: Passed, 2272

Enrolled, 2376

Signed by Speaker, 2376

Sent to Senate, signed by Speaker, 2376

Returned to House, signed by President, 2377

Sent to Governor, 2377

Forwarded from Governor, without signature, 2381

**House Bill No. 1305.** — A Bill for an Act to authorize the state board of higher education to exchange land presently used by Hettinger experiment station for land presently owned by Hettinger public school district no. 13.

Introduced by Representatives Knudson and Martin  
 Introduction, first reading, referred to Committee on Education, 181  
 Reported Back: Amended, 380-381  
 Amendments adopted, 387  
 Engrossed, 411  
 Final Passage: Passed, 452  
 Reconsidered action by which House passed — motion prevailed, 472  
 Re-referred to Committee on Education, 472  
 Reported Back: Do pass, 1070  
 Final Passage: Passed, 1129 Messaged to Senate, 1173  
 Returned to House: Passed, 1539  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1306.** — A Bill for an Act to create a new subsection to section 57-38-01.2 of the North Dakota Century Code, relating to a reduction in the taxable income for interest received on certain contracts for deed.

Introduced by Representatives A. Hausauer and Schindler  
 Introduction, first reading, referred to Committee on Finance and Taxation, 181  
 Reported Back: Do pass, 936  
 Final Passage: Passed, 964  
 Messaged to Senate, 1054  
 Returned to House: Amended, 1847-1848  
 House concurs, 1889  
 Final Passage: Passed, 1952  
 Enrolled, 2063  
 Signed by Speaker, 2072  
 Sent to Senate, signed by Speaker, 2072  
 Returned to House, signed by President, 2073  
 Sent to Governor, 2073

**House Bill No. 1307.** — A Bill for an Act directing the board of university and school lands to delay construction of the building authorized by chapter 139 of the 1977 Session Laws of North Dakota until certain conditions are met, and requiring the board to report the meeting of those conditions to the legislative council; and declaring an emergency.

Introduced by Representatives F. Larson and Berge  
 Introduction, first reading, referred to Committee on State and Federal Government, 181  
 Reported Back: Do not pass, 661  
 Final Passage: Lost, 672

**House Bill No. 1308.** — A Bill for an Act to amend and reenact subsection 12 of section 40-57-03 of the North Dakota Century Code, relating to the powers of a municipality under the Municipal Industrial

Development Act, and providing that construction, reconstruction, improvement, and betterment projects where the lessee is a governmental entity or public institution are subject to chapter 48-02 which deals with government construction projects.

Introduced by Representative Berg  
 Introduction, first reading, referred to Committee on Political Subdivisions, 181  
 Reported Back: Do pass, 434  
 Final Passage: Passed, 453  
 Messaged to Senate, 502  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1309.** — A Bill for an Act to create and enact two new subsections to section 14-15-01 of the North Dakota Century Code, relating to definitions in the Revised Uniform Adoption Act; and to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the disclosure of adoptive information and providing for retroactive application.

Introduced by Representative Unhjem  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 181  
 Reported Back: Amended, 490  
 Amendments adopted, 500  
 Engrossed, 529  
 Final Passage: Divided, 545-546  
 Final Passage: Division B, 546  
 Final Passage: Passed including Division B, 546  
 Final Passage: 832  
 Final Passage: Divided, 545  
 Division A — Failed, 545  
 Division B — Passed, 546  
 Final Passage excluding Division A but including Division B with title properly amended, 546  
 Re-engrossed, 565  
 Reconsidered action by which House passed Bill, excluding Division A and including Division B — motion prevailed, 570  
 Reconsidered action by which House passed Division B of Bill — motion prevailed, 570  
 Reconsidered action by which House failed to pass Division A of Bill motion prevailed, 570  
 Re-referred to Committee on Social Services and Veterans Affairs, 570  
 Re-engrossed, 602  
 Re-engrossed, 822  
 Final Passage: Passed, 832  
 Messaged to Senate, 917  
 Returned to House: Amended, 1442

House concurs, 1485  
 Final Passage: Passed, 1548  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1310.** — A Bill for an Act to amend and reenact section 40-08-12 of the North Dakota Century Code, relating to publication of city council proceedings, and providing for a biennial vote on whether the proceedings shall be published in the official newspaper.

Introduced by Representative Lipsiea  
 Introduction, first reading, referred to Committee on Political Subdivisions, 181  
 Returned to House, 386  
 Withdrawn, 386

**House Bill No. 1311.** — A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code relating to motor vehicles exempt from registration fees.

Introduced by Representatives Koski and Timm  
 Introduction, first reading, referred to Committee on Transportation, 181  
 Reported Back: Amended, 434-435  
 Amendments adopted, 444  
 Engrossed, 471  
 Final Passage: Passed, 482  
 Messaged to Senate, 537  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1337  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1312.** — A Bill for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, relating to legislative apportionment requirements.

Introduced by Representative Kretschmar  
 Introduction, first reading, referred to Committee on Political Subdivisions, 182  
 Reported Back: Amended, 971-972  
 Amendments adopted, 1003  
 Engrossed, 1052  
 Final Passage: Passed, 1063  
 Messaged to Senate, 1134  
 Returned to House: Passed, 1624  
 Enrolled, 1716  
 Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729  
 Returned to House, signed by President, 1736  
 Sent to Governor, 1743  
 Approved by Governor, 1833

**House Bill No. 1313.** — A Bill for an Act to amend and reenact sections 43-04-02 and 43-04-07, subsection 2 of section 43-04-11, subsection 5 of section 43-04-12, and section 43-04-42 of the North Dakota Century Code, relating to a declaration of policy, the compensation of members of the board of barber examiners, rules and orders, the general powers of the board, and the fees to be paid by an applicant for a barbering license; and to repeal sections 43-04-16 and 43-04-17 of the North Dakota Century Code, relating to an order fixing minimum barber service price schedules and the amendment or modification of price schedules after approval.

Introduced by Representatives Hedstrom, Stenehjem and Gunderson  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 182  
 Reported Back: Amended, 381  
 Reconsidered action by which House accepted amendments, motion prevailed, 386  
 Re-referred to Committee on Industry, Business and Labor, 386  
 Reported Back: Amended, 435-436  
 Amendments adopted, 444  
 Engrossed, 471  
 Final Passage: Passed, 483  
 Messaged to Senate, 537  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1314.** — A Bill for an Act to amend and reenact section 57-39.2-02.1, subsection 2 of section 57-39.1-08.2, and section 57-40.2-02.1 of the North Dakota Century Code, relating to the sales tax imposed, sales tax to be added to purchase price and be a debt, and use tax imposed.

Introduced by Representatives A. Hausauer, Black, Wald, Timm and Bjornson  
 Introduction, first reading, referred to Committee on Finance and Taxation, 182  
 Reported Back: Do pass, 491  
 Final Passage: Lost, 505

**House Bill No. 1315.** — A Bill for an Act to amend and reenact section 15-53.1-42 of the North Dakota Century Code, allowing school districts which are dissolving to join a contiguous district operating either an accredited or unaccredited high school.

Introduced by Representative Tinjum

Introduction, first reading, referred to Committee on Education, 182

Reported Back: Do pass, 322

Final Passage: Passed, 372

Messaged to Senate, 414

Returned to House: Failed to pass, 1285

**House Bill No. 1316.** — A Bill for an Act to amend and reenact section 27-17-03 of the North Dakota Century Code, relating to the services and compensation of retired judges; and declaring an emergency.

Introduced by Representatives Winkjer

Introduction, first reading, referred to Committee on Judiciary, 182

Reported Back: Amended, 591

Amendments adopted, 603

Engrossed, 637

Final Passage: Passed and emergency clause carried, 649

Messaged to Senate, 714

Returned to House: Failed to pass, 1726

**House Bill No. 1317.** — A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to the mileage reimbursement to county officials and their employees entitled by law to travel or mileage expenses.

Introduced by Representative Conmy and Senator Sands

Introduction, first reading, referred to Committee on Political Subdivisions, 182

Reported Back: Do not pass, 403-404

Final Passage: Lost, 414

Reconsidered action by which House failed to pass — motion prevailed, 415

**House Bill No. 1318.** — A Bill for an Act to amend and reenact subsections 2 and 5 of section 11-10-10 of the 1977 Supplement to the North Dakota Century Code, relating to the salaries of county officers.

Introduced by Representatives Conmy and Senator Sands

Introduction, first reading, referred to Committee on Political Subdivisions, 182

Reported Back: Amended, 404

Amendments adopted, 412

Engrossed, 443

Final Passage: Passed, 454

Messaged to Senate, 502

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1336

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Approved by Governor, 1481



**House Bill No. 1319.** — A Bill for an Act to establish a tuition assistance grant program for eligible resident students of accredited private institutions in North Dakota; and to provide an appropriation.

Introduced by Representatives Unhjem, Conmy, and Kuchera and Senator Melland

Introduction, first reading, referred to Committee on Education, 198

Reported Back: Amended and re-referred to Committee on Appropriations, 464

Amendments adopted and re-referred to Committee on Appropriations, 472,

Engrossed, 499

Reported Back: Amended, 1034-1035

Amendments adopted, 1053

Re-engrossed, 1113

Final Passage: Passed, 1130

Message to Senate, 1200

Returned to House: Passed, 1969

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, signed by Speaker, 2037

Returned to House, signed by President, 2059

Sent to Governor, 2060

Approved by Governor, 2134

**House Bill No. 1320.** — A Bill for an Act to amend and reenact subsection 26 of section 20.1-03-12 and section 20.1-06-07 of the North Dakota Century Code, relating to the fee and effective period for fish house licenses.

Introduced by Representative Berg

Introduction, first reading, referred to Committee on Natural Resources, 198

Reported Back: Amended, 404

Amendments adopted, 412

Engrossed, 443

Final Passage: Passed, 454

Messaged to Senate, 502

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1336

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Approved by Governor, 1481

**House Bill No. 1321.** — A Bill for an Act to require the use of understandable language and meaningful sequence in certain consumer contracts; and providing an effective date.

Introduced by Representatives Mattson and Richie

Introduction, first reading, referred to Committee on Judiciary, 198

Reported Back: Do pass, 405

Final Passage: Passed, 413

Messaged to Senate, 476

Returned to House: Failed to pass, 1497

**House Bill No. 1322.** — A Bill for an Act to provide for supplementary benefits to persons receiving workmen's compensation benefits under previous benefit allowances, and establishment of a supplementary benefit fund within the workmen's compensation fund.

Introduced by Representative Rued  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 198  
Reported Back: Amended, 491-492  
Amendments adopted, 500  
Engrossed, 529  
Final Passage: Passed, 553  
Messaged to Senate, 607  
Returned to House: Passed, 1539  
Enrolled, 1618  
Signed by Speaker, 1620  
Sent to Senate, signed by Speaker, 1621  
Returned to House, signed by President, 1649  
Sent to Governor, 1650  
Approved by Governor, 1832

**House Bill No. 1323.** — A Bill for an Act to create and enact a new subsection to section 57-36-31 of the North Dakota Century Code, relating to the transfer and allocation of the cigarette tax.

Introduced by Representative Weber and Senator Cussons  
Introduction, first reading, referred to Committee on Finance and Taxation, 198  
Reported Back: Amended, 592  
Substitute motion to lay amendments on the table prevailed, 640

**House Bill No. 1324.** — A Bill for an Act to create and enact Chapter 38-14.2 of the North Dakota Century Code, relating to the development of a reclamation program for abandoned surface coal mine areas.

Introduced by Representative Kloubec  
Introduction, first reading, referred to Committee on Natural Resources, 198  
Reported Back: Do not pass, 972  
Final Passage: Lost, 998

**House Bill No. 1325.** — A Bill for an Act to amend and reenact sections 30.1-05-02 and 57-37.1-03 of the North Dakota Century Code, relating to the augmented estate under the Uniform Probate Code and the determination of the North Dakota taxable estate, and providing a presumption that all property owned by the decedent in joint tenancy was obtained through equal effort of the joint tenants and for full consideration in money or money's worth until it can be shown otherwise.

Introduced by Representatives Unhjem, Winkjer, Stenehjem and Eagles  
Introduction, first reading, referred to Committee on Judiciary, 198  
Reported Back: Do no pass, 624  
Final Passage: Lost, 645

**House Bill No. 1326.** — A Bill for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to authorization for nonresidents to hunt waterfowl in specified hunting zones.

Introduced by Representatives Berg and Mertens and Senators Jones and Smykowski

Introduction, first reading, referred to Committee on Natural Resources, 199

Reported Back: Do pass, 937

Final Passage: Lost, 964

Reconsidered action by which House Bill failed to pass — motion prevailed, 1000

Re-referred to Committee on Natural Resources, 1000

Reported Back: Amended, 1071

Amendments adopted, 1115

Engrossed, 1153

Final Passage: Passed 1165

Messaged to Senate, 1200

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, signed by Speaker, 2037

Returned to House, signed by President, 2059

Sent to Governor, 2060

Approved by Governor, 2134

**House Bill No. 1327.** — A Bill for an Act to amend and reenact sections 4-19-05, 4-19-07, and 4-19-08 of the North Dakota Century Code, relating to the duties of the state forester, the authority to charge a user fee for state forest facilities, and the disposition of revenues derived from forestry activities.

Introduced by Representatives Marsden and Haumann and Senator Erdman

Introduction, first reading, referred to Committee on State and Federal Government, 199

Reported Back: Do pass, 518

Final Passage: Passed, 547

Messaged to Senate, 607

Returned to House: Amended, 1287

House concurs, 1309

Final Passage: Passed and emergency clause carried, 1354

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1412

Returned to House, signed by President, 1435

Sent to Governor, 1436

Approved by Governor, 1619

**House Bill No. 1328.** — A Bill for an Act to provide for distribution of insurance tax proceeds to cities for police department pension systems or other police purposes; and providing an appropriation.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Political Subdivisions, 199

Reported Back: Amended and re-referred to Committee on Appropriations, 625

Amendments adopted and re-referred to Committee on Appropriations, 641

Engrossed, 670

Reported Back: Do not pass, 972

Final Passage: Lost, 999

**House Bill No. 1329.** — A Bill for an Act to create and enact sections 27-05-30 and 27-08-01.1 of the North Dakota Century Code, relating to the assignment of cases to county courts of increased jurisdiction by the presiding district judge and the establishment of county courts of increased jurisdiction; to amend and reenact sections 27-05-06, 27-08-08, 27-08-20, 27-08-21, 30-26-01, 30-26-07, 30-26-10, 30-26-11, 30-26-14, 30-26-17, 30-26-18, 30-26-19, 30-26-20, 30-26-21, 30-26-22, 30-26-23, 30-26-24, 30-26-26.1, 30-26-27, 33-11-01, 33-11-02, 33-11-04, 33-11-05, 33-11-06, 33-11-08, 33-11-12, 33-11-13, 33-11-14, 33-11-15, 33-11-16, 33-11-17, 33-12-34, and 40-18-19 of the North Dakota Century Code, relating to the jurisdiction of the district courts, the salaries of the judges of county courts of increased jurisdiction, the jurisdiction of county courts of increased jurisdiction, appeals from county courts, appeals from county justice courts, and appeals from municipal courts; and to repeal sections 27-08-01, 27-08-02, 27-08-03, 27-08-04, 27-08-05, 27-08-06, and 27-08-07 and section 30-26-26 of the North Dakota Century Code, relating to elections to establish or abolish county courts of increased jurisdiction, and to the payment of the costs of an appeal from county courts.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Judiciary, 199

Returned to House, 867

Withdrawn, 867

**House Bill No. 1330.** — A Bill for an Act to amend and reenact subsection 4 of section 23-06-03 of the North Dakota Century Code, relating to duty and cost of burial by the county social service board.

Introduced by Representative G. Larson and Senator Melland

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 199

Reported Back: Amended, 405

Amendments adopted, 412

Engrossed, 443

Final Passage: Passed, 455

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1336

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Approved by Governor, 1481

**House Bill No. 1331.** — A Bill for an Act to amend and reenact subsection 2 of section 15-38.1-13 of the North Dakota Century Code, providing for machinery for the resolution of impasses in professional negotiations in the public schools; and to provide an effective date.

Introduced by Representatives I. Jacobson, Wentz, Black, R. Hausauer and Conmy

Introduction, first reading, referred to Committee on Education, 199

Reported Back: Amended and be placed on calendar without recommendation, 973

Amendments adopted, 1003

Engrossed, 1052

Final Passage: Lost, 1198

**House Bill No. 1332.** — A Bill for an Act to amend and reenact subsection 2 of section 39-12-04 of the North Dakota Century Code, relating to removing the height limitation from farm equipment moved on the highways.

Introduced by Representative Freborg

Introduction, first reading, referred to Committee on Transportation, 200

Reported Back: Do not pass, 775

Final Passage: Lost, 789

Reconsidered action by which House Bill failed to pass — motion prevailed, 840

Final Passage: Passed, 840

Messaged to Senate, 950

Returned to House: Failed to pass, 1441

**House Bill No. 1333.** — A Bill for an Act to amend and reenact sections 49-05-05 and 49-05-06 of the North Dakota Century Code, relating to notice to the public service commission of proposed rate changes with respect to cost of fuel adjustment clauses and public service commission hearings on proposed public utility rates with respect to cost of fuel adjustment clauses.

Introduced by Representatives Maixner, Kelly and Hoffner and Senators Miller Heinrich, Orange and Krauter

Introduction, first reading, referred to Committee on Industry, Business and Labor, 200

Reported Back: Do not pass, 464

Final Passage: Lost, 475

Reconsidered action by which House failed to pass, 503

**House Bill No. 1334.** — A Bill for an Act to amend and reenact section 15-62.1-01, subsection 1 of 15-62.1-02, and sections 15-62.1-04, 15-62.1-07, and 15-62.1-09 of the North Dakota Century Code, relating to the guaranteed student loan program; and to repeal sections 15-62.1-11 and 15-62.1-12 of the North Dakota Century Code, relating to the guaranteed loan program.

Introduced by Representatives Unhjem, Stenehjem, Swiontek, Lipsiea and Mattson

Introduction, first reading, referred to Committee on Education, 200

Reported Back: Amended, 492

Amendments adopted, 500

Engrossed, 529

Final Passage: Passed, 548

Messaged to Senate, 607

Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1335.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal severance tax, defining the term "coal" and specifically excluding leonardite (natural oxidized lignite) from that definition.

Introduced by Representatives Gackle, Freborg, Winkjer and Scofield

Introduction, first reading, referred to Committee on Finance and Taxation, 200

Reported Back: Do pass, 973

Final Passage: Passed, 1063

Messaged to Senate, 1134

Returned to House: Amended, 1725

Enrolled, 1826

Signed by Speaker, 1826

Sent to Senate, signed by Speaker, 1827

Returned to House, signed by President, 1860

Sent to Governor, 1862

Vetoed by Governor, 2026

Reconsideration of a vetoed measure, 2027

Laid over one legislative day, 2027

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 2325

Final Passage: Failed to pass over Governor's Veto, 2325

Speaker signed certification — failed to pass over governor's veto, 2373

Delivered to Secretary of State, 2374

**House Bill No. 1336.** — A Bill for an Act to amend and reenact subsection 1 of section 38-18-02, subsection 10 of section 38-18-05, and subsection 2 of section 38-18-07 of the North Dakota Century Code, relating to a legislative finding of necessity to protect interests of people of North Dakota, definition of surface owner, and payments for disruption and surface damage by mineral developer.

Introduced by Representatives Backes, Unhjem and Matheny

Introduction, first reading, referred to Committee on Natural Resources, 200

Reported Back: Do not pass, 557

Final Passage: Lost, 567

**House Bill No. 1337.** — A Bill for an Act to amend and reenact section 1-03-02.1 of the North Dakota Century Code, relating to holidays.

Introduced by Representatives Gerl, Wentz, Stenehjem and DuBord

Introduction, first reading, referred to Committee on State and Federal Government, 200

Reported Back: Amended, 848  
 Amendments adopted, 865  
 Engrossed, 912  
 Final Passage: Passed, 924  
 Messaged to Senate, 996  
 Returned to House: Amended, 1423  
 House concurs, 1439  
 Enrolled, 1579  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Approved by Governor, 1718

**House Bill No. 1338.** — A Bill for an Act to amend and reenact section 16-18-05 of the North Dakota Century Code, relating to the time for making application for an absent voters' ballot, and providing that an application form may be obtained from either the county or city auditor for general, special, primary, or county elections; or in the alternative to amend and reenact section 16.1-07-05 of the North Dakota Century Code, as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the time for making application for an absent voters' ballot.

Introduced by Representatives Meiers and Tinjum  
 Introduction, first reading, referred to Committee on Judiciary, 200  
 Reported Back: Do pass, 518  
 Final Passage: Passed, 548  
 Messaged to Senate, 607  
 Returned to House: Failed to pass, 1369

**House Bill No. 1339.** — A Bill for an Act to phase out the twenty-one mill county levy for schools and to replace it with additional state funds over a three-year period, to create and enact a new section to chapter 57-40.3 of the North Dakota Century Code, relating to the motor vehicle excise tax; to amend and reenact sections 15-20.1-10, 15-40.1-01, 15-40.1-05, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-14, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, 15-59-06, and 15-59.1-05, subdivision f of subsection 1 of section 57-38-01.2, subdivision d of subsection 1 of section 57-38-01.3, and sections 57-39.2-02.1, 57-39.2-08.2, and 57-40.2-02.1 of the North Dakota Century Code, to provide for the elimination of the county equalization fund for schools, to provide for the distribution of school funds, to provide for adjustments to taxable income for individuals and fiduciaries and for corporations, and relating to sales, use, and motor vehicle excise tax rates and sales tax brackets; to repeal sections 15-40.1-03 and 15-40.1-04, subdivision b of subsection 3 of section 15-40.1-06, sections 15-40.1-10, 15-40.1-11, and 15-40.1-12, subdivision b of subsection 3 of section 57-15-06, and sections 57-15-24 and 57-38-66 of the North Dakota Century Code, relating to the county equalization fund for schools, to the county mill levy for schools, and to the business privilege tax; to provide an appropriation; and to provide an effective date.

Introduced by Representatives Tweten, Knudson and Senator Nelson  
 Introduction, first reading, referred to Committee on Finance and

## Taxation, 201

Reported Back: Do not pass, 492

Reconsidered action by which House failed to pass — motion prevailed, 500

Re-referred to Committee on Appropriations, 500

Reported Back: Amended, 1102-1106

Amendments adopted, 1115

Engrossed, 1153

Final Passage: Lost, 1166

**House Bill No. 1340.** — A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of horses and mules in hunting big game.

Introduced by Representative Hanson

Introduction, first reading, referred to Committee on Natural Resources, 201

Reported Back: Amended, 406

Amendments adopted, 412

Engrossed, 443

Final Passage: Passed, 456

Messaged to Senate, 502

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1336

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Vetoed by Governor, 1410

Reconsideration of vetoed measure, 1410

Laid over one legislative day, 1410

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 1492

Final Passage: Failed to pass over Governor's veto, 1492

House Bill 1340 delivered to Secretary of State, 1536

**House Bill No. 1341.** — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to hunting birds on utility lines and providing a penalty; and to amend and reenact subsection 6 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of game birds to include mourning doves.

Introduced by Representative Hanson

Introduction, first reading, referred to Committee on Natural Resources, 201

Reported Back: Amended, 436-437

Amendments adopted, 445

Engrossed, 471

Final Passage: Passed, 484

Messaged to Senate, 537

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1336

Sent to Senate, signed by Speaker, 1337



Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1342.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to the exemption of certain items from the imposition of a sales tax; and to amend and reenact subdivision b of subsection 1 of section 57-39.2-02.1 and subsection 2 of section 57-39.2-18 of the North Dakota Century Code, relating to the imposition of a sales tax and the penalty for selling certain items without a permit.

Introduced by Representatives Lardy and Stenehjerm  
 Introduction, first reading, referred to Committee on Finance and Taxation, 201  
 Reported Back: Do not pass, 323  
 Final Passage: Lost, 365

**House Bill No. 1343.** — A Bill for an Act making an appropriation to the board of higher education for construction of a multipurpose classroom building at Dickinson state college.

Introduced by Representatives Wald and Thompson and Senators Olin, Albers and Roen  
 Introduction, first reading, referred to Committee on Appropriations, 212  
 Returned to House, 362  
 Withdrawn, 362

**House Bill No. 1344.** — A Bill for an Act making an appropriation to the San Haven state hospital for construction of a food service, laundry, commissary complex.

Introduced by Representatives Solberg, Richard and Winkjer and Senators Berube, Erdman and Wenstrom  
 Introduction, first reading, referred to Committee on Appropriations, 212  
 Returned to House, 362  
 Withdrawn, 362

**House Bill No. 1345.** — A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to mileage reimbursement for county officials.

Introduced by Representative Gunsch  
 Introduction, first reading, referred to Committee on Political Subdivisions, 213  
 Reported Back: Do pass, 406  
 Final Passage: Passed, 456  
 Messaged to Senate, 502  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1346.** — A Bill for an Act to amend and reenact sections 23-19-01, 23-19-04, and 23-19-05 of the North Dakota Century Code, relating to license and permit requirements for the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; license and permit fees; and licenses and license tags.

Introduced by Representative Gunsch  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 213  
 Reported Back: Amended, 464  
 Amendments adopted, 472  
 Engrossed, 500  
 Final Passage: Passed, 506  
 Messaged to Senate, 571  
 Returned to House: Amended, 1443  
 House concurs, 1484  
 Final Passage: Passed, 1549  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1347.** — A Bill for an Act to create and enact section 63-01.1-14.1 of the North Dakota Century Code, relating to expenditure of investment money interest credited to the state game and fish fund for the purpose of destruction, prevention, and control of noxious weeds on lands owned or leased by the state game and fish department.

Introduced by Representatives Gunsch, Freborg, Schindler and Senator Albers  
 Introduction, first reading, referred to Committee on Agriculture, 213  
 Reported Back: Do pass, 626  
 Final Passage: Passed, 649  
 Messaged to Senate, 714  
 Returned to House: Failed to pass, 1970

**House Bill No. 1348.** — A Bill for an Act to amend and reenact section 6-09-15.3 of the North Dakota Century Code, permitting loans secured by stock in bank holding companies, eliminating prohibition of loans in excess of North Dakota correspondent balances, and extending the disposal period of bank stock acquired by Bank of North Dakota in foreclosure from one year to three years.

Introduced by Representative Kloubec and Senators Tennesfos and Lodoen  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 213  
 Reported Back: Amended, 662  
 Amendments adopted, 671  
 Engrossed, 710  
 Final Passage: Passed, 722  
 Messaged to Senate, 789  
 Returned to House: Passed, 1392

Enrolled, 1437  
Signed by Speaker, 1445  
Sent to Senate, signed by Speaker, 1445  
Returned to House, signed by President, 1453  
Sent to Governor, 1462  
Approved by Governor, 1619

**House Bill No. 1349.** — A Bill for an Act requiring the labeling of a date on perishable food packages; providing a penalty; and providing an effective date.

Introduced by Representative Pomeroy and Senator Orange  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 213  
Reported Back: Do not pass, 518  
Final Passage: Lost, 533

**House Bill No. 1350.** — A Bill for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to license fees for hunting moose; and to amend and reenact subsection 3 of section 20.1-03-12 and section 20.1-08-04.2 of the North Dakota Century Code, relating to license fees for hunting big game, the number of persons eligible to hunt moose, and the number of moose allowed to be taken.

Introduced by Representatives Olson and Erickson and Senator Vosper  
Introduction, first reading, referred to Committee on Natural Resources, 213  
Returned to House, 362  
Withdrawn, 362

**House Bill No. 1351.** — A Bill for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, making all sales to non-North Dakotans exempt from sales tax if they are here for the express purpose of making the purchase and not as tourists.

Introduced by Representative Thompson  
Introduction, first reading, referred to Committee on Finance and Taxation, 213  
Reported Back: Do not pass, 493  
Final Passage: Lost, 502

**House Bill No. 1352.** — A Bill for an Act to amend and reenact subsection 1 of section 39-06.1-10 of the North Dakota Century Code, providing that traffic offenses, when the assigned number of points for violation are two or less, shall not be recorded on the driving record.

Introduced by Representatives Rued and Olson  
Introduction, first reading, referred to Committee on Transportation, 214  
Reported Back: Amended, 937  
Amendments adopted, 961  
Engrossed, 995

Final Passage: Passed, 1010  
 Messaged to Senate, 1116  
 Returned to House: Passed, 1624  
 Enrolled, 1716  
 Signed by Speaker, 1729  
 Sent to Senate, signed by Speaker, 1729  
 Returned to House, signed by President, 1736  
 Sent to Governor, 1743  
 Vetoed by Governor, 1886-1887  
 Reconsideration of vetoed measure, 1887  
 Laid over one legislative day, 1887  
 Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 2029  
 Final Passage: Passed over Governor's Veto, 2030  
 Messaged to Senate, 2038  
 Received from Senate, passed over Governor's Veto, 2262  
 Speaker signs certification, 2374  
 Messaged to Senate, 2374  
 Received from Senate, certification signed by President, 2374  
 Delivered to Secretary of State, 2374

**House Bill No. 1353.** — A Bill for an Act to create and enact section 5-02-05.1 of the North Dakota Century Code, providing for a special Sunday convention alcoholic beverage permit which may be issued by the governing body of a city to a private club, lodge, motel, or hotel serving as a state or national convention headquarters; to amend and reenact section 5-02-05, subsection 11 of section 12.1-30-02, and subsection 29 of section 12.1-30-03 of the North Dakota Century Code, relating to prohibited liquor disposal on certain days, personal property sales allowable on Sunday, and businesses allowed to operate on Sunday; and providing a penalty.

Introduced by Representative Kloubec  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 214  
 Reported Back: Amended, 973-974  
 Amendments adopted, 1003  
 Engrossed, 1052  
 Final Passage: Passed, 1064  
 Messaged to Senate, 1134  
 Returned to House: Passed, 1441  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1554  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Forwarded without Governor's signature, 1668

**House Bill No. 1354.** — A Bill for an Act to amend and reenact section 44-08-11 of the North Dakota Century Code, relating to the defense of law enforcement officers by the State and political subdivisions.

Introduced by Representative Wald  
 Introduction, first reading, referred to Committee on Political Subdivisions, 214

Reported Back: Do pass, 557  
 Final Passage: Passed, 575  
 Messaged to Senate, 652  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1355.** — A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a township mill levy for the purchase and operation of mowing equipment; and to amend and reenact subsection 3 of section 63-01.1-11 of the North Dakota Century Code, relating to charges levied against landowners for not mowing land adjoining designated highways.

Introduced by Representative Dick  
 Introduction, first reading, referred to Committee on Finance and Taxation, 214  
 Reported Back: Do not pass, 731  
 Final Passage: Lost, 750

**House Bill No. 1356.** — A Bill for an Act to amend and reenact section 15-60-04 of the North Dakota Century Code, relating to amount of loan from the state school construction fund.

Introduced by Representatives Berger and Black  
 Introduction, first reading, referred to Committee on Education, 214  
 Reported Back: Do pass, 382  
 Final Passage: Passed, 396  
 Messaged to Senate, 450  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1357.** — A Bill for an Act to create and enact a new subsection to section 43-11-31 of the North Dakota Century Code, relating to refusal to grant a certificate of registration for hairdressers and cosmetologists; and to amend and reenact sections 43-11-11 and 43-11-12, subsection 2 of section 43-11-16, sections 43-11-17 and 43-11-19, subsection 1 of section 43-11-20.1, subsections 3 and 4 of section 43-11-21, sections 43-11-24 and 43-11-25, subsections 1 and 2 of section 43-11-26, subsections 1, 2, and 3 of section 43-11-27, subsections 1, 2, and 3 of section 43-11-28, and section 43-11-30 of the North Dakota Century Code, relating to sanitary rules, aid of the board of hairdressers and cosmetologists, registered schools, fees for certificates of registration for schools, student registration, tuition refund, operator's certificate examination, operator's certificate without examination, manager-operator, instructor's license, renewal of certificates, and revocation of certificate.

Introduced by Representatives Wald and Hedstrom  
 Introduction, first reading, referred to Committee on Industry,  
 Business and Labor, 215  
 Reported Back: Amended, 519  
 Amendments adopted, 530  
 Engrossed, 565  
 Final Passage: Passed, 576  
 Messaged to Senate, 653  
 Returned to House: Amended, 1848  
 House concurs, 1889  
 Final Passage: Passed, 1952  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, signed by Speaker, 2037  
 Returned to House, signed by President, 2059  
 Sent to Governor, 2060  
 Approved by Governor, 2134

**House Bill No. 1358.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to income for individuals and fiduciaries; and to repeal subsection 1 of section 57-38-66 of the North Dakota Century Code, relating to the business and corporation privilege tax on individuals, estates, and trusts; and providing an effective date.

Introduced by Representatives Brokaw and Tinjum  
 Introduction, first reading, referred to Committee on Finance and  
 Taxation, 215  
 Reported Back: Do not pass, 848  
 Final Passage: Lost, 868

**House Bill No. 1359.** — A Bill for an Act to create and enact a new section to chapter 20.1-07 of the North Dakota Century Code, relating to the taking of fox and coyote with dogs.

Introduced by Representatives Erickson, Crabtree and Kretschmar  
 Introduction, first reading, referred to Committee on Natural  
 Resources, 215  
 Reported Back: Do not pass, 437  
 Final Passage: Lost, 447

**House Bill No. 1360.** — A Bill for an Act to create and enact a new section to the North Dakota Century Code, relating to prohibiting discrimination in employment practices.

Introduced by Representatives Martinson, Conmy and Meiers  
 Introduction, first reading, referred to Committee on Social and  
 Veterans Affairs, 215  
 Reported Back: Amended, 974  
 Engrossed, 1052  
 Final Passage: Passed, 1065  
 Reconsidered action by which House Bill passed — motion failed,  
 1122  
 Messaged to Senate, 1134

Returned to House: Amended, 2074  
 House does not concur, 2080  
 Conference Committee: House, 2080 Senate, 2097  
 Reconsidered action by which House did not concur in Senate amendments and Conference Committee be dissolved, motion prevailed, 2108  
 House does concur, 2108  
 Final Passage: Passed, 2144  
 Reconsider action by which House Bill was passed, motion prevailed on verification vote, 2174  
 Reconsider action by which House concurred in Senate amendments, motion prevailed, 2174  
 House does not concur, 2174  
 Conference Committee Report: House, 2177 Senate, 2214  
 Conference Committee Report: House adopts, 2285 Senate adopts, 2353  
 Rules suspended, Conference Committee amendments adopted, properly re-engrossed, second reading and final passage, 2286  
 Final Passage: Passed, 2287  
 Messaged to Senate, 2299  
 Enrolled, 2378  
 Signed by Speaker, 2378  
 Sent to Senate, signed by Speaker, 2378  
 Returned to House, signed by President, 2378  
 Sent to Governor, 2379  
 Approved by Governor, 2381

**House Bill No. 1361.** — A Bill for an Act to amend and reenact subsection 1 of section 11-15-12 of the North Dakota Century Code, relating to mileage for sheriffs.

Introduced by Representative Martinson  
 Introduction, first reading, referred to Committee on Political Subdivisions, 234  
 Reported Back: Do pass, 406  
 Final Passage: Passed, 457  
 Messaged to Senate, 502  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1362.** — A Bill for an Act to create and enact a new subsection to section 23-02.1-18 of the North Dakota Century Code, relating to the issuance of new birth certificates after the adoption of foreign-born persons; and to amend and reenact section 14-15-18 and subsection 5 of section 23-02.1-17 of the North Dakota Century Code, relating to reports of adoption and the application for a new birth certificate after the adoption of a foreign-born person.

Introduced by Representatives Vig, Black and Gunsch and Senators Holmberg, Christensen and Tallackson

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 234  
 Reported Back: Amended, 975  
 Amendments adopted, 1004  
 Engrossed, 1052  
 Final Passage: Passed, 1066  
 Messaged to Senate, 1134  
 Returned to House: Passed, 1970  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, signed by Speaker, 2037  
 Returned to House, signed by President, 2059  
 Sent to Governor, 2060  
 Approved by Governor, 2134

**House Bill No. 1363.** — A Bill for an Act to amend and reenact subsection 2 of section 37-19.1-02 of the North Dakota Century Code, relating to the preference given to qualified veterans in public employment.

Introduced by Representative Strinden  
 Introduction, first reading, referred to Committee on Social Services and Veteran Affairs, 234  
 Reported Back: Amended, 731  
 Amendments adopted, 748  
 Engrossed, 787  
 Final Passage: Passed, 796  
 Messaged to Senate, 866  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1375  
 Approved by Governor, 1481

**House Bill No. 1364.** — A Bill for an Act to create and enact section 57-38-29.1 of the North Dakota Century Code, relating to an income tax credit for child and dependent care expenses; and providing an effective date.

Introduced by Representatives Black, Meiers and Wessman and Senator Holmberg  
 Introduction, first reading, referred to Committee on Finance and Taxation, 234  
 Reported Back: Do pass, 493  
 Final Passage: Passed, 506  
 Messaged to Senate, 571  
 Returned to House: Failed to pass, 1540

**House Bill No. 1365.** — A Bill for an Act to amend and reenact subsection 1 of section 47-16-07.1 of the North Dakota Century Code, relating to real property and dwelling security deposits.

Introduced by Representative Berge



Introduction, first reading, referred to Committee on Industry, Business and Labor, 234

Reported Back: Do pass, 493

Final Passage: Passed, 507

Messaged to Senate, 571

Returned to House: Passed, 1392

Enrolled, 1437

Signed by Speaker, 1445

Sent to Senate, signed by Speaker, 1445

Returned to House, signed by President, 1453

Sent to Governor, 1462

Approved by Governor, 1619

**House Bill No. 1366.** — A Bill for an Act to create and enact a new section to chapter 6-05 of the North Dakota Century Code, relating to common trust funds of affiliates.

Introduced by Representative F. Larson

Introduction, first reading, referred to Committee on Industry, Business and Labor, 234

Reported Back: Do pass, 493

Final Passage: Passed, 507

Messaged to Senate, 571

Returned to House: Passed, 1392

Enrolled, 1437

Signed by Speaker, 1445

Sent to Senate, signed by Speaker, 1445

Returned to House, signed by President, 1453

Sent to Governor, 1462

Approved by Governor, 1619

**House Bill No. 1367.** — A Bill for an Act to authorize the public service commission to acquire abandoned railroad property to preserve its use for transportation purposes.

Introduced by Representative Kretschmar

Introduction, first reading, referred to Committee on Transportation, 235

Reported Back: Do not pass, 437

Final Passage: Lost, 448

**House Bill No. 1368.** — A Bill for an Act to amend and reenact section 51-21-05 of the North Dakota Century Code, relating to civil remedies against adult shoplifters or against the parent or guardian of a minor shoplifter.

Introduced by Representatives Dietz and Conmy and Senators Schirado and Sands

Introduction, first reading, referred to Committee on Judiciary, 235

Reported Back: Amended, 808

Amendments adopted, 822

Engrossed, 863

Final Passage: Passed, 875

Messaged to Senate, 950

Returned to House: Passed, 1726  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1369.** — A Bill for an Act to amend and reenact section 43-09-11 of the North Dakota Century Code, relating to qualifications for applicants for an electrician's license.

Introduced by Representatives Weber and Peltier  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 235  
 Reported Back: Do not pass, 464  
 Final Passage: Lost, 485

**House Bill No. 1370.** — A Bill for an Act to create and enact six new sections to chapter 15-18 of the North Dakota Century Code, relating to reports, annual inspections, budgets, and audits of junior colleges and educational centers; to amend and reenact sections 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to state aid, standards for state aid, and enrollment information for junior colleges and educational centers.

Introduced by Representatives Martinson, A. Hausauer and Scofield and Senators Jones, Miller Heinrich and Wenstrom  
 Introduction, first reading, referred to Committee on Education, 235  
 Reported Back: Amended, 1035  
 Amendments adopted, 1053  
 Engrossed, 1113  
 Final Passage: Passed, 1130  
 Messaged to Senate, 1173  
 Returned to House: Failed to pass, 1970

**House Bill No. 1371.** — A Bill for an Act to create and enact sections 47-15-14, 47-15-15, 47-15-16, and 47-15-17 of the North Dakota Century Code, relating to the theft of hired personal property, evidence of theft intent in a hiring contract, the financial liability of a hirer for personal property theft, and providing criminal penalties for personal property theft; and to amend and reenact section 12.1-23-02 of the North Dakota Century Code, relating to the theft of property.

Introduced by Representative Martinson  
 Introduction, first reading, referred to Committee on Judiciary, 235  
 Reported Back: Amended, 808-809  
 Amendments adopted, 822  
 Engrossed, 863  
 Final Passage: Lost, 868

**House Bill No. 1372.** — A Bill for an Act to amend and reenact section 61-01-22 of the North Dakota Century Code, relating to water drainage permits.

Introduced by Representative Berg

Introduction, first reading, referred to Committee on Agriculture, 235

Reported Back: Without recommendation, 626

Final Passage: Lost, 717

**House Bill No. 1373.** — A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century code, relating to definitions of the word "teacher."

Introduced by Representative Berger and Senator Cussons

Introduction, first reading, referred to Committee on Education, 235

Reported Back: Do not pass, 937

Final Passage: Lost, 953

**House Bill No. 1374.** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees for trailers, semitrailers, and farm trailers; to create and enact a new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemption from registration of trailers, semitrailers, and farm trailers; and to amend and reenact subsection 1 of section 39-04-18, subsection 4 of section 39-04-19, section 39-04-26, and subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to registration of motor vehicles, registration fees, gross weight requirements of towing vehicles, and operators' licenses; and providing an effective date.

Introduced by Representatives Gackle, Gunsch and Meiers and Senator Wright

Introduction, first reading, referred to Committee on Transportation, 236

Reported Back: Amended, 731-732

Amendments adopted, 748

Engrossed, 787

Final Passage: Passed, 797

Messaged to Senate, 866

Returned to House: Amended, 1498

House concurs, 1546

Final Passage: Passed, 1585

Enrolled, 1665

Signed by Speaker, 1573

Sent to Senate, signed by Speaker, 1673

Returned to House, signed by President, 1692

Sent to Governor, 1692

Approved by Governor, 1832

**House Bill No. 1375.** — A Bill for an Act to amend and reenact sections 11-28.3-03, 11-28.3-04, 11-28.3-09, 57-15-50, 57-15-51, and 57-15-51.1 of the North Dakota Century Code, relating to increasing the city, county, township, and rural ambulance service district mill levies allowed for ambulance services and providing for a dedicated ambulance sinking fund for replacement of equipment and ambulances.

Introduced by Representatives Wessman and Black

Introduction, first reading, referred to Committee on Political

## Subdivisions, 236

Reported Back: Do pass, 437  
 Final Passage: Passed, 457  
 Messaged to Senate, 502  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1376.** — A Bill for an Act to authorize the state board of higher education to issue revenue bonds for the construction of student housing at North Dakota state university of agriculture and applied science; to provide an appropriation; and to declare an emergency.

Introduced by Representatives Swiontek and Kennelly and Senator Hanson

Introduction, first reading, referred to Committee on Appropriations, 236

Reported Back: Do pass, 494  
 Final Passage: Passed and emergency clause carried 508  
 Messaged to Senate, 571  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1336  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372

**House Bill No. 1377.** — A Bill for an Act to amend and reenact section 15-39.1-28 of the North Dakota Century Code, relating to the mill levy for teachers' retirement.

Introduced by Representative I. Jacobsen

Introduction, first reading, referred to Committee on Education, 236

Reported Back: Do pass, 809  
 Final Passage: Passed, 833  
 Messaged to Senate, 917  
 Returned to House: Amended, 1627  
 House concurs, 1675  
 Final Passage: Passed, 1722  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1378.** — A Bill for an Act to amend and reenact subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to a retirement program for employees of institutions of higher education as an alternative to chapter 15-39.1.

Introduced by Representatives G. Larson, I. Jacobsen and Knutson  
Introduction, first reading, referred to Committee on Education, 236  
Reported Back: Do pass, 519  
Final Passage: Passed, 549  
Messaged to Senate, 607  
Returned to House: Passed, 1726  
Enrolled, 1826  
Signed by Speaker, 1826  
Sent to Senate, signed by Speaker, 1827  
Returned to House, signed by President, 1860  
Sent to Governor, 1862  
Approved by Governor, 1946

**House Bill No. 1379.** — A Bill for an Act to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

Introduced by Representatives Richie, Langley and Wald, and Senators Krauter and Strand  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 251  
Reported Back: Do pass, 519  
Final Passage: Passed, 549  
Messaged to Senate, 607  
Returned to House: Passed, 1539  
Enrolled, 1618  
Signed by Speaker, 1620  
Sent to Senate, signed by Speaker, 1621  
Returned to House, signed by President, 1649  
Sent to Governor, 1650  
Approved by Governor, 1832

**House Bill No. 1380.** — A Bill for an Act requiring full, adequate, and timely notice of the meetings of all public bodies.

Introduced by Representatives Stenehjem and Senator Holmberg  
Introduction, first reading, referred to Committee on State and Federal Government, 251  
Reported Back: Do not pass, 809  
Final Passage: Passed, 824  
Messaged to Senate, 917  
Returned to House: Amended, 1627  
House concurs, 1676  
Final Passage: Passed, 1723  
Enrolled, 1826  
Signed by Speaker, 1826  
Sent to Senate, signed by Speaker, 1927  
Returned to House, signed by President, 1860  
Sent to Governor, 1862  
Approved by Governor, 1946

**House Bill No. 1381.** — A Bill for an Act to provide that alcoholic beverage consumption in state parks and campgrounds may be restricted; and providing a penalty.

Introduced by Representatives Olson, Lee and Stenehjem  
 Introduction, first reading, referred to Committee on Natural Resources, 251  
 Reported Back: Amended, 775  
 Amendments adopted, 788  
 Engrossed, 821  
 Final Passage: Passed, 833  
 Messaged to Senate, 918  
 Returned to House: Passed, 1441  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Approved by Governor, 1667

**House Bill No. 1382.** — A Bill for an Act to amend and reenact section 20.1-05-03 of the North Dakota Century Code, relating to the number of big game animals that may be taken in any one year.

Introduced by Representative Hanson  
 Introduction, first reading, referred to Committee on Natural Resources, 251  
 Returned to House, 444  
 Withdrawn, 444

**House Bill No. 1383.** — A Bill for an Act to amend and reenact subsection 1 of section 57-13-04 of the North Dakota Century Code, relating to limiting the difference on assessments for comparable agricultural land lying on the boundary between two assessment districts.

Introduced by Representatives Dick and Thompson  
 Introduction, first reading, referred to Committee on Finance and Taxation, 252  
 Reported Back: Do not pass, 732  
 Final Passage: Lost, 751

**House Bill No. 1384.** — A Bill for an Act to provide for the creation of an agriculturally derived alcohol motor vehicle fuel tax fund, for its administration by the agricultural products utilization commission to further the production and marketing of agriculturally derived alcohol-blended motor vehicle fuels; to amend and reenact sections 57-50-01, 57-50-03.1, 57-50-05, and 57-54-08 of the North Dakota Century Code, relating to refunding the motor vehicle fuel tax and to the amount of the motor vehicle fuel tax on fuel with an agriculturally derived alcohol blend; and to provide an appropriation.

Introduced by Representatives Richie and Nicholas and Senators Shablow, Tallackson and Vosper  
 Introduction, first reading, referred to Committee on Agriculture, 252  
 Reported Back: Do pass and re-refer to Committee on Appropriations, 938  
 Reported Back: Do not pass, 1071

**Final Passage: Passed, 119**  
**Messaged to Senate, 1173**  
**Returned to House: Passed, 2105**  
**Enrolled, 2172**  
**Signed by Speaker, 2183**  
**Sent to Senate, signed by Speaker, 2183**  
**Returned to House, signed by President, 2199**  
**Senate requests return, 2239**  
**Reconsidered action by which House Bill was deemed properly enrolled — motion prevailed, 2239**  
**House accedes to request, 2239**  
**Returned to House: Amended, 2251-2253**  
**House concurs, 2254**  
**Rules suspended — placed on second reading and final passage — motion prevailed, 2254**  
**Final Passage: Passed, 2254**  
**Enrolled, 2376**  
**Signed by Speaker: 2376**  
**Sent to Senate signed by Speaker, 2376**  
**Returned to House, signed by President, 2377**  
**Sent to Governor, 2377**  
**Approved by Governor, 2381**

**House Bill No. 1385.** — A Bill for an Act to provide a state matching program for county and city senior citizen programs and activities; to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; providing an appropriation; and providing for an effective date.

**Introduced by Representative Tweten and Senator Strand**  
**Introduction, first reading, referred to Committee on Finance and Taxation, 252**  
**Reported Back: Amended and be placed on calendar without recommendation, 848- 849**  
**Amendments adopted, 865**  
**Engrossed, 912**  
**Final Passage: Passed, 1194**  
**Messaged to Senate, 1200**  
**Returned to House: Amended, 2100-2101**  
**House concurs, 2346**  
**Final Passage: Passed, 2346**  
**Enrolled, 2378**  
**Signed by Speaker, 2378**  
**Sent to Senate, signed by Speaker, 2378**  
**Returned to House, signed by President, 2378**  
**Sent to Governor, 2379**  
**Approved by Governor, 2381**

**House Bill No. 1386.** — A Bill for an Act to amend and reenact section 16-07-07 of the North Dakota Century Code, relating to filling a vacancy in the office of United States senator; and providing an effective date.

**Introduced by Representative A. Hausauer**  
**Introduction, first reading, referred to Committee on Judiciary, 252**

Reported Back: Do not pass, 520  
 Final Passage: Lost, 533

**House Bill No. 1387.** — A Bill for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the distribution of excess funds appropriated for the foundation program.

Introduced by Representatives A. Hausauer and Schindler  
 Introduction, first reading, referred to Committee on Education, 252  
 Returned to House, 755  
 Withdrawn, 755

**House Bill No. 1388.** — A Bill for an Act to create and enact a new section to chapter 51-13 of the North Dakota Century Code, relating to applicability; and to amend and reenact section 51-13-03 of the North Dakota Century Code, relating to the credit service charge allowed on retail installment sales.

Introduced by Representative Conmy  
 Introduction, first reading, referred to Committee on Transportation, 252

Returned to House, 362  
 Re-referred to Committee on Industry, Business and Labor, 362  
 Reported Back: Amended, 695-696  
 Amendments adopted, 710  
 Engrossed, 747  
 Final Passage: Passed, 761  
 Messaged to Senate, 826  
 Returned to House: Amended, 1604  
 House concurs, 1631  
 Final Passage: Passed, 1677  
 Enrolled, 1773  
 Signed by Speaker, 1824  
 Sent to Senate, signed by Speaker, 1824  
 Returned to House, signed by President, 1858  
 Sent to Governor, 1859  
 Approved by Governor, 2064

**House Bill No. 1389.** — A Bill for an Act to amend and reenact subsection 4 of section 23-06.1-04 of the North Dakota Century Code, relating to the manner of executing anatomical gifts.

Introduced by Representatives Olson and Kretschmar  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 252  
 Reported Back: Do pass, 557  
 Final Passage: Passed, 608  
 Messaged to Senate, 674  
 Returned to House: Amended, 1287  
 House concurs, 1327  
 Final Passage: Passed, 1355  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1412



Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1619

**House Bill No. 1390.** — A Bill for an Act to amend and reenact sections 27-06-01, 27-06-02, 27-06-03, 27-06-04, 27-06-05, 27-06-06, 27-06-07, and 27-06-08 of the North Dakota Century Code, relating to district court reporters, their appointment, their qualifications, their duties, preparation and certification of transcripts, fees set for transcripts, and to payment of the salary and expenses of court reporters by the state.

Introduced by Representatives Stenehjem and Conny  
 Introduction, first reading, referred to Committee on Judiciary, 253  
 Returned to House, 472  
 Withdrawn, 472

**House Bill No. 1391.** — A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the compensation for board members of irrigation districts.

Introduced by Representatives Hedstrom and Langley  
 Introduction, first reading, referred to Committee on Agriculture, 253  
 Reported Back: Do pass, 732  
 Final Passage: Passed, 761  
 Messaged to Senate, 826  
 Returned to House: Amended, 1371-1372  
 House concurs, 1385  
 Final Passage: Passed, 1413  
 Enrolled, 1482  
 Signed by Speaker, 1486  
 Sent to Senate, signed by Speaker, 1486  
 Returned to House, signed by President, 1501  
 Sent to Governor, 1506  
 Approved by Governor, 1667

**House Bill No. 1392.** — A Bill for an Act making an appropriation to the board of higher education for the purpose of constructing a central receiving and storage building at the North Dakota state school of science.

Introduced by Representative R. Hausauer  
 Introduction, first reading, referred to Committee on Appropriations, 253  
 Returned to House, 316  
 Withdrawn, 316

**House Bill No. 1393.** — A Bill for an Act to amend and reenact section 61-01-23 of the North Dakota Century Code, relating to the removal of obstructions in the channel of a nonnavigable stream.

Introduced by Representatives Lipsiea and Tweten  
 Introduction, first reading, referred to Committee on Agriculture, 253  
 Reported Back: Do pass, 732

Final Passage: Passed, 762  
 Messaged to Senate, 826  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1394.** — A Bill for an Act to create and enact a new subsection to section 41-08-36, and a new section to chapter 10-18.1 of the North Dakota Century Code, relating to the holding and transferring of securities deposited with clearing corporations.

Introduced by Representative Boyum  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 253  
 Reported Back: Amended, 520  
 Amendments adopted, 530  
 Engrossed, 565  
 Final Passage: Passed, 577  
 Messaged to Senate, 653  
 Returned to House: Passed, 1392  
 Enrolled, 1438  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1619

**House Bill No. 1395.** — A Bill for an Act to create and enact two new sections to chapter 23-29 of the North Dakota Century Code, limiting the location of solid waste management facilities over aquifers; providing an effective date; and declaring an emergency.

Introduced by Representative Dotzenrod  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 253  
 Returned to House, 385  
 Re-referred to Committee on Natural Resources, 386  
 Reported Back: Amended, 809-811  
 Amendments adopted, 823  
 Engrossed, 863  
 Final Passage: Passed, 875  
 Messaged to Senate, 950  
 Returned to House: Failed to pass, 1441

**House Bill No. 1396.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide for a coal impact office as a division of the public service commission.

Introduced by Representative Martinson

Introduction, first reading, referred to Committee on State and Federal Government, 270

Returned to House, 653

Withdrawn, 653

**House Bill No. 1397.** — A Bill for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for all sales to hospitals licensed by the state health department.

Introduced by Representatives Nicholas and Crabtree

Introduction, first reading, referred to Committee on Finance and Taxation, 270

Reported Back: Do pass, 733

Final Passage: Passed, 770

Messaged to Senate, 826

Returned to House: Amended, 1848

House concurs, 1889

Final Passage: Passed, 1953

Enrolled, 2028

Signed by Speaker, 2037

Sent to Senate, signed by Speaker, 2037

Returned to House, signed by President, 2059

Sent to Governor, 2060

Approved by Governor, 2373

**House Bill No. 1398.** — A Bill for an Act to provide for the licensing of electrologists and electronic hair removal technicians, relating to the definitions of terms relating to electrology, qualifications and examinations of electrologists and electronic hair removal technicians, and the special licensing of electrologists and electronic hair removal technicians by the state health council.

Introduced by Representative Wald

Introduction, first reading, referred to Committee on Industry, Business and Labor, 270

Reported Back: Do pass, 494

Final Passage: Passed and emergency clause failed, 509

Messaged to Senate, 571

Returned to House: Amended, 1627-1629

House concurs, 1676

Final Passage: Passed, 1724

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, signed by Speaker, 1827

Returned to House, signed by President, 1860

Sent to Governor, 1862

Approved by Governor, 1946

**House Bill No. 1399.** — A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Judiciary, 270  
 Reported Back: Amended, 626-627  
 Amendments adopted, 641  
 Engrossed, 670  
 Final Passage: Passed, 682  
 Messaged to Senate, 752  
 Returned to House: Passed, 2105  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183  
 Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2381

**House Bill No. 1400.** — A Bill for an Act to amend and reenact subsection 1 of section 51-18-01 of the North Dakota Century Code, relating to definitions, regulation of home solicitation sales; to amend and reenact section 51-18-02 of the North Dakota Century Code, relating to cancellation period, method of cancellation and intent, regulation of home solicitation sales; to amend and reenact section 51-18-03 of the North Dakota Century Code, relating to referral sales, rebate or discount violations, regulation of home solicitation sales; to amend and reenact section 51-18-04 of the North Dakota Century Code, relating to agreement requirement, regulation of home solicitation sales; to amend and reenact section 51-18-05 of the North Dakota Century Code, relating to evidence of indebtedness, regulation of home solicitation sales; to amend and reenact subsection 1 of section 51-18-06 of the North Dakota Century Code, relating to time limitation, regulation of home solicitation; to amend and reenact section 51-18-07 of the North Dakota Century Code, relating to buyer responsibility, services, regulation of home solicitation sales.

Introduced by Representatives Stenehjem, Houmann and Swiontek and Senators Holmberg, Lodoen and Farrington  
 Introduction, first reading, referred to Committee on Judiciary, 270  
 Reported Back: Do pass, 811  
 Final Passage: Passed, 834  
 Messaged to Senate, 918  
 Returned to House: Amended, 1604  
 House concurs, 1631  
 Final Passage: Passed, 1678  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1401.** — A Bill for an Act to amend and reenact subsection 18 of section 26-41-03 of the North Dakota Century Code, relating to the definition of serious injury under the North Dakota Auto Accident Reparations Act.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Industry,

**Business and Labor, 270**

Reported Back: Do not pass, 520

Final Passage: Lost, 534

**House Bill No. 1402.** — A Bill for an Act to amend and reenact subsection 3 of section 12 of House Bill No. 1257, as approved by the forty-sixth legislative assembly, relating to the allocation of revenues from the coal severance tax to counties.

Introduced by Representative A. Hausauer

Introduction, first reading, referred to Committee on Finance and Taxation, 271

Reported Back: Do pass, 938

Final Passage: Passed, 965

Messaged to Senate, 1054

Returned to House: Amended, 1848-1850

House does not concur, 1889

Conference Committee: House, 1889 Senate, 2018

Conference Committee Report: House adopts, 2149 Senate adopts, 2283

Conference Committee amendments adopted, 2189

Final Passage: Passed, 2192

Enrolled, 2366

Signed by Speaker, 2367

Sent to Senate, signed by Speaker, 2367

Returned to House, signed by President, 2367

Sent to Governor, 2368

Approved by Governor, 2381

**House Bill No. 1403.** — A Bill for an Act to repeal section 49-06-17 of the North Dakota Century Code, relating to limitation on number of valuation or revaluation orders.

Introduced by Representatives Kretschmar and Benedict

Introduction, first reading, referred to Committee on Industry, Business and Labor, 271

Reported Back: Do not pass, 494

Final Passage: Lost, 503

**House Bill No. 1404.** — A Bill for an Act to authorize the state board of higher education to deed property owned by the state of North Dakota for the use and benefit of the university of North Dakota to the United States; and declaring an emergency.

Introduced by Representatives Wessman, Black and Kuchera and Senators Fritzell and Goodman

Introduction, first reading, referred to Committee on State and Federal Government, 271

Reported Back: Do pass, 1035

Final Passage: Passed and emergency clause carried, 1066

Messaged to Senate, 1134

Returned to House: Passed, 2018

Enrolled, 2096

Signed by Speaker, 2096

Sent to Senate, signed by Speaker, 2096

Returned to House, signed by President, 2104  
 Sent to Governor, 2104  
 Approved by Governor, 2349

**House Bill No. 1405.** — A Bill for an Act to authorize the state board of higher education to exchange lands.

Introduced by Representatives Wessman, Kuchera, and Black and Senators Fritzell and Goodman

Introduction, first reading, referred to Committee on State and Federal Government, 271

Reported Back: Do pass, 1036

Final Passage: Passed, 1067

Messaged to Senate, 1134

Returned to House: Amended, 2024

House concurs, 2065

Final Passage: Passed, 2126

Enrolled, 2172

Signed by Speaker, 2183

Sent to Senate, signed by Speaker, 2183

Returned to House, signed by President, 2199

Sent to Governor, 2240

Approved by Governor, 2381

**House Bill No. 1406.** — A Bill for an Act to amend and reenact sections 15-40.1-05, 15-40.1-06, 15-40.1-07, and 15-40.1-08, subsection 2 of section 15-40.1-10, and section 57-15-24 of the North Dakota Century Code to eliminate the school district equalization factor, to adjust the level of state support per pupil, to provide for disbursement of state money from county equalization funds, to distribute funds raised by the twenty-one mill county levy on an equal per-pupil share basis, and to provide that the twenty-one mill county levy for schools not be adjusted for varying assessment levels; and to repeal section 15-40.1-04 of the North Dakota Century Code, relating to adjustment of the twenty-one mill county levy for schools and the deduction of the sum raised by that levy from the state aid payment.

Introduced by Representatives Kingsbury and Murphy

Introduction, first reading, referred to Committee on Finance and Taxation, 271

Returned to House, 444

Withdrawn, 444

**House Bill No. 1407.** — A Bill for an Act to amend and reenact sections 4-10.2-03 and 4-10.3-03 of the North Dakota Century Code, allowing the commissioner of agriculture or a designated county agent, in cooperation with the cooperative extension service, to conduct an election for the North Dakota sunflower council or the North Dakota edible bean council and to allow for the elections to be conducted within seventy-five days prior to April first; and declaring an emergency.

Introduced by Representative Peltier

Introduction, first reading, referred to Committee on Agriculture, 271

Reported Back: Amended, 811-812

Amendments adopted, 823  
 Engrossed, 863  
 Final Passage: Passed and emergency clause carried, 876  
 Messaged to Senate, 950  
 Returned to House: Passed, 1441  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Approved by Governor, 1667

**House Bill No. 1408.** — A Bill for an Act to create and enact a new section to chapter 26-07 of the North Dakota Century Code, relating to requirements for termination of fire or casualty insurance agency contracts.

Introduced by Representative Wald  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 272  
 Reported Back: Do pass, 521  
 Final Passage: Passed, 550  
 Messaged to Senate, 607  
 Returned to House: Passed, 1392  
 Enrolled, 1438  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1619

**House Bill No. 1409.** — A Bill for an Act to amend and reenact sections 40-55-06 and 40-55-07 of the North Dakota Century Code, relating to rural representation on recreation boards.

Introduced by Representative Mertens  
 Introduction, first reading, referred to Committee on Political Subdivisions, 272  
 Reported Back: Do pass, 593  
 Final Passage: Passed, 617  
 Messaged to Senate, 674  
 Returned to House: Amended, 1541-1542  
 House does not concur, 1583  
 Conference Committee: House, 1583 Senate, 1681  
 Conference Committee Report: House adopts, 1884 Senate adopts, 2137  
 Conference Committee amendments adopted, 1947  
 Final Passage: Passed, 2003  
 Enrolled, 2370  
 Signed by Speaker, 2370  
 Sent to Senate, signed by Speaker, 2370  
 Returned to House, signed by President, 2371  
 Sent to Governor, 2371  
 Approved by Governor, 2381

**House Bill No. 1410.** — A Bill for an Act to amend and reenact section 15-34.1-03 of the North Dakota Century Code, relating to exceptions to the compulsory attendance law and providing an exception for pupils attending certain private schools.

Introduced by Representative Gorder  
 Introduction, first reading, referred to Committee on Education, 272  
 Reported Back: Amended, 1036  
 Amendments adopted, 1053  
 Engrossed, 1114  
 Final Passage: Passed, 1131  
 Messaged to Senate, 1173  
 Returned to House: Failed to pass, 1540

**House Bill No. 1411.** — A Bill for an Act to provide for a study by the industrial commission of North Dakota on the feasibility of the construction of a state-operated grain alcohol production plant at the state mill and elevator; and providing an appropriation.

Introduced by Representatives Vander Vorst and Leibhan and Senator Walsh  
 Introduction, first reading, referred to Committee on Appropriations, 272  
 Reported Back: Do not pass, 849  
 Final Passage: Lost, 869

**House Bill No. 1412.** — A Bill for an Act to amend and reenact section 27-07-40 of the North Dakota Century Code, relating to the fees for filing estate and guardianship petitions.

Introduced by Representative Freborg  
 Introduction, first reading, referred to Committee on Judiciary, 272  
 Reported Back: Do pass, 521  
 Final Passage: Passed, 550  
 Messaged to Senate, 607  
 Returned to House: Amended, 1542  
 House concurs, 1583  
 Final Passage: Passed, 1633  
 Enrolled, 1716  
 Signed by Speaker, 1729  
 Sent to Senate, signed by Speaker, 1729  
 Returned to House, signed by President, 1736  
 Sent to Governor, 1743  
 Approved by Governor, 1833

**House Bill No. 1413.** — A Bill for an Act directing the office of the budget to control appropriations for salaries and wages.

Introduced by Representative Freborg  
 Introduction, first reading, referred to Committee on State and Federal Government, 272  
 Reported Back: Do not pass, 662  
 Final Passage: Passed, 673  
 Reconsidered action by which House Bill passed — motion prevailed, 673



Re-referred to Committee on Appropriations, 673  
 Reported Back: Amended, 1071  
 Amendments adopted, 1116  
 Final Passage: Passed, 1169  
 Messaged to Senate, 1200  
 Returned to House: Failed to pass, 2106

**House Bill No. 1414.** — A Bill for an Act to amend and reenact section 57-55-03 of the North Dakota Century Code, relating to interest due on delinquent mobile home tax; and to amend and reenact section 57-55-11 of the North Dakota Century Code, relating to the collection of the mobile home tax.

Introduced by Representative Kennelly  
 Introduction, first reading, referred to Committee on Finance and Taxation, 272  
 Reported Back: Amended, 812-813  
 Amendments adopted, 823  
 Engrossed, 863  
 Final Passage: Passed, 876  
 Messaged to Senate, 950  
 Returned to House: Amended, 1423  
 House concurs, 1439  
 Final Passage: Passed, 1488  
 Enrolled, 1579  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Approved by Governor, 1718

**House Bill No. 1415.** — A Bill for an Act to amend and reenact subsection 6 of section 39-04-19 of the North Dakota Century Code, relating to custom combine registration.

Introduced by Representatives Mertens and Berg  
 Introduction, first reading, referred to Committee on Transportation, 272  
 Reported Back: Do pass, 776  
 Final Passage: Passed, 798  
 Messaged to Senate, 866  
 Returned to House: Passed, 1420  
 Enrolled, 1483  
 Signed by Speaker, 1486  
 Sent to Senate, signed by Speaker, 1486  
 Returned to House, signed by President, 1501  
 Sent to Governor, 1506  
 Approved by Governor, 1668

**House Bill No. 1416.** — A Bill for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to the election of beneficiaries of certain deceased college teachers, and declaring an emergency.

Introduced by Representative Kuchera  
Introduction, first reading, referred to Committee on Education, 272  
Reported Back: Amended, 465  
Amendments adopted, 472  
Engrossed, 500  
Final Passage: Passed and emergency clause carried, 509  
Messaged to Senate, 571  
Returned to House: Passed, 1256  
Enrolled, 1307  
Signed by Speaker, 1336  
Sent to Senate, signed by Speaker, 1337  
Returned to House, signed by President, 1350  
Sent to Governor, 1372  
Approved by Governor, 1481

**House Bill No. 1417.** — A Bill for an Act to amend and reenact sections 11-17-04 and 28-20.1-05 of the North Dakota Century Code, relating to fees charged by the clerk of the district court, and to the fee charged by the clerk of the district court for filing foreign judgments.

Introduced by Representative Freborg  
Introduction, first reading, referred to Committee on Judiciary, 273  
Reported Back: Do not pass, 813  
Final Passage: Lost, 827

**House Bill No. 1418.** — A Bill for an Act to amend and reenact subsection 2 of section 14-08-07 of the North Dakota Century Code, relating to the transfer of proceedings for enforcement of a child support decree.

Introduced by Representative Freborg  
Introduction, first reading, referred to Committee on Judiciary, 273  
Reported Back: Do not pass, 558  
Final Passage: Lost, 567

**House Bill No. 1419.** — A Bill for an Act to amend and reenact section 39-16-05 and subsection 2 of section 39-16.1-11 of the North Dakota Century Code, relating to the minimum liability limits in automobile insurance policies under the financial responsibility laws.

Introduced by Representative Winkjer  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 273  
Reported Back: Amended, 521-522  
Amendments adopted, 530  
Engrossed, 566  
Final Passage: Passed, 577  
Messaged to Senate, 653  
Returned to House: Amended, 1421  
House concurs, 1446  
Final Passage: Passed, 1489  
Enrolled, 1579  
Signed by Speaker, 1605  
Sent to Senate, signed by Speaker, 1606

Returned to House, signed by President, 1608  
Sent to Governor, 1608  
Approved by Governor, 1718

**House Bill No. 1420.** — A Bill for an Act to repeal section 26-41-14 of the North Dakota Century Code, relating to the equitable allocation of losses among insurers under the North Dakota Auto Accidents Reparations Act.

Introduced by Representative Winkjer  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 273  
Reported Back: Do Not pass, 522  
Final Passage: Lost, 534

**House Bill No. 1421.** — A Bill for an Act to amend and reenact subsection 21 of section 26-41-03 and sections 26-41-09 and 27-41-10 of the North Dakota Century Code, relating to the definition of work loss under the Auto Accident Reparations Act and the payment of basic and optional excess no-fault benefits.

Introduced by Representative Rued  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 273  
Reported Back: Amended, 627  
Amendments adopted, 641  
Engrossed, 670  
Final Passage: Passed, 683  
Messaged to Senate, 752  
Returned to House: Failed to pass, 1540

**House Bill No. 1422.** — A Bill for an Act to amend and reenact sections 43-10-05, 43-10-13, 43-10-14, 43-10-15, and 43-10-22 of the North Dakota Century Code, relating to the power of the board of embalmers to establish license fees, the fees for embalmer licenses issued after examination and without examination, license renewal fees, and license and renewal fees for funeral establishments.

Introduced by Representative Wessman  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 223  
Reported Back: Do pass, 522  
Final Passage: Passed, 551  
Messaged to Senate, 607  
Returned to House: Passed, 1369  
Enrolled, 1409  
Signed by Speaker, 1412  
Sent to Senate, signed by Speaker, 1413  
Returned to House, signed by President, 1435  
Sent to Governor, 1436  
Approved by Governor, 1619

**House Bill No. 1423.** — A Bill for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to

liability of manufacturers to retailers for performing warranty services on certain items.

Introduced by Representatives G. Larson, Hanson, Retzer and Unhjem

Introduction, first reading, referred to Committee on Industry, Business and Labor, 273

Reported Back: Do pass, 465

Final Passage: Passed, 484

Messaged to Senate, 537

Returned to House: Failed to pass, 1369

**House Bill No. 1424.** — A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 of the North Dakota Century Code, relating to the duty of the state supervisor of assessments to make the sales ratio study; and to repeal sections 57-01-06, 57-01-06.1, and 57-01-07 of the North Dakota Century Code, relating to the sales ratio study.

Introduced by Representative A. Hausauer

Introduction, first reading, referred to Committee on Finance and Taxation, 274

Reported Back: Do not pass, 849

Final Passage: Lost, 869

Reconsidered action by which House Bill failed to pass — motion prevailed, 912

Final Passage: Passed, 913

Messaged to Senate, 996

Returned to House: Failed to pass, 2360

**House Bill No. 1425.** — A Bill for an Act of amend and reenact section 4-27-06 of the North Dakota Century Code, relating to assessments of gross receipts of milk or milk products for dairy products promotion.

Introduced by Representative Brokaw

Introduction, first reading, referred to Committee on Agriculture, 274

Reported Back: Do not pass, 627

Final Passage: Lost, 646

**House Bill No. 1426.** — A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to extending powers granted federally chartered savings and loan associations to state-chartered savings and loan associations.

Introduced by Representatives Kloubec and Rued

Introduction, first reading, referred to Committee on Industry, Business and Labor, 295

Reported Back: Do pass, 494

Final Passage: Passed, 510

Messaged to Senate, 571

Returned to House: Passed, 1369

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1413

Returned to House, signed by President, 1435

Sent to Governor, 1436

Approved by Governor, 1619

**House Bill No. 1427.** — A Bill for an Act to adopt the Revised Uniform Limited Partnership Act; to amend sections 45-12-01 and 45-12-04 of the North Dakota Century Code, relating to existing limited partnerships and citation of partnership acts; and to repeal chapter 45-10 of the North Dakota Century Code, relating to limited partnerships.

Introduced by Representative Winkjer

Introduction, first reading, referred to Committee on Judiciary, 295

Returned to House, 806

Withdrawn, 806

**House Bill No. 1428.** — A Bill for an Act to amend and reenact sections 6-03-13.1 and 6-03-17 of the North Dakota Century Code, relating to bank paying and receiving stations and separate drive-in facilities, and further limitations on separate bank facilities.

Introduced by Representatives Rued, Kloubec and Lang

Introduction, first reading, referred to Committee on Industry, Business and Labor, 295

Reported Back: Amended, 1036-1037

Amendments adopted, 1053

Engrossed, 1114

Final Passage: Lost, 1132

Vote by which House Bill was lost be reconsidered and the motion to reconsider be laid on the table, 1132

**House Bill No. 1429.** — A Bill for an Act to amend and reenact subsection 3 of section 27-17-01 of the North Dakota Century Code, relating to the retirement benefits received by certain retired judges.

Introduced by Representative Winkjer

Introduction, first reading, referred to Committee on State and Federal Government, 295

Returned to House, 807

Withdrawn, 807

**House Bill No. 1430.** — A Bill for an Act to create and enact a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to an exemption from the motor vehicle excise tax for assembled motor vehicles.

Introduced by Representatives Richard and Pomeroy

Introduction, first reading, referred to Committee on Transportation, 295

Reported Back: Amended, 938

Amendments adopted, 961

Engrossed, 995

Final Passage: Passed, 1011

Messaged to Senate, 1116

Returned to House: Passed, 1674

Enrolled, 1773

Signed by Speaker, 1824

Sent to Senate, signed by Speaker, 1825

Returned to House, signed by President, 1858

Sent to Governor, 1859

Approved by Governor, 1946

**House Bill No. 1431.** — A Bill for an Act to amend and reenact section 26-24-13 of the North Dakota Century Code, relating to additional premium assessments for the state fire and tornado fund and the reporting of premiums and losses pertaining to the state fire and tornado fund.

Introduced by Representative Wald  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 295  
 Reported Back: Amended, 522-523  
 Amendments adopted, 530  
 Engrossed, 566  
 Final Passage: Passed, 578  
 Messaged to Senate, 653  
 Returned to House: Passed, 1496  
 Enrolled, 1579  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Approved by Governor, 1718

**House Bill No. 1432.** — A Bill for an Act to repeal sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code, relating to the creation, membership, and powers and duties of the legislative compensation commission.

Introduced by Representative Strinden  
 Introduction, first reading, referred to Committee on State and Federal Government, 296  
 Reported Back: Do pass, 523  
 Final Passage: Passed, 552  
 Messaged to Senate, 607  
 Returned to House: Passed, 1256  
 Enrolled, 1308  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1482

**House Bill No. 1433.** — A Bill for an Act to amend and reenact subsection 3 of section 14-15-13 of the North Dakota Century Code, relating to the time at which an interlocutory decree of adoption may become a final decree.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Judiciary, 296  
 Reported Back: Do pass, 523  
 Final Passage: Passed, 552  
 Messaged to Senate, 607  
 Returned to House: Passed, 1496  
 Enrolled, 1579  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606

Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Approved by Governor, 1718

**House Bill No. 1434.** — A Bill for an Act to amend and reenact section 24-05-01 of the North Dakota Century Code, relating to the amount of the county road tax.

Introduced by Representative Thompson  
 Introduction, first reading, referred to Committee on Finance and Taxation, 296  
 Reported Back: Do pass, 813  
 Final Passage: Passed, 835  
 Messaged to Senate, 918  
 Returned to House: Passed, 1369  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1619

**House Bill No. 1435.** — A Bill for an Act to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-05, 25-16-06, 25-16-07, 25-16-08, 25-16-09, 25-16-09, 25-16-10, 25-16-11, and 25-16-12 of the North Dakota Century Code, relating to definitions relating to treatment or care centers for mentally retarded; requiring a license; requirements of a license; a conviction as not barring licensure and exceptions; license content; forms and regulations; confidential records of the treatment or care center; revocation of licenses; hearings on denial or revocation of a license; purchase of services; funds for purchasing residential care, custody, treatment and education for mentally handicapped; and efforts to obtain private and governmental grants; and setting forth legislative intent.

Introduced by Representative Unhjem  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 296  
 Returned to House 690  
 Withdrawn, 690

**House Bill No. 1436.** — A Bill for an Act relating to the effect of a named driver exclusion clause contained in a motor vehicle liability policy.

Introduced by Representative Unhjem  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 296  
 Reported Back: Do not pass, 662  
 Final Passage: Lost, 674

**House Bill No. 1437.** — A Bill for an Act to establish the North Dakota cultural endowment fund under the jurisdiction of the council on the arts; and declaring an emergency.

Introduced by Representative Kloubec and Senator Strinden  
 Introduction, first reading, referred to Committee on State and Federal Government, 296  
 Reported Back: Do pass, 423  
 Final Passage: Passed, 553  
 Messaged to Senate, 607  
 Returned to House: Amended, 1391  
 House concurs, 1419  
 Final Passage: Passed and emergency clause carried, 1448  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Approved by Governor, 1667

**House Bill No. 1438.** — A Bill for an Act to create and enact a new section to chapter 39-03 of the North Dakota Century Code, and to amend and reenact sections 39-03-04, 39-03A-07, 39-03A-09 and 39-06-13 of the North Dakota Century Code, relating to the classification of truck regulatory employees, the appointment of highway patrolmen, the highway patrol retirement plans and driver testing.

Introduced by Representative Mertens and Senator Solberg  
 Introduction, first reading, referred to Committee on State and Federal Government, 296  
 Reported Back: Do pass, 696  
 Re-referred to Committee on Appropriations, 722  
 Reported Back: Amended, 1106  
 Amendments adopted, 1116  
 Engrossed, 1153  
 Final Passage: Passed, 1159  
 Messaged to Senate, 1200  
 Returned to House: Amended, 2152  
 House does not concur, 2159  
 Conference Committee: House, 2159 Senate, 2183  
 Conference Committee Report: House does not adopt, 2287  
 Conference Committee dissolved — new committee appointed, 2288  
 Conference Committee: House 2288 Senate 2298  
 Conference Committee Report: House adopts, 2300 Senate adopts and subsequently failed to pass 2253  
 Messaged to Senate, 2300

**House Bill No. 1439.** — A Bill for an Act to provide for the recall of city officials in cities which have not adopted a home rule charter.

Introduced by Representative Wentz  
 Introduction, first reading, referred to Committee on Political Subdivisions, 297  
 Reported Back: Amended, 628  
 Amendments adopted, 641  
 Engrossed, 670  
 Final Passage: Lost, 684

**House Bill No. 1440.** — A Bill for an Act to create and enact a new subdivision to subsection 5 of section 39-24-09 of the North Dakota



Century Code, prohibiting persons operating snowmobiles, except game and fish department personnel, from carrying firearms.

Introduced by Representatives Christensen and Lee

Introduction, first reading, referred to Committee on Transportation, 297

Reported Back: Do not pass, 776

Final Passage: Lost, 789

**House Bill No. 1441.** — A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts.

Introduced by Representatives Kretschmar, Mushik and Richie and Senators Holmberg, Melland and Redlin

Introduction, first reading, referred to Committee on Judiciary, 297

Reported Back: Do pass, 495

Final Passage: Passed, 510

Messaged to Senate, 571

Returned to House: Passed, 1369

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1413

Returned to House, signed by President, 1435

Sent to Governor, 1436

Approved by Governor, 1619

**House Bill No. 1442.** — A Bill for an Act to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property; and providing an effective date.

Introduced by Representatives Tweten, A. Hausauer and Wessman and Senators Nelson, Tallackson and Thane

Introduction, first reading, referred to Committee on Finance and Taxation, 297

Reported Back: Amended and re-refer to Committee on Appropriations, 697

Amendments adopted and re-referred to Committee on Appropriations, 710

Engrossed, 747

Reported Back: Do pass, 1072

Final Passage: Passed, 1133

Messaged to Senate, 1173

Returned to House: Passed, 1496

Enrolled, 1579

Signed by Speaker, 1605

Sent to Senate, signed by Speaker, 1606

Returned to House, signed by President, 1608

Sent to Governor, 1608

Approved by Governor, 1718

**House Bill No. 1443.** — A Bill for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, increasing the membership of the health council, and providing representation of the state

chiropractic association and the state health care association on the health council and its health committee.

Introduced by Representative Lardy and Senator Krauter  
Introduction, first reading, referred to Committee on State and Federal Government, 297

Reported Back: Do not pass, 524

Final Passage: Lost, 535

**House Bill No. 1444.** — A Bill for an Act allowing nonreorganized school districts the option of charging a fee for bus transportation which they provide.

Introduced by Representatives Wald and Lardy  
Introduction, first reading, referred to Committee on Education, 297

Reported Back: Do pass, 814

Final Passage: Passed, 835

Messaged to Senate, 918

Returned to House: Passed, 1392

Enrolled, 1438

Signed by Speaker, 1445

Sent to Senate, signed by Speaker, 1445

Returned to House, signed by President, 1453

Sent to Governor, 1462

Approved by Governor, 1619

**House Bill No. 1445.** — A Bill for an Act to create and enact two new sections to chapter 20.1-13 of the North Dakota Century Code, relating to possession and sale of outboard motors without serial numbers; and providing penalties.

Introduced by Representative Richie  
Introduction, first reading, referred to Committee on Natural Resources, 297

Reported Back: Amended, 558

Amendments adopted, 566

Engrossed, 602

Final Passage: Passed, 609

Messaged to Senate, 674

Returned to House: Passed, 1286

Enrolled, 1350

Signed by Speaker, 1359

Sent to Senate, signed by Speaker, 1360

Returned to House, signed by President, 1375

Sent to Governor, 1375

Approved by Governor, 1481

**House Bill No. 1446.** — A Bill for an Act to amend and reenact section 12.1-21-01 of the North Dakota Century Code, relating to the crime of arson.

Introduced by Representatives Stenehjem and Swiontek  
Introduction, first reading, referred to Committee on Judiciary, 297  
Reported Back: Do pass, 849

Final Passage: Passed, 877  
 Messaged to Senate, 950  
 Returned to House: Passed, 1603  
 Enrolled, 1666  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1693  
 Approved by Governor, 1832

**House Bill No. 1447.** — A Bill for an Act to repeal sections 6-09-16 and 6-09-17 of the North Dakota Century Code, relating to funds transferred to state departments, how credited by state treasurer, and to department of accounts and purchases issuance of warrants against transferred funds.

Introduced by Representative Peltier  
 Introduction, first reading, referred to Committee on State and Federal Government, 298  
 Reported Back: Do pass, 814  
 Final Passage: Passed, 836  
 Messaged to Senate, 918  
 Returned to House: Passed, 2105  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183  
 Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2381

**House Bill No. 1448.** — A Bill for an Act to create and enact a new subsection to section 32-15-22 of the North Dakota Century Code, allowing a jury, court, or referee to award special or consequential damages in condemnation cases.

Introduced by Representative Wentz and Senators Christensen, Sorum and Walsh  
 Introduction, first reading, referred to Committee on Judiciary, 298  
 Reported Back: Do pass, 628  
 Final Passage: Passed, 650  
 Messaged to Senate, 714  
 Returned to House: Failed to pass, 286

**House Bill No. 1449.** — A Bill for an Act to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, relating to a graduated system of fines and points assessed against drivers' licenses for violation of the speed limit, and to the definition of moving violation, and removing certain violations related to motorcycles from that definition.

Introduced by Representatives Timm, Wald, Scofield, Dietz and Kermott  
 Introduction, first reading, referred to Committee on Transportation, 298

Reported Back: Amended, 558-559  
 Amendments adopted, 566  
 Engrossed, 602  
 Final Passage: Passed, 610  
 Messaged to Senate, 674  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1366  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1375  
 Approved by Governor, 1482

**House Bill No. 1450.** — A Bill for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to indecent exposure; and to amend and reenact section 12.1-20-05 of the North Dakota Century Code, relating to the corruption or solicitation of minors.

Introduced by Representatives Wald, Lee and Olson  
 Introduction, first reading, referred to Committee on Judiciary, 298  
 Reported Back: Amended, 849-850  
 Amendments adopted, 865  
 Engrossed, 912  
 Final Passage: Passed, 925  
 Messaged to Senate, 996  
 Returned to House: Amended, 1629-1630  
 House concurs, 1676  
 Final Passage: Passed, 1724  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1451.** — A Bill for an Act to amend and reenact section 20.1-01-11 of the North Dakota Century Code, relating to hunting and harassing game from aircraft, snowmobiles and motor vehicles.

Introduced by Representatives Timm, Walsh, Schindler, Maixner and Kermott  
 Introduction, first reading, referred to Committee on Natural Resources, 298  
 Reported Back: Amended, 628-629  
 Amendments adopted, 641  
 Engrossed, 670  
 Final Passage: Passed, 682  
 Messaged to Senate, 752  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360

Returned to House, signed by President, 1375  
 Sent to Governor, 1375  
 Approved by Governor, 1481

**House Bill No. 1452.** — A Bill for an Act to amend and reenact subsection 3 of section 1 and section 6 of chapter 59 of the 1977 Session Laws of North Dakota, relating to the purpose and use of assessments by the beef commission and effective date of the Act.

Introduced by Representative Nicholas and Senator Redlin  
 Introduction, first reading, referred to Committee on Agriculture, 298  
 Reported Back: Do pass, 629  
 Final Passage: Passed, 650  
 Messaged to Senate, 714  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1453.** — A Bill for an Act to amend and reenact section 39-04-13 of the North Dakota Century Code, relating to duplicate plates, tabs, sticker, or registration card for motor vehicles.

Introduced by Representatives I. Jacobson and Tinjum  
 Introduction, first reading, referred to Committee on Transportation, 298  
 Reported Back: Do not pass, 776  
 Final Passage: Lost, 795

**House Bill No. 1454.** — A Bill for an Act to provide for the distribution of statewide library borrower's cards; to provide for the distribution of funds to participating libraries; and to provide an appropriation.

Introduced by Representatives Vander Vorst, Leibhan and Kretschmar  
 Introduction, first reading, referred to Committee on Education, 299  
 Reported Back: Do not pass, 559  
 Final Passage: Lost, 568

**House Bill No. 1455.** — A Bill for an Act to create and enact a new subsection to section 15-38-04.1 of the North Dakota Century Code, providing for a school holiday on George Washington's birthday; and to amend and reenact sections 15-40.1-09 and 15-47-33 of the North Dakota Century Code, increasing the holidays includable in determining "average daily membership" for purposes of determining school aid and in counting the number of days in a full school year.

Introduced by Representatives Hanson, Black and I. Jacobson  
 Introduction, first reading, referred to Committee on Education, 299  
 Reported Back: Do not pass, 850  
 Final Passage: Lost, 870  
 Reconsidered action by which House Bill failed to pass — motion failed, 912

**House Bill No. 1456.** — A Bill for an Act to prohibit discrimination in the choice of optometric services.

Introduced by Representative Martinson  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 299  
 Reported Back: Do pass, 850  
 Final Passage: Passed, 877  
 Messaged to Senate, 950  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1457.** — A Bill for an Act to repeal Chapter 51-11 of the North Dakota Century Code, relating to fair trade.

Introduced by Representative Richie  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 299  
 Reported Back: Do pass, 495  
 Final Passage: Passed, 511  
 Messaged to Senate, 571  
 Returned to House: Passed, 1539  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1458.** — A Bill for an Act to amend and reenact subsection 45 of section 39-01-01, sections 39-16-05, 39-16.1-02, 39-16.1-05, and subsection 2 of section 39-16.1-11 of the North Dakota Century Code, relating to the level of motor vehicle liability coverage necessary to fulfill the requirements of the definition “proof of financial responsibility”, the amount of motor vehicle liability coverage required to avoid suspension of operator’s license, the level of motor vehicle liability coverage necessary to fulfill the requirements of the definition “proof of financial responsibility”, the satisfaction of judgments arising out of motor vehicle accidents, and the amount of coverage specified in motor vehicle liability insurance policies.

Introduced by Representative Wald  
 Introduction, first reading, referred to Committee on Transportation, 299  
 Reported Back: Amended, 776-777  
 Amendments adopted, 788  
 Engrossed, 821  
 Final Passage: Passed, 836  
 Messaged to Senate, 918  
 Returned to House: Amended, 1498-1499

House concurs, 1546  
 Final Passage: Passed, 1586  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1693  
 Approved by Governor, 1832

**House Bill No. 1459.** — A Bill for an Act to create and enact section 43-19.1-33 of the North Dakota Century Code, relating to the indemnification of members of the Board of Registration for Professional Engineers and Land Surveyors.

Introduced by Representatives Conmy and Dotzenrod  
 Introduction, first reading, referred to Committee on Judiciary, 299  
 Reported Back: Do pass, 629  
 Final Passage: Passed, 651  
 Messaged to Senate, 714  
 Returned to House: Failed to pass, 1420

**House Bill No. 1460.** — A Bill for an Act to amend and reenact section 27-06-02 and subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to salary and expenses of court reporters and juvenile supervisors.

Introduced by Representatives Conmy, Kelly and Dotzenrod  
 Introduction, first reading, referred to Committee on Judiciary, 299  
 Reported Back: Amended, 733  
 Amendments adopted, 748  
 Engrossed, 787  
 Final Passage: Passed, 798  
 Messaged to Senate, 866  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1461.** — A Bill for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to payment terms of easements for transmission facilities.

Introduced by Representatives Dietz, Erickson and Crabtree and Senators Naaden and Smykowski  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 299  
 Divided Majority to amend and do pass 734 Minority to amend and do not pass, 735  
 Majority and minority adopted 748  
 Engrossed, 787  
 Final Passage: Passed, 799

Messaged to Senate, 866  
 Returned to House: Amended, 1674  
 House concurs, 1720  
 Final Passage: Passed, 1779  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1462.** — A Bill for an Act to amend and reenact sections 27-08.1-03 and 27-08.1-06 of the North Dakota Century Code, relating to informal hearings before the small claims court and the examination of judgment debtors, and execution of judgments.

Introduced by Representative Berg  
 Introduction, first reading, referred to Committee on Judiciary, 300  
 Reported Back: Do pass, 697  
 Final Passage: Passed, 723  
 Messaged to Senate, 789  
 Returned to House: Passed, 1539  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1463.** — A Bill for an Act to provide landowners adjoining abandoned railroad right-of-way options to acquire the right of way, and to regulate the acquisition of abandoned railroad right of way for wildlife programs or projects.

Introduced by Representative Berg  
 Introduction, first reading, referred to Committee on Transportation, 300  
 Reported Back: Do pass, 593  
 Final Passage: Passed, 611  
 Messaged to Senate, 674  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1464.** — A Bill for an Act to amend and reenact section 6-03-05.1 of the North Dakota Century Code, relating to advancement of funds to protect liens and providing for subordination of such advancements with respect to certain mortgages, liens, and judgments.

Introduced by Representatives Thorsgard and Langley



Introduction, first reading, referred to Committee on Judiciary, 300  
 Reported Back: Amended, 697  
 Amendments adopted, 710  
 Engrossed, 748  
 Final Passage: Passed, 763  
 Messaged to Senate, 826  
 Returned to House: Passed, 1497  
 Enrolled, 1580  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Approved by Governor, 1718

**House Bill No. 1465.** — A Bill for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to the determination of true and full value for agricultural property.

Introduced by Representatives Kingsbury, A. Hausauer and Gackle  
 Introduction, first reading, referred to Committee on Finance and Taxation, 306  
 Reported Back: Amended, 889-891  
 Amendments adopted, 918  
 Engrossed, 949  
 Final Passage: Passed, 954  
 Messaged to Senate, 1054  
 Returned to House: Failed to pass, 2106

**House Bill No. 1466.** — A Bill for an Act to amend and reenact subsection 1 of section 30.1-23-01 of the North Dakota Century Code, relating to the value of estates that may be collected as personal property by affidavit.

Introduced by Representative Weber  
 Introduction, first reading, referred to Committee on Finance and Taxation, 300  
 Reported Back: Do pass, 814  
 Final Passage: Passed, 837  
 Messaged to Senate, 918  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393  
 Returned to House, signed by President, 1405  
 Sent to Governor, 1407  
 Approved by Governor, 1534

**House Bill No. 1467.** — A Bill for an Act to amend and reenact subdivisions j and l of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, increasing the amount of certain retirement funds which may be deducted in determining North Dakota taxable income; and providing an effective date.

Introduced by Representative Strinden

Introduction, first reading, referred to Committee on Finance and Taxation, 300

Reported Back: Do not pass, 736

Final Passage: Lost, 751

**House Bill No. 1468.** — A Bill for an Act to amend and reenact section 54-03-20 and subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to the living allowance received by legislators during the legislative session and the compensation of members of the legislative council and its committees for attending sessions of the legislative council or its committees.

Introduced by Representatives Strinden and Backes

Introduction, first reading, referred to Committee on State and Federal Government, 301

Reported Back: Do pass, 524

Final Passage: Failed, 542

Enrolled, 1483

Signed by Speaker, 1486

Sent to Senate, signed by Speaker, 1486

Returned to House, signed by President, 1501

Sent to Governor, 1506

Approved by Governor, 1667

**House Bill No. 1469.** — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to regulations of motorized bicycles; to create a new section to chapter 39-06 of the North Dakota Century Code, relating to operator's license requirements for operation of motorized bicycles; to amend and reenact section 39-22-03 of the North Dakota Century Code, relating to motorcycle and motorized bicycle dealers; providing a penalty; and declaring an emergency.

Introduced by Representatives Lardy and Mushik

Introduction, first reading, referred to Committee on Transportation, 326

Reported Back: Amended, 814-815

Amendments adopted, 823

Engrossed, 863

Final Passage: Passed and emergency clause carried, 878

Messaged to Senate, 950

Returned to House: Failed to pass, 1623

**House Bill No. 1470.** — A Bill for an Act to amend and reenact section 39-18-08 of the North Dakota Century Code, relating to the sale of mobile homes by real estate brokers.

Introduced by Representatives Mushik and Herman

Introduction, first reading, referred to Committee on Industry, Business and Labor, 326

Reported Back: Do pass, 698

Final Passage: Passed, 723

Messaged to Senate, 789

Returned to House: Passed, 1256

Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1373  
 Approved by Governor, 1479

**House Bill No. 1471.** — A Bill for an Act to provide for political party organization; and to repeal sections 16-17-01, 16-17-02, 16-17-03, 16-17-04, 16-17-05, 16-17-05.1, 16-17-06, 16-17-07, 16-17-08, 16-17-09, 16-17-10, 16-17-10.1, 16-17-11, 16-17-12, 16-17-13, 16-17-14, 16-17-15, 16-17-16, 16-17-17, 16-17-18, 16-17-18.2, 16-17-19, and 16-17-20 of the North Dakota Century Code, relating to party committee organization.

Introduced by Representatives Kretschmar, Stenehjerm and Wentz  
 Introduction, first reading, referred to Committee on Judiciary, 327  
 Reported Back: Do pass, 524  
 Final Passage: Passed, 612  
 Messaged to Senate, 674  
 Returned to House: Amended, 1630-1631  
 House concurs, 1718  
 Final Passage: Passed, 1779  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 2064

**House Bill No. 1472.** — A Bill for an Act providing for the implementation of a rehabilitation teacher program throughout the state to serve the blind and visually impaired; and providing an appropriation.

Introduced by Representatives Wessman and Pomeroy  
 Introduction, first reading, referred to Committee on Social Services and Veteran Affairs, 327  
 Reported Back: Do pass and re-refer to Committee on Appropriations, 559  
 Re-referred to Committee on Appropriations, 559  
 Reported Back: Do not pass, 850  
 Final Passage: Lost, 871

**House Bill No. 1473.** — A Bill for an Act to create and enact a new section to chapter 10-15 of the North Dakota Century Code, relating to unclaimed distributions, redemptions, or payments of domestic cooperatives.

Introduced by Representatives Kretschmar, Opedahl, Riehl and Senators Rait and Reiten  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 327  
 Reported Back: Amended, 698  
 Amendments adopted, 710

Engrossed, 748  
 Final Passage: Passed, 763  
 Messaged to Senate, 826  
 Returned to House: Passed, 1539  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1474.** — A Bill for an Act to repeal section 11-11-32 of the North Dakota Century Code, relating to the employment of architects by the board of county commissioners.

Introduced by Representative Martinson  
 Introduction, first reading, referred to Committee on Political Subdivisions, 327  
 Reported Back: Do pass, 559  
 Final Passage: Passed, 579  
 Messaged to Senate, 653  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1475.** — A Bill for an Act to provide for income tax credits and deductions as incentives for landowners to sell or lease land to beginning farmers; and to provide an effective date.

Introduced by Representatives Nicholas and Weber and Senators Iszler and Barth  
 Introduction, first reading, referred to Committee on Finance and Taxation, 327  
 Reported Back: Amended, 975-976  
 Amendments adopted, 1004  
 Engrossed, 1052  
 Final Passage: Passed, 1067  
 Messaged to Senate, 1134  
 Returned to House: Amended, 1850-1851  
 House concurs, 1889  
 Final Passage: Passed, 1953  
 Enrolled, 2063  
 Signed by Speaker, 2075  
 Sent to Senate, signed by Speaker, 2075  
 Returned to House, signed by President, 2073  
 Sent to Governor, 2073  
 Approved by Governor,

**House Bill No. 1476.** — A Bill for an Act to amend and reenact subsection 2 of section 11-10.1-05 of the North Dakota Century Code,

providing that the county director of tax equalization succeed city assessors only in cities with populations of under five thousand that choose not to have their own assessor.

Introduced by Representative Gackle

Introduction, first reading, referred to Committee on Finance and Taxation, 327

Reported Back: Amended, 629

Amendments adopted, 641

Engrossed, 670

Final Passage: Passed, 685

Messaged to Senate, 752

Returned to House: Passed, 1497

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, signed by Speaker, 1605

Returned to House, signed by President, 1608

Sent to Governor, 1608

Approved by Governor, 1718

**House Bill No. 1477.** — A Bill for an Act to create and enact a new section to chapter 43-03 of the North Dakota Century Code, relating to architects.

Introduced by Representative Martinson

Introduction, first reading, referred to Committee on Industry, Business and Labor, 327

Reported Back: Do pass, 698

Final Passage: Passed, 724

Messaged to Senate, 789

Returned to House: Passed, 1539

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, signed by Speaker, 1621

Returned to House, signed by President, 1649

Sent to Governor, 1650

Approved by Governor, 1832

**House Bill No. 1478.** — A Bill for an Act to amend and reenact section 28-01-44 of the North Dakota Century Code, relating to limitations on the time for bringing actions against persons submitting plans for improvements to real estate or performing construction of such improvements.

Introduced by Representative Martinson

Introduction, first reading, referred to Committee on Judiciary, 327

Returned to House, 567

Withdrawn, 567

**House Bill No. 1479.** — A Bill for an Act to create and enact section 61-16-34.1 of the North Dakota Century Code, relating to the terms and conditions for refunding special assessment warrants of water management districts.

Introduced by Representative F. Larson

Introduction, first reading, referred to Committee on Political Subdivisions, 328

Reported Back: Do pass, 560

Final Passage: Passed, 572

Messaged to Senate, 653

Returned to House: Amended, 1499-1500

House concurs, 1583

Final Passage: Passed, 1634

Enrolled, 1716

Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729

Returned to House, signed by President, 1736

Sent to Governor, 1743

Approved by Governor, 1833

**House Bill No. 1480.** — A Bill for an Act to establish community work experience programs under the supervision of the employment security bureau and in cooperation with the social service board of North Dakota.

Introduced by Representatives F. Larson and Berge

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 328

Returned to House, 711

Withdrawn, 711

**House Bill No. 1481.** — A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code, relating to the minimum specifications for reinsurance with the state fire and tornado fund.

Introduced by Representatives Wald, Dietz and Gerl

Introduction, first reading, referred to Committee on Industry, Business and Labor, 328

Reported Back: Do pass, 630

Final Passage: Passed, 651

Messaged to Senate, 715

Returned to House: Amended, 1542

House concurs, 1583

Final Passage: Passed, 1634

Enrolled, 1716

Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729

Returned to House, signed by President, 1736

Sent to Governor, 1743

Approved by Governor, 1833

**House Bill No. 1482.** — A Bill for an Act to amend and reenact section 27-08.1-03 of the North Dakota Century Code, relating to an informal hearing, an answer and counterclaim, and filing and service fees in small claims court; and providing that the plaintiff and defendant shall appear without legal counsel.

Introduced by Representative Richie

Introduction, first reading, referred to Committee on Judiciary, 328

Reported Back: Do not pass, 699

Final Passage: Lost, 711

**House Bill No. 1483.** — A Bill for an Act to create and enact two new sections to chapter 47-16 of the North Dakota Century Code, providing for conditions under which a landlord may enter a tenant's apartment and abolishing landlord's liens and the common law action of distraint for rent; and to provide an effective date.

Introduced by Representatives Koski, Black and Stenehjerm  
Introduction, first reading, referred to Committee on Judiciary, 328  
Reported Back: Do pass, 1037  
Final Passage: Passed, 1068  
Messages to the Senate, 1134  
Returned to House: Amended, 1727  
House does not concur, 1775  
Conference Committee: House, 1775 Senate, 1870  
Conference Committee Report: House adopts, 2319 Senate adopts and subsequently failed to pass, 2353

**House Bill No. 1484.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-02-08.1 of the North Dakota Century Code, relating to an increase in the property tax credits for persons sixty-five years of age or older with limited income; and providing for an effective date.

Introduced by Representatives Mushik and Kelly  
Introduction, first reading, referred to Committee on Finance and Taxation, 328  
Reported Back: Amended, 851  
Amendments adopted, 865  
Engrossed, 912  
Final Passage: Lost, 1195

**House Bill No. 1485.** — A Bill for an Act to create and enact a new subsection to Section 57-60-01 of the North Dakota Century Code, relating to the tax on coal conversion facilities in this state; to amend and reenact subsection 4 of Section 57-33.1-01 of the North Dakota Century Code, relating to the taxation of cooperative electrical generating plants and to amend and reenact Section 57-60-02 of the North Dakota Century Code relating to the tax on coal conversion facilities in this state.

Introduced by Representatives A. Hausauer, Opedahl and Nicholas and Senators Farrington and Albers  
Introduction, first reading, referred to Committee on Finance and Taxation, 329  
Reported Back: Amended, 1037  
Amendments adopted, 1053  
Engrossed, 1114  
Final Passage: Passed, 1134  
Messaged to Senate, 1173  
Returned to House: Passed, 1726  
Enrolled, 1773  
Signed by Speaker, 1824  
Sent to Senate, signed by Speaker, 1825  
Returned to House, signed by President, 1858  
Sent to Governor, 1859  
Approved by Governor, 1946

**House Bill No. 1486.** — A Bill for an Act to create and enact a new section to chapter 39-06.1 of the North Dakota Century Code, relating to a failure to conserve gasoline offense for a speeding violation not more than fifteen miles per hour in excess of the fifty-five mile per hour speed limit, a five dollar fine for each offense but no points against the licensee's driving record, and providing that violations of the section are not to be reported to the licensing authority; to amend and reenact section 39-06.1-02, subsection 2 of section 39-06.1-03, subsection 2 of section 39-06.1-06, and paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to noncriminal traffic violations, administrative hearings for traffic violations, amount of statutory fees, and point entries against a driving record for speeding.

Introduced by Representatives Fleming and Brokaw

Introduction, first reading, referred to Committee on Transportation, 329

Reported Back: Do not pass, 560

Final Passage: Lost, 568

**House Bill No. 1487.** — A Bill for an Act to amend and reenact section 49-06-02 of the North Dakota Century Code, relating to value of property for ratemaking purposes.

Introduced by Representatives Conmy, Kloubec, R. Hausauer and Timm

Introduction, first reading, referred to Committee on Industry, Business and Labor, 329

Reported Back: Do pass, 663

Final Passage: Passed, 685

Messaged to Senate, 752

Returned to House: Passed, 1539

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, signed by Speaker, 1621

Returned to House, signed by President, 1649

Sent to Governor, 1650

Vetoed by Governor, 1834-1835

Reconsideration of vetoed measure, 1835

Laid over one legislative day, 1835

Call of the House — request granted, 1967

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 1967

Final Passage: Failed to pass over Governor's veto, 1967

House Bill No. 1487, delivered to Secretary of State, 2097

**House Bill No. 1488.** — A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to the age for starting school.

Introduced by Representatives Mattson and Schindler and Senator Christensen

Introduction, first reading, referred to Committee on Education, 329

Reported Back: Do not pass, 851

Final Passage: Lost, 871



**House Bill No. 1489.** — A Bill for an Act to provide for television booster stations to be created by petition and election in the counties, providing a two-mill tax levy for the establishment of a booster station, and providing for exemption for townships not served by the station.

Introduced by Representatives Maixner and Thompson and Senator Roen

Introduction, first reading, referred to Committee on Political Subdivisions, 329

Reported Back: Do pass, 593

Final Passage: Lost, 612

Reconsidered action by which House failed to pass — motion failed, 638

Reconsidered action by which House Bill failed to pass — motion prevailed, 686

Reconsidered action by which House accepted Committee Report, motion prevailed, 686

Re-referred to Committee on Political Subdivisions, 686

Reported Back: Amended, 939

Amendments adopted, 961

Engrossed, 995

Final Passage: Passed, 1011

Messaged to Senate, 1116

Returned to House: Amended, 1674

House does not concur, 1720

Conference Committee: House, 1720 Senate, 1795

Conference Committee Report: House adopts, 2075 Senate adopts, 2137

Enrolled, 2299

Signed by Speaker, 2303

Sent to Senate, signed by Speaker, 2303

Returned to House, signed by President, 2319

Sent to Governor, 2365

Approved by Governor, 2381

**House Bill No. 1490.** — A Bill for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, requiring the use of an approved automotive child restraint device for certain children, and assessing a statutory fee for violations.

Introduced by Representatives Richie and Lardy

Introduction, first reading, referred to Committee on Transportation, 329

Reported Back: Do not pass, 736

Final Passage: Lost, 791

**House Bill No. 1491.** — A Bill for an Act to amend and reenact sections 5-01-06 and 5-01-09 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication and the unlawful delivery of alcoholic beverages to certain persons; and providing a penalty.

Introduced by Representative Wald

Introduction, first reading, referred to Committee on Judiciary, 329

Reported Back: Amended, 699

Amendments adopted, 711  
 Engrossed, 748  
 Final Passage: Passed, 753  
 Messaged to Senate, 826  
 Returned to House: Passed, 1441  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Vetoed by Governor, 1669  
 Placed at head of calendar, 1769  
 Reconsideration of vetoed measure, 1769  
 Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 1769  
 Final Passage: Failed to pass over Governor's veto, 1769  
 House Bill 1491 delivered to Secretary of State, 1828

**House Bill No. 1492.** — A Bill for an Act to amend and reenact section 40-38-02 of the North Dakota Century Code, relating to the amount of the library fund mill levy.

Introduced by Representatives Wald and Dietz  
 Introduction, first reading, referred to Committee on Finance and Taxation, 330  
 Reported Back: Do not pass, 939  
 Final Passage: Lost, 955

**House Bill No. 1493.** — A Bill for an Act to amend and reenact subsection 2 of section 61-02-14 and section 61-04-06.2 of the North Dakota Century Code, relating to water use fees.

Introduced by Representatives Gackle, Berg, A. Hausauer and Senators Tallackson and Nelson  
 Introduction, first reading, referred to Committee on Natural Resources, 330  
 Reported Back: Amended, 630  
 Amendments adopted, 641  
 Engrossed, 670  
 Final Passage: Passed, 686  
 Messaged to Senate, 752  
 Returned to House: Amended, 1897  
 House does not concur, 1973  
 Conference Committee: House, 1973 Senate, 2017  
 Conference Committee Report: House adopts, 2093 Senate adopts, 2283  
 Conference Committee amendments adopted, 2103  
 Final Passage: Passed, 2147  
 Enrolled, 2366  
 Signed by Speaker, 2366  
 Sent to Senate, signed by Speaker, 2367  
 Returned to House, signed by President, 2367  
 Sent to Governor, 2368  
 Vetoed by Governor, 2381

**House Bill No. 1494.** — A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the hours polls are required to be open on election days; or, in the alternative, to amend and reenact section 16.1-01-03 of the North Dakota Century Code as created by section 1 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the hours polls are required to be open on election days.

Introduced by Representative Retzer  
 Introduction, first reading, referred to Committee on Judiciary, 330  
 Reported Back: Do not pass, 524  
 Final Passage: Passed, 536  
 Messaged to Senate, 607  
 Returned to House: Passed, 1603  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1693  
 Approved by Governor, 1832

**House Bill No. 1495.** — A Bill for an Act to appropriate the remaining moneys in the flax utilization research fund to North Dakota state university for crop byproduct research, to hold all revenues received during the remainder of this biennium available for the purposes of this Act; to repeal chapter 4-28.1 of the North Dakota Century Code, relating to the flax utilization research tax; and declaring an emergency.

Introduced by Committee on Appropriations  
 Introduction, first reading, referred to Committee on Appropriations, 330  
 Reported Back: Do pass, 593  
 Re-referred to Committee on Appropriations, 603  
 Reported Back: Amended, 699-700  
 Amendments adopted, 710  
 Engrossed, 748  
 Final Passage: Passed, 764  
 Messaged to Senate, 826  
 Returned to House: Amended, 1287-1288  
 House concurs, 1309  
 Final Passage: Passed and emergency clause carried, 1355  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1619

**House Bill No. 1496.** — A Bill for an Act to create and enact a new subsection to section 54-52.1-01 of the North Dakota Century Code,

relating to the definition of long-term medical disability benefits coverage; to amend and reenact sections 54-52.1-02 and 54-52.1-07 of the North Dakota Century Code, relating to the addition of an optional long-term medical benefits program to the state uniform group insurance program; and providing an appropriation.

Introduced by Representative Unhjem

Introduction, first reading, referred to Committee on State and Federal Government, 330

Amend and place on calendar without recommendation, 852

Re-referred to Committee on Appropriations, 852

Amendments adopted and re-referred to Committee on Appropriations, 865

Engrossed, 912

Reported Back: Amended, 1072

Amendments adopted, 1116

Re-engrossed 1154

Final Passage: Passed, 1173

Messaged to Senate, 1200

Returned to House: Failed to pass, 2106

**House Bill No. 1497.** — A Bill for an Act to amend and reenact section 39-06.1-03 of the North Dakota Century Code, relating to an administrative hearing for disposition of traffic offenses.

Introduced by Representative Hanson

Introduction, first reading, referred to Committee on Transportation, 330

Reported Back: Amended, 594

Amendments adopted, 603

Engrossed, 637

Final Passage: Passed, 652

Messaged to Senate, 714

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1337

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Approved by Governor, 1481

**House Bill No. 1498.** — A Bill for an Act to amend and reenact section 39-10.2-06 of the North Dakota Century Code, relating to requiring anyone operating or riding on a motorcycle to wear protective headgear.

Introduced by Representative Wessman

Introduction, first reading, referred to Committee on Transportation, 330

Returned to House, 445

Withdrawn, 445

**House Bill No. 1499.** — A Bill for an Act making an appropriation to the Grafton state school for constructing and equipping a shop building.

Introduced by Representative Gorder  
Introduction, first reading, referred to Committee on Appropriations,  
330  
Returned to House, 412  
Withdrawn, 412

**House Bill No. 1500.** — A Bill for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to the disclosure of information by insurance companies to the state fire marshal.

Introduced by Representatives Swiontek and Stenehjerm  
Introduction, first reading, referred to Committee on Industry,  
Business and Labor, 331  
Reported Back: Do pass, 700  
Final Passage: Passed, 724  
Messaged to Senate, 789  
Returned to House: Amended, 1542  
House concurs, 1583  
Final Passage: Passed, 1635  
Enrolled, 1716  
Signed by Speaker, 1729  
Sent to Senate, signed by Speaker, 1729  
Returned to House, signed by President, 1736  
Sent to Governor, 1743  
Approved by Governor, 1833

**House Bill No. 1501.** — A Bill for an Act making an appropriation to the board of higher education for the construction of buildings at the university of North Dakota at Grand Forks.

Introduced by Representatives Stenehjerm, Kuchera and Pomeroy  
and Senators Fritzell and Holmberg  
Introduction, first reading, referred to Committee on Appropriations,  
331  
Returned to House, 412  
Withdrawn, 412

**House Bill No. 1502.** — A Bill for an Act to amend and reenact section 65-10-03 of the North Dakota Century Code, relating to cost of appeal, attorney's fees; and providing a statement of legislative intent.

Introduced by Representatives Stenehjerm and Kuchera  
Introduction, first reading, referred to Committee on Judiciary  
Reported Back: Amended, 939-940  
Amendments adopted, 961  
Engrossed, 995  
Final Passage: Passed, 1012  
Messaged to Senate, 1116  
Returned to House: Passed, 1674  
Enrolled, 1773  
Signed by Speaker, 1824  
Sent to Senate, signed by Speaker, 1824  
Returned to House, signed by President, 1858  
Sent to Governor, 1959  
Approved by Governor, 1946

**House Bill No. 1503.** — A Bill for an Act to create and enact two new subsections to section 26-41-19 of the North Dakota Century Code, relating to economic loss compensation eligibility of injured persons under the assigned claims plan as a result of motor vehicle accidents.

Introduced by Representative I. Jacobson  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 331  
Reported Back: Do pass, 701  
Final Passage: Passed, 725  
Messaged to Senate, 789  
Returned to House: Passed, 1497  
Enrolled, 1580  
Signed by Speaker, 1605  
Sent to Senate, signed by Speaker, 1606  
Returned to House, signed by President, 1608  
Sent to Governor, 1608  
Approved by Governor, 1718

**House Bill No. 1504.** — A Bill for an Act making an appropriation to the Grafton state school for constructing and equipping an addition to provide dental care for the residents.

Introduced by Representative Gorder  
Introduction, first reading, referred to Committee on Appropriations, 331  
Returned to House, 412  
Withdrawn, 412

**House Bill No. 1505.** — A Bill for an Act to amend and reenact section 6-05-15 of the North Dakota Century Code, relating to investment of trust funds by trust companies.

Introduced by Representative Boyum  
Introduction, first reading, referred to Committee on Judiciary, 331  
Reported Back: Do pass, 630  
Final Passage: Passed, 686  
Messaged to Senate, 752  
Returned to House: Passed, 1539  
Enrolled, 1618  
Signed by Speaker, 1620  
Sent to Senate, signed by Speaker, 1621  
Returned to House, signed by President, 1649  
Sent to Governor, 1650  
Approved by Governor, 1832

**House Bill No. 1506.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to the amount taxpayers may credit against the income tax for contributions to private colleges in the state; and providing an effective date.

Introduced by Representatives Koski and Crabtree and Senators Nething and Reiten  
Introduction, first reading, referred to Committee on Finance and Taxation, 331

Reported Back: Do pass, 701  
 Final Passage: Passed, 725  
 Messaged to Senate, 789  
 Returned to House: Amended, 1675  
 House concurs, 1720  
 Final Passage: Passed, 1780  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1507.** — A Bill for an Act to amend and reenact subsection 5 of section 57-39.2-01 and subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the circumstances under which the receipts from educational, religious, or charitable activities are exempt from the sales tax.

Introduced by Representatives Koski, Conmy, Timm and Unhjem  
 Introduction, first reading, referred to Committee on Finance and Taxation, 332

Reported Back: Do pass, 815  
 Final Passage: Passed, 837  
 Messaged to Senate, 918  
 Returned to House: Amended, 1543  
 House does not concur, 1648  
 Conference Committee: House, 1648 Senate, 1783  
 Conference Committee Report: House adopts, 1830 Senate adopts, 2074  
 Conference Committee amendments adopted, 1887  
 Final Passage: Passed, 1983  
 Enrolled, 2111  
 Signed by Speaker, 2113  
 Sent to Senate, signed by Speaker, 2114  
 Returned to House, signed by President, 2129  
 Sent to Governor, 2129  
 Approved by Governor, 2285

**House Bill No. 1508.** — A Bill for an Act to amend and reenact sections 19-13.1-13 and 19-20.1-11 of the North Dakota Century Code, allowing the state laboratories department to publish certain information at its discretion.

Introduced by Representatives Marsden, Freborg and Mushik  
 Introduction, first reading, referred to Committee on State and Federal Government, 332  
 Reported Back: Do pass, 852  
 Final Passage: Passed, 879  
 Messaged to Senate, 950  
 Returned to House: Passed, 1323  
 Enrolled, 1382  
 Signed by Speaker, 1392  
 Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405  
Sent to Governor, 1407  
Approved by Governor, 1534

**House Bill No. 1509.** — A Bill for an Act to amend and reenact section 23-07-17.1 of the North Dakota Century Code, relating to inoculations required before admission to school and providing exemptions; and to repeal section 23-14-02 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

Introduced by Representative Eagles  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 332  
Reported Back: Amended, 736-737  
Amendments adopted, 748  
Engrossed, 787  
Final Passage: Passed, 799  
Messaged to Senate, 866  
Returned to House: Amended, 1326  
House concurs, 1487  
Final Passage: Passed, 1550  
Enrolled, 1618  
Signed by Speaker, 1620  
Sent to Senate, signed by Speaker, 1621  
Returned to House, signed by President, 1649  
Sent to Governor, 1649  
Approved by Governor, 1832

**House Bill No. 1510.** — A Bill for an Act to create and enact two new sections to chapter 9-12 of the North Dakota Century Code, relating to discharging liens, encumbrances, and clouds affecting or related to the title to real property, where the only obligation concerns the payment of a sum certain to a specific, unlocated creditor.

Introduced by Representative Lipsiea  
Introduction, first reading, referred to Committee on Judiciary, 332  
Reported Back: Do pass, 631  
Final Passage: Passed, 687  
Messaged to Senate, 752  
Returned to House: Passed, 1539  
Enrolled, 1618  
Signed by Speaker, 1621  
Sent to Senate, signed by Speaker, 1649  
Returned to House, signed by President, 1649  
Sent to Governor, 1650  
Approved by Governor, 1832

**House Bill No. 1511.** — A Bill for an Act to amend and reenact section 26-01-11 of the North Dakota Century Code, relating to the premium tax on insurance companies.

Introduced by Representative Timm  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 332



Reported Back: Do pass, 663  
 Final Passage: Passed, 687  
 Messaged to Senate, 752  
 Returned to House: Passed, 1497  
 Enrolled, 1580  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1609  
 Approved by Governor, 1718

**House Bill No. 1512.** — A Bill for an Act to amend and reenact section 5-02-01.1 and subsection 2 of section 53-02-05 of the North Dakota Century Code, relating to allowing the on and off sale of alcoholic beverages by special permit at special events, and allowing an alcoholic beverage licensee to conduct special events and sell beverages on and off sale.

Introduced by Representative Gerl  
 Introduction, first reading, referred to Committee on Political Subdivisions, 332  
 Reported Back: Do pass, 560  
 Final Passage: Passed, 579  
 Messaged to Senate, 653  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Forwarded without Governor's signature, 1482

**House Bill No. 1513.** — A Bill for an Act to amend and reenact section 47-20.1-10 of the North Dakota Century Code, relating to the minimum corner requirements of United States government survey corners.

Introduced by Representative Berg  
 Introduction, first reading, referred to Committee on State and Federal Government, 332  
 Reported Back: Do pass, 852  
 Final Passage: Passed, 879  
 Messaged to Senate, 950  
 Returned to House: Amended, 1372  
 House concurs, 1419  
 Final Passage: Passed, 1448  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Approved by Governor, 1667

**House Bill No. 1514.** — A Bill for an Act to amend and reenact section 50-01-07 of the 1977 Supplement to the North Dakota Century Code,

relating to selection of county social service board members by the board of county commissioners.

Introduced by Representative Richie and Senator Cussons

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 332

Reported Back: Do not pass, 777

Final Passage: Lost, 791

**House Bill No. 1515.** — A Bill for an Act to amend and reenact section 4-25-04 of the North Dakota Century Code, requiring all resident seed dealers or their agents to be bonded to the extent nonresident seed dealers, or their agents, are bonded.

Introduced by Representative Lipsiea

Introduction, first reading, referred to Committee on Agriculture, 333

Returned to House, 603

Withdrawn, 603

**House Bill No. 1516.** — A Bill for an Act to provide for a township severance tax on sand and gravel, to provide for the imposition, collection, and administration of the tax; and to provide a penalty.

Introduced by Representative Dick

Introduction, first reading, referred to Committee on Finance and Taxation, 333

Reported Back: Do not pass, 891

Final Passage: Lost, 914

**House Bill No. 1517.** — A Bill for an Act to create and enact section 54-27-19.1 of the North Dakota Century Code, providing for a special fuels tax distribution fund; to amend and reenact sections 54-27-19, 57-52-04, 57-53-09, and 57-54-08, deleting from the current highway tax distribution fund those moneys collected under chapter 57-53, putting the money collected under 57-53 into the special fuels tax distribution fund, and raising the motor vehicle fuels and special fuels taxes.

Introduced by Representative Dick

Introduction, first reading, referred to Committee on Finance and Taxation, 333

Reported Back: Do not pass, 1038

Final Passage: Lost, 1055

**House Bill No. 1518.** — A Bill for an Act to amend and reenact section 18-10-04 of the North Dakota Century Code, relating to organization of board of directors for rural fire protection districts.

Introduced by Representatives I. Jacobson and Schindler

Introduction, first reading, referred to Committee on Political Subdivisions, 333

Reported Back: Do pass, 594

Final Passage: Passed, 613

Messaged to Senate, 674

Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1519.** — A Bill for an Act to amend and reenact section 54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Introduced by Representatives Marsden, Timm and R. Hausauer and Senator Melland

Introduction, first reading, referred to Committee on Industry, Business and Labor, 333

Reported Back: Amended, 852

Amendments adopted, 865

Engrossed, 912

Final Passage: Passed, 925

Messaged to Senate, 996

Returned to House: Amended, 1675

House does not concur, 1720

Conference Committee: House, 1720 Senate, 1795

Conference Committee Report: House adopts, 2085 Senate adopts, 2283

Conference Committee amendments adopted, 2103

Final Passage: Passed, 2196

Enrolled, 2370

Signed by Speaker, 2370

Sent to Senate, signed by Speaker, 2370

Returned to House, signed by President, 2371

Sent to Governor, 2371

Vetoed by Governor, 2381

**House Bill No. 1520.** — A Bill for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to permanent alimony and division of property.

Introduced by Representatives Eagles and Meiers

Introduction, first reading, referred to Committee on Judiciary, 333

Reported Back: Amended, 737

Amendments adopted, 748

Engrossed, 787

Final Passage: Lost, 800

**House Bill No. 1521.** — A Bill for an Act to amend and reenact section 57-37.1-08 of the North Dakota Century Code, placing the receipts of the estate tax in the state general fund.

Introduced by Representative Kretschmar

Introduction, first reading, referred to Committee on Finance and Taxation, 333

Reported Back: Do not pass, 631

Final Passage: Lost, 646

**House Bill No. 1522.** — A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code as amended by section 1 of Initiated Measure No. 2 approved by the electors at the general election of November 7, 1978, relating to individual income tax rates; and providing an effective date.

Introduced by Representative Kretschmar

Introduction, first reading, referred to Committee on Finance and Taxation, 333

Reported Back: Do not pass, 631

Final Passage: Lost, 647

**House Bill No. 1523.** — A Bill for an Act to amend and reenact section 55-10-10 of the North Dakota Century Code, relating to reversion of historic sites to nonhistoric status.

Introduced by Representative Unhjem

Introduction, first reading, referred to Committee on State and Federal Government

Returned to House, 841

Withdrawn, 841

**House Bill No. 1524.** — A Bill for an Act to create and enact a new subsection to section 21-03-06 of the North Dakota Century Code, relating to permissible purposes for issuing rural fire protection district bonds; and to amend and reenact subsection 7 of section 18-10-06, sections 18-10-08 and 18-10-14, and subsection 1 of section 21-03-01 of the North Dakota Century Code, relating to the authority of rural fire protection districts to issue bonds.

Introduced by Representative F. Larson

Introduction, first reading, referred to Committee on Political Subdivisions, 334

Reported Back: Do pass, 595

Final Passage: Passed, 614

Messaged to Senate, 674

Returned to House: Passed, 1441

Enrolled, 1535

Signed by Speaker, 1551

Sent to Senate, signed by Speaker, 1551

Returned to House, signed by President, 1554

Sent to Governor, 1555

Approved by Governor, 1668

**House Bill No. 1525.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds to construct a revenue-producing facility at the university of North Dakota; to make an appropriation; to set a limitation and provide an exception; and to declare an emergency.

Introduced by Representatives Stenehjem and Kuchera and Senator Holmberg

Introduction, first reading, referred to Committee on Appropriations, 334

Reported Back: Do pass, 495  
 Final Passage: Passed and emergency clause carried, 512  
 Messaged to Senate, 571  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1526.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds to construct revenue-producing facilities at the university of North Dakota; to make an appropriation; to set a limitation and provide for an exception; and to declare an emergency.

Introduced by Representatives Stenehjem and Kuchera and Senator Holmberg

Introduction, first reading, referred to Committee on Appropriations, 334

Reported Back: Do pass, 495  
 Final Passage: Passed and emergency clause carried, 512  
 Messaged to Senate, 571  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1527.** — A Bill for an Act to repeal sections 15-12-11 and 15-12-12 of the North Dakota Century Code, relating to the list of publications of the agricultural college furnished to county auditors and the publication of the list by county auditors.

Introduced by Representative Riehl

Introduction, first reading, referred to Committee on Agriculture, 334

Reported Back: Do not pass, 778

Final Passage: Lost, 791

**House Bill No. 1528.** — A Bill for an Act to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to annual and special public school district elections and the qualifications required of electors at such elections.

Introduced by Representatives Meyer and Riehl

Introduction, first reading, referred to Committee on Judiciary

Reported Back: Without recommendation, 525

Final Passage: Lost, 617

**House Bill No. 1529.** — A Bill for an Act to amend and reenact section 11-16-15 of the North Dakota Century Code, relating to state's attorney

inquiry into violations or criminal acts causing deaths and allowing such inquiry into all felonies.

Introduced by Representatives G. Larson, Unhjem and Retzer  
 Introduction, first reading, referred to Committee on Judiciary, 334  
 Reported Back: Amended, 737-738  
 Amendments adopted, 748  
 Engrossed, 787  
 Final Passage: Passed, 800  
 Messaged to Senate, 866  
 Returned to House: Passed, 1603  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1693  
 Approved by Governor, 1832

**House Bill No. 1530.** — A Bill for an Act to amend and reenact section 10-06-06 of the North Dakota Century Code, relating to a civil penalty for a violation of the corporate farming law.

Introduced by Representative Maixner  
 Introduction, first reading, referred to Committee on Agriculture, 335  
 Reported Back: Do not pass, 976  
 Final Passage: Lost, 1000

**House Bill No. 1531.** — Capital Construction Fund — A Bill for an Act for a conditional transfer of funds to a state capital construction fund and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

Introduced by Representatives Swiontek, R. Hausauer and Peterson and Senators Hanson and Fritzell  
 Introduction, first reading, referred to Committee on Appropriations, 335

Reported Back: Amended, 1107  
 Amendments adopted, 1116  
 Engrossed, 1153  
 Final Passage Divided: 1174-1175  
 Division A passed, 1176  
 Division B passed, 1176  
 Division C passed, 1177  
 Division D passed, 1177-1178  
 Division E passed, 1178  
 Division F passed, 1178-1179  
 Division G failed, 1179  
 Division H failed, 1179  
 Clincher failed, 1180  
 Division I passed, 1180  
 Division J failed, 1180-1181  
 Division K failed, 1181  
 Reconsidered action by which Division H failed — motion prevailed,

Division H failed, 1181-1182  
 Clincher passed, 1182  
 Division L failed, 1182  
 Division M failed, 1182-1183  
 Division N failed, 1183  
 Division O failed, 1183  
 Reconsidered action by which Division K failed — motion failed, 1184  
 Division P failed, 1184  
 Division Q passed, 1184-1185  
 Reconsidered action by which Division G failed — motion prevailed,  
 1185  
 Division G, passed, 1185  
 Reconsidered action by which Division B passed — motion failed,  
 1185  
 Reconsidered action by which Division A passed — motion failed,  
 1185  
 Division R passed, 1185  
 Division S passed, 1186  
 Final Passage of Bill excluding divisions H, J, K, L, M, N, O, and P  
 and including divisions A, B, C, D, E, F, G, I, Q, R and S; failed, 1186-  
 1187

**House Bill No. 1532.** — A Bill for an Act to amend and reenact subsection 2 of section 15-39.1-24 of the North Dakota Century Code, relating to receiving additional credit for teaching toward retirement.

Introduced by Representative Wentz  
 Introduction, first reading, referred to Committee on Education, 335  
 Reported Back: Do pass, 465  
 Final Passage: Passed, 485  
 Messaged to Senate, 537  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1350  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1533.** — A Bill for an Act to create and enact a new section to chapter 11-33.1, a new section to chapter 40-23, a new section to chapter 40-23.1, and a new section to chapter 40-24 of the North Dakota Century Code, relating to special assessment statements containing a statement of the interest due.

Introduced by Representative Wentz  
 Introduction, first reading, referred to Committee on Political  
 Subdivisions, 335  
 Reported Back: Do pass, 778  
 Final Passage: Passed, 801  
 Messaged to Senate, 866  
 Returned to House: Failed to pass, 1420

**House Bill No. 1534.** — A Bill for an Act to create and enact sections 16-18-14.1 and 16-18-15.1 of the North Dakota Century Code, relating to the creation of a special election board and the canvassing of absent voters' ballots in congressional, state, or county elections and in city or school district elections; to amend and reenact section 16-18-02 of the North Dakota Century Code, relating to voting in person by an elector who has voted by absentee voters' ballot; or, in the alternative, to amend and reenact sections 16.1-07-09 and 16.1-07-10 of the North Dakota Century Code as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the creation of a special election board and the canvassing of absent voters' ballots in congressional, state, or county elections and in city or school district elections; to repeal sections 16-18-14, 16-18-15, 16-18-16, 16-18-17, and 16-18-20 of the North Dakota Century Code, relating to the canvassing of absent voters' ballots; or, in the alternative, to repeal sections 16.1-07-11, 16.1-07-12, and 16.1-07-13 of the North Dakota Century Code as created by section 5 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the canvassing of absent voters' ballots.

Introduced by Representatives Wentz and Meiers

Introduction, first reading, referred to Committee on Judiciary, 335

Reported Back: Do not pass, 940

Final Passage: Lost, 955

**House Bill No. 1535.** — A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Introduced by Representatives I. Jacobson and Dick

Introduction, first reading, referred to Committee on Education, 336

Returned to House, 867

Withdrawn, 867

**House Bill No. 1536.** — A Bill for an Act establishing the responsibilities and liabilities of skiers and ski area operators.

Introduced by Representatives Dick and Berger

Introduction, first reading, referred to Committee on Natural Resources, 336

Reported Back: Amended, 631-632

Amendments adopted, 641

Engrossed, 670

Final Passage: Passed, 688

Messaged to Senate, 752

Returned to House: Passed, 1286

Enrolled, 1350

Signed by Speaker, 1359

Sent to Senate, signed by Speaker, 1360

Returned to House, signed by President, 1375

Sent to Governor, 1376

Approved by Governor, 1482

**House Bill No. 1537.** — A Bill for an Act to amend and reenact sections 39-08-20, 39-16.1-02, subsection 2 of section 39-16.1-11 and 39-16.1-



15 of the North Dakota Century Code, relating to motor vehicle operators, financial responsibility, and providing an effective date and penalty.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Transportation, 336

Reported Back: Do not pass, 738

Final Passage: Lost, 755

**House Bill No. 1538.** — A Bill for an Act to create and enact a new section to chapter 12.1-33 of the North Dakota Century Code, relating to convicted felons serving as law enforcement officers.

Introduced by Representative Wentz

Introduction, first reading, referred to Committee on Judiciary, 336

Reported Back: Amended, 738

Amendments adopted, 748

Engrossed, 787

Final Passage: Lost, 801

Reconsidered action by which House Bill failed to pass — motion failed, 830

**House Bill No. 1539.** — A Bill for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to entries against driving records for following another vehicle too close.

Introduced by Representative Wentz

Introduction, first reading, referred to Committee on Transportation, 336

Reported Back: Do not pass, 560

Final Passage: Lost, 569

**House Bill No. 1540.** — A Bill for an Act to amend and reenact sections 40-57-02 and 40-57-03 of the North Dakota Century Code, relating to the Municipal Industrial Development Act and defining projects to include residential dwelling accommodations for low and moderate income persons and to authorize municipalities to make loans to and purchase mortgages from lending institutions in connection with projects for residential dwellings for low and moderate income persons.

Introduced by Representative F. Larson

Introduction, first reading, referred to Committee on Political Subdivisions, 336

Reported Back: Do not pass, 739

Final Passage: Lost, 756

**House Bill No. 1541.** — A Bill for an Act to create and enact a new section to chapter 54-14 of the North Dakota Century Code, defining severance pay and forbidding severance pay to state employees or officers, except under certain circumstances.

Introduced by Representative Fleming  
 Introduction, first reading, referred to Committee on State and  
 Federal Government, 336  
 Reported Back: Do pass, 663  
 Final Passage: Passed, 689  
 Messaged to Senate, 752  
 Returned to House: Passed, 1392  
 Enrolled, 1438  
 Signed by Speaker, 1445  
 Sent to Senate, signed by Speaker, 1445  
 Returned to House, signed by President, 1453  
 Sent to Governor, 1462  
 Approved by Governor, 1619

**House Bill No. 1542.** — A Bill for an Act to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the state board of higher education.

Introduced by Representative R. Hausauer and Senator Melland  
 Introduction, first reading, referred to Committee on Education, 336  
 Reported Back: Do pass, 815  
 Final Passage: Passed, 838  
 Messaged to Senate, 918  
 Returned to House: Amended, 1423  
 House concurs, 1446  
 Final Passage: Passed, 1489  
 Enrolled, 1580  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1609  
 Approved by Governor, 1718

**House Bill No. 1543.** — A Bill for an Act to create and enact section 24-09-01.1 of the North Dakota Century Code, relating to additional public highway-railroad crossing warning systems; to amend and reenact sections 24-09-02, 24-09-04 and 24-09-10 of the North Dakota Century Code, making the Manual on Uniform Traffic Control Devices applicable to public highway-railroad crossings and public service commission jurisdiction to close railroad crossings; and to repeal section 49-11-16 of the North Dakota Century Code, relating to caution signs.

Introduced by Representative Erickson and Senator Thane  
 Introduction, first reading, referred to Committee on Transportation,  
 337  
 Reported Back: Amended, 595  
 Amendments adopted, 603  
 Engrossed, 637  
 Final Passage: Passed, 689  
 Messaged to Senate, 752  
 Returned to House: Passed, 1441  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551

Returned to House, signed by President, 1554  
Sent to Governor, 1555  
Approved by Governor, 1668

**House Bill No. 1544.** — A Bill for an Act to create and enact two new sections to chapter 51-15 of the North Dakota Century Code, relating to assurance of discontinuance and civil penalties in cases of consumer fraud; and to amend and reenact section 51-15-10 of the North Dakota Century Code, relating to costs recoverable in cases of consumer fraud.

Introduced by Representatives Stenehjem, Houmann and Swiontek and Senator Holmberg  
Introduction, first reading, referred to Committee on Judiciary, 337  
Reported Back: Amended, 853  
Amendments adopted, 865  
Engrossed, 912  
Final Passage: Passed, 926  
Messaged to Senate, 996  
Returned to House: Passed, 1726  
Enrolled, 1826  
Signed by Speaker, 1827  
Sent to Senate, signed by Speaker, 1827  
Returned to House, signed by President, 1860  
Sent to Governor, 1862  
Approved by Governor, 1946

**House Bill No. 1545.** — A Bill for an Act to create and enact a new section to chapter 50-01 of the North Dakota Century Code, relating to the determination of eligibility for county poor relief, notice of the determination regarding county poor relief eligibility, and appeals from such determination; and to amend and reenact section 50-01-01 of the North Dakota Century Code, relating to eligibility for county poor relief.

Introduced by Representative Mertens  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 337  
Reported Back: Amended, 853-854  
Amendments adopted, 865  
Engrossed, 912  
Final Passage: Passed, 927  
Messaged to Senate, 996  
Returned to House: Amended, 1443  
House concurs, 1484  
Final Passage: Passed, 1550  
Enrolled, 1618  
Signed by Speaker, 1620  
Sent to Senate, signed by Speaker, 1621  
Returned to House, signed by President, 1649  
Sent to Governor, 1650  
Approved by Governor, 1832

**House Bill No. 1546.** — A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 57-38-01.2 and subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries and for corporations; and to repeal section 57-38-66 of the North Dakota Century Code, relating to the business and corporation privilege tax; and providing an effective date.

Introduced by Representative Nicholas  
Introduction, first reading, referred to Committee on Finance and Taxation, 337  
Returned to House, 867  
Withdrawn, 867

**House Bill No. 1547.** — A Bill for an Act to create and enact a new section to chapter 61-01 of the North Dakota Century code, relating to draining of lands during times of flooding; and providing a penalty.

Introduced by Representative Wessman  
Introduction, first reading, referred to Committee on Agriculture, 337  
Reported Back: Do not pass, 778  
Final Passage: Lost, 792

**House Bill No. 1548.** — A Bill for an Act to amend and reenact section 11-18-08 of the North Dakota Century Code, relating to the contents of the separate grantor and grantee indexes to be kept by the county register of deeds.

Introduced by Representatives Marsden and Houmann  
Introduction, first reading, referred to Committee on Political Subdivisions, 337  
Reported Back: Amended, 778-779  
Amendments adopted, 788  
Engrossed, 821  
Final Passage: Passed, 839  
Messaged to Senate, 918  
Returned to House: Passed, 1420  
Enrolled, 1483  
Signed by Speaker, 1486  
Sent to Senate, signed by Speaker, 1486  
Returned to House, signed by President, 1501  
Sent to Governor, 1506  
Approved by Governor, 1667

**House Bill No. 1549.** — A Bill for an Act to require that a statement of full consideration be filed with the county register of deeds, to provide procedures for handling statements of full consideration, to provide that such statements shall be confidential, and to provide a penalty.

Introduced by Representative A. Hausauer  
Introduction, first reading, referred to Committee on Political Subdivisions, 338  
Reported Back: Do pass, 779

Final Passage: Passed 802

Reconsidered action by which House Bill passed — motion prevailed, 825

Final Passage: Lost, 825

**House Bill No. 1550.** — A Bill for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the duties of the state board of equalization regarding property assessment levels; to amend and reenact sections 57-02-27, 57-02-28, 57-02-34, and 57-05-01 of the North Dakota Century Code, relating to the assessment of property for tax purposes and the basis for the computation of property taxes.

Introduced by Representatives A. Hausauer and Timm

Introduction, first reading, referred to Committee on Finance and Taxation, 338

Reported Back: Do pass, 855

Final Passage: Passed, 880

Messaged to Senate, 950

Returned to House: Amended, 1897-1901

House does not concur, 1973

Conference Committee: House, 1973 Senate, 2017

Conference Committee Report: House does not adopt, 2213

Conference Committee: House, 2213 Senate, 2262

Conference Committee Report: House does not adopt, 2214

Conference Committee: House, 2298 Senate, 2304

Conference Committee Report: House adopts, 2291

Rules suspended, Conference Committee amendments adopted, properly engrossed, second reading and final passage, 2297

Final Passage: Lost, 2297

Reconsidered action by which House Bill failed to pass — motion prevailed, 2297

Reconsidered action by which House adopted Conference Committee amendments — motion prevailed, 2297

Reconsidered action by which House adopted Conference Committee Report — motion prevailed, 2297

Conference Committee Report: House does not adopt, 2297

Conference Committee dissolved and a new conference committee appointed, 2297

Conference Committee: House, 2298 Senate, 2304

Representative Backes replaces Representative Weber on Conference Committee, 2318

Conference Committee Report: Divided House adopts majority, 2333-2339 House does not adopt minority, 2339

Rules suspended, Conference Committee amendments adopted, properly re-engrossed, second reading and final passage, 2339

Final Passage: Lost, 2340

**House Bill No. 1551.** — A Bill for an Act to amend and reenact section 32-15-06 of the North Dakota Century Code, relating to entry upon land for making surveys under eminent domain.

Introduced by Representative Houmann

Introduction, first reading, referred to Committee on Judiciary, 338

Returned to House, 603

Withdrawn, 603

**House Bill No. 1552.** — A Bill for an Act to provide for farm family association and farm family joint stock companies; to create and enact a new section to chapter 10-06 of the North Dakota Century Code, to provide for incorporation of farm family corporations; to create and enact a new section to chapter 57-02 of the North Dakota Century Code, to provide for a system of graduated real estate taxation of agricultural lands; and to provide an effective date.

Introduced by Representative Weber and Senator Erdman  
Introduction, first reading, referred to Committee on Agriculture, 338  
Reported Back: Do not pass, 940  
Final Passage: Lost, 1001

**House Bill No. 1553.** — A Bill for an Act to provide for the state board of equalization to review the estimated and actual general fund revenues, and to make rate adjustments to the sales and use tax and motor vehicle excise tax; to create and enact a new subsection to sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, to exempt clothing from sales and use tax; to amend and reenact sections 57-39.2-02.1, 57-39.2-08.2, 57-40.2-02.1, and 57-40.3-02, changing to two percent the sales and use tax and the motor vehicle excise tax; and to repeal section 57-40.3-03, relating to an additional motor vehicle excise tax.

Introduced by Representative Richard  
Introduction, first reading, referred to Committee on Finance and Taxation, 338  
Returned to House, 867  
Withdrawn, 867

**House Bill No. 1554.** — A Bill for an Act to amend and reenact section 15-10-28.1 of the North Dakota Century Code, to provide an option for repayment of loans by certain veterinary medicine, optometry, and dentistry students.

Introduced by Representative Mattson  
Introduction, first reading, referred to Committee on Education, 338  
Reported Back: Amended and re-referred to Committee on Appropriations, 632  
Amendments adopted, 642  
Re-referred to Committee on Appropriations, 642  
Reported Back: Do not pass, 1072  
Engrossed, 670  
Final Passage: Lost, 1119

**House Bill No. 1555.** — A Bill for an Act to amend and reenact section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator; or, in the alternative, if House Bill No. 1138 is approved by the forty-sixth legislative assembly, to create and enact section 16.1-13-08 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator; and, if House Bill No. 1138 is approved by the forty-sixth legislative assembly, to repeal section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of a United States senator.

Introduced by Representatives Conmy and Stenehjem

Introduction, first reading, referred to Committee on Judiciary, 339

Reported Back: Amended, Do not pass, 525

Final Passage: Lost, 536

**House Bill No. 1556.** — A Bill for an Act to amend and reenact section 57-39.2-26 of the North Dakota Century Code, returning the sales tax collected from activities on property under the control of any fair association; and providing an effective date.

Introduced by Representative Weber

Introduction, first reading, referred to Committee on Finance and Taxation, 339

Reported Back: Do not pass, 940

Final Passage: Lost, 956

**House Bill No. 1557.** — A Bill for an Act to amend and reenact subsections 1 and 3 of section 43-15-10, sections 43-15-14, 43-15-19, 43-15-20, 43-15-21, 43-15-22, 43-15-25, 43-15-26, 43-15-27, 43-15-28, 43-15-29, 43-15-32, 43-15-34, subsection 2 of section 43-15-38, and section 43-15-43 of the North Dakota Century Code, deleting references to assistant registered pharmacists and increasing fees charged by the board of pharmacy; and to repeal section 43-15-17 of the North Dakota Century Code, relating to the qualifications of assistant registered pharmacists.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Industry, Business and Labor, 339

Reported Back: Amended, 632-633

Amendments adopted, 642

Engrossed, 670

Final Passage: Passed, 690

Messaged to Senate, 752

Returned to House: Passed, 1369

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1413

Returned to House, signed by President, 1435

Sent to Governor, 1436

Approved by Governor, 1619

**House Bill No. 1558.** — A Bill for an Act to require that a statement of full consideration be filed with the state tax commissioner or county auditor, and providing a penalty.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Finance and Taxation, 339

Returned to House, 807

Withdrawn, 807

**House Bill No. 1559.** — A Bill for an Act to amend and reenact section 15-28-11 of the North Dakota Century Code, relating to the publication of school board proceedings.

Introduced by Representative Richard  
 Introduction, first reading, referred to Committee on Education, 339  
 Reported Back: Amended, 1038  
 Amendments adopted, 1053  
 Engrossed, 1114  
 Final Passage: Passed, 1135  
 Messaged to Senate, 1172  
 Returned to House: Amended, 1837  
 House concurs, 1890  
 Final Passage: Passed, 1954  
 Enrolled, 2060  
 Signed by Speaker, 2072  
 Sent to Senate, signed by Speaker, 2072  
 Returned to House, signed by President, 2075  
 Sent to Governor, 2080  
 Approved by Governor, 2146

**House Bill No. 1560.** — A Bill for an Act to amend and reenact subsection 1 of section 40-49-12 of the North Dakota Century Code, relating to ownership by a park district of property located outside this state.

Introduced by Representatives R. Hausauer and Dietz  
 Introduction, first reading, referred to Committee on Political Subdivisions, 339  
 Reported Back: Do pass, 595  
 Final Passage: Passed, 614  
 Messaged to Senate, 674  
 Returned to House: Passed, 1286  
 Enrolled, 1349  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1561.** — A Bill for an Act to create and enact a new subsection to section 11-10-06 of the North Dakota Century Code, relating to the amount of the bond required for clerks of the district court; and to amend and reenact subsections 1 and 4 of section 11-10-06 of the North Dakota Century Code, relating to separating the clerks of the district court from other county officials with respect to bonding, and increasing the amount of the bond required for state's attorneys.

Introduced by Representative Stenehjem  
 Introduction, first reading, referred to Committee on Judiciary, 340  
 Reported Back: Do pass, 855  
 Final Passage: Passed, 880  
 Messaged to Senate, 951  
 Returned to House: Failed to pass, 1603

**House Bill No. 1562.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the taxation of the gain or loss resulting from the sale of a principal



residence by a taxpayer moving out of North Dakota; and providing for an effective date.

Introduced by Representatives Herman and Mushik

Introduction, first reading, referred to Committee on Finance and Taxation, 340

Reported Back: Do pass, 941

Final Passage: Passed, 965

Messaged to Senate, 1054

Returned to House: Passed, 1323

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1563.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, providing for the exemption from taxation of proceeds realized from a forced sale due to eminent domain proceedings.

Introduced by Representatives Maixner, Nicholas and Martin and Senators Albers, Rait and Barth

Introduction, first reading, referred to Committee on Finance and Taxation, 340

Final Passage: Passed, 966

Messaged to Senate, 1054

Returned to House: Passed, 1323

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1564.** — A Bill for an Act to amend and reenact sections 39-24-02 and 39-24-04 of the North Dakota Century Code, relating to snowmobile registration and exemptions from registration.

Introduced by Representatives Maixner, Boyum and Timm and Senator Erdman

Introduction, first reading, referred to Committee on Transportation, 340

Reported Back: Amended, 941

Amendments adopted, 961

Engrossed, 995

Final Passage: Passed, 1012

Messaged to Senate, 1116

Returned to House: Passed, 1674

Enrolled, 1773

Signed by Speaker, 1824

Sent to Senate, signed by Speaker, 1824

Returned to House, signed by President, 1858

Sent to Governor, 1859

Approved by Governor, 1946

**House Bill No. 1565.** — A Bill for an Act to create and enact three new sections to chapter 15-39.2 of the North Dakota Century Code, relating to college teachers under the teachers' fund for retirement, alternative benefits, and methods of paying assessments; to amend and reenact section 15-39.1-25 of the North Dakota Century Code, relating to fixed rights and obligations for college teachers; and providing an appropriation.

Introduced by Representatives G. Larson and Knudson  
 Introduction, first reading, referred to Committee on Education, 340  
 Reported Back: Amended and re-refer to Committee on Appropriations, 525  
 Amendments adopted, 530  
 Engrossed, 566  
 Re-referred to Committee on Appropriations, 530  
 Reported Back: Amended, 976-977  
 Amendments adopted, 1004  
 Re-engrossed, 1052  
 Final Passage: Passed, 1068  
 Messaged to Senate, 1134  
 Returned to House: Amended, 2106  
 House concurs, 2121  
 Final Passage: Passed, 2144  
 Enrolled, 2215  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker, 2274  
 Returned to House, signed by President, 2283  
 Sent to Governor, 2299  
 Approved by Governor, 2381

**House Bill No. 1566.** — A Bill for an Act to establish a program of financial assistance for victims of hemophilia and other similar blood disorders, granting rulemaking authority.

Introduced by Representatives Melby, Boyum, Hoffner and Senator Farrington  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 340  
 Reported Back: Amended and re-refer to Committee on Appropriations, 977-978  
 Amendments adopted, 1004  
 Re-referred to Committee on Appropriations, 1004  
 Engrossed, 1052  
 Reported Back: Amend without recommendation, 1108  
 Amendments adopted, 1116  
 Re-engrossed, 1154  
 Final Passage: Passed, 1170  
 Messaged to Senate, 1200  
 Returned to House: Amended, 1675  
 House concurs, 1676  
 Final Passage: Passed, 1725  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827

Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1567.** — A Bill for an Act to provide for an appropriation from the general fund to the state planning division for distribution to the regional planning councils, and to provide requirements for obtaining the state funds.

Introduced by Representatives Leibhan and Nicholas  
 Introduction, first reading, referred to Committee on Appropriations, 340

Reported Back: Do not pass, 739  
 Final Passage: Lost, 756

**House Bill No. 1568.** — A Bill for an Act to amend and reenact subsections 1 and 4 of section 23-30-02 of the North Dakota Century Code, relating to authorization of hospital districts.

Introduced by Representative Thompson  
 Introduction, first reading, referred to Committee on Political Subdivisions, 341

Reported Back: Amended, 561  
 Amendments adopted, 566  
 Engrossed, 602  
 Final Passage: Passed, 726  
 Messaged to Senate, 789  
 Returned to House: Passed, 1420  
 Enrolled, 1483  
 Signed by Speaker, 1486  
 Sent to Senate, signed by Speaker, 1486  
 Returned to House, signed by President, 1501  
 Sent to Governor, 1506  
 Approved by Governor, 1667

**House Bill No. 1569.** — A Bill for an Act to create and enact section 16.1-13-08 of the North Dakota Century Code, relating to the filling of a vacancy in the office of United States senator; and to repeal section 16-07-07 of the North Dakota Century Code, relating to the filling of a vacancy in the office of United States senator; and providing an effective date.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Judiciary, 341  
 Reported Back: Amended, 942  
 Adoption of amendments divided, 1004  
 Division A, amended, 1004, adopted  
 Division B, amended, 1005, lost  
 Division C, amended, 1005, adopted  
 Engrossed, 1052  
 Final Passage: Passed, 1135  
 Messaged to Senate, 1173  
 Returned to House: Passed, 2184  
 Enrolled, 2299  
 Signed by Speaker, 2303

Sent to Senate, signed by Speaker, 2303  
 Returned to House, signed by President, 2319  
 Sent to Governor, 2365  
 Approved by Governor, 2381

**House Bill No. 1570.** — A Bill for an Act to create and enact a new section to chapter 4-12 and a new section to chapter 19-06.1 of the North Dakota Century Code, relating to intentionally destroying or molesting apiaries, and labeling of imported honey.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Agriculture, 341  
 Reported Back: Do not pass, 779  
 Final Passage: Passed, 793  
 Messaged to Senate, 866  
 Returned to House: Failed to pass, 1441

**House Bill No. 1571.** — A Bill for an Act to create and enact a new section to chapter 30.1-20 of the North Dakota Century Code, relating to errors in a deed of distribution of assets.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Judiciary, 341  
 Reported Back: Do pass, 855  
 Final Passage: Passed, 881  
 Messaged to Senate, 951  
 Returned to House: Passed, 1726  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, signed by Speaker, 1827  
 Returned to House, signed by President, 1860  
 Sent to Governor, 1862  
 Approved by Governor, 1946

**House Bill No. 1572.** — A Bill for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code, relating to distribution of moneys received for flood control lands.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Political Subdivisions, 341  
 Reported Back: Do pass, 595  
 Final Passage: Passed, 615  
 Messaged to Senate, 674  
 Returned to House: Passed, 1286  
 Enrolled, 1349  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1573.** — A Bill for an Act to amend and reenact subsection 6 of section 39-20-07 of the North Dakota Century Code,

relating to certified copies of analytical reports of blood analysis by the state toxicologist as prima facie evidence and to repeal subsection 7 of section 39-20-07 of the North Dakota Century Code, relating to testimony of the state toxicologist by subpoena.

Introduced by Representative Richie  
 Introduction, first reading, referred to Committee on Judiciary, 341  
 Reported Back: Do not pass, 701  
 Final Passage: Lost, 712

**House Bill No. 1574.** — A Bill for an Act to amend and reenact section 40-12-01 of the North Dakota Century Code, relating to applying the provisions for initiating and referring of municipal ordinances to all cities.

Introduced by Representative Gunsch  
 Introduction, first reading, referred to Committee on Judiciary, 341  
 Reported Back: Do not pass, 855  
 Final Passage: Lost, 872

**House Bill No. 1575.** — A Bill for an Act to amend and reenact section 45-34.1-05 of the North Dakota Century Code, relating to the penalty for violation of the compulsory school attendance law.

Introduced by Representative Gunsch  
 Introduction, first reading, referred to Committee on Education, 341  
 Reported Back: Do not pass, 701  
 Final Passage: Lost, 713

**House Bill No. 1576.** — A Bill for an Act to require the social service board and the state department of health to adopt rules which would ensure nongeriatric patients and residents the full benefits of care and the screening process for appropriate medical, social, and psychological services, and to permit nursing homes, intermediate care facilities, and boarding homes for the aged and infirm to establish residential areas specifically for the inhabitation of nongeriatric patients.

Introduced by Representative Mertens  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 342  
 Reported Back: Amended, 978-979  
 Amendments adopted, 1005  
 Engrossed, 1052  
 Final Passage: Passed, 1136  
 Returned to House: Passed, 1674  
 Enrolled, 1773  
 Signed by Speaker, 1824  
 Sent to Senate, signed by Speaker, 1824  
 Returned to House, signed by President, 1858  
 Sent to Governor, 1859  
 Approved by Governor, 1946

**House Bill No. 1577.** — A Bill for an Act to amend and reenact section 39-26-12 of the North Dakota Century Code, relating to the motor vehicle registration tax paid into the abandoned motor vehicle disposal fund.

Introduced by Representative Merens  
Introduction, first reading, referred to Committee on Transportation,  
342

Reported Back: Do pass, 779  
Final Passage: Passed, 803  
Messaged to Senate, 866  
Returned to House: Passed, 1420  
Enrolled, 1483  
Signed by Speaker, 1486  
Sent to Senate, signed by Speaker, 1486  
Returned to House, signed by President, 1501  
Sent to Governor, 1506  
Approved by Governor, 1667

**House Bill No. 1578.** — A Bill for an Act to amend and reenact sections 21-02-02, 21-02-03, 21-02-06, 21-02-07, 21-02-08, and 21-02-10 of the North Dakota Century Code, to allow political subdivisions to borrow against funds due them under federal contracts.

Introduced by Representative Gunsch  
Introduction, first reading, referred to Committee on Political  
Subdivisions, 342

Reported Back: Do pass, 596  
Final Passage: Passed, 618  
Messaged to Senate, 674  
Returned to House: Amended, 1500  
House concurs, 1546  
Final Passage: Passed, 1587  
Enrolled, 1665  
Signed by Speaker, 1673  
Sent to Senate, signed by Speaker, 1673  
Returned to House, signed by President, 1692  
Sent to Governor, 1693  
Approved by Governor, 1832

**House Bill No. 1579.** — A Bill for an Act to amend and reenact sections 26-02-44 and 39-24-03 of the North Dakota Century Code, relating to the rights of an insurer making payments under uninsured motorist coverage, and to motor vehicle registration, application, issuance, fees, and renewal; to repeal chapter 39-17 of the North Dakota Century Code, relating to the unsatisfied judgment fund; to establish an effective date for applications against the unsatisfied judgment fund and for disposition of cases; and to provide for the transfer of unsatisfied judgment funds to the general fund.

Introduced by Representative Gunsch  
Introduction, first reading, referred to Committee on Transportation,  
342

Reported Back: Without recommendation, 739  
Final Passage: Lost, 1198

**House Bill No. 1580.** — A Bill for an Act to create and enact a new subsection to section 11-16-01 of the North Dakota Century Code, relating to duties of state's attorneys; and to amend and reenact subsections 4 and 5 of section 11-16-05, and subsections 6 and 7 of section 58-06-01 of the North Dakota Century Code, relating to restrictions on powers of state's attorney and the powers and duties of the board of township supervisors with respect to prosecuting actions.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Judiciary, 342  
 Reported Back: Do not pass, 702  
 Final Passage: Lost, 71

**House Bill No. 1581.** — A Bill for an Act to create and enact two new subsections to section 14-02.1-02 of the North Dakota Century Code, relating to definitions in the Abortion Control Act; to create and enact section 14-02.1-13 of the North Dakota Century Code, providing abortion reporting forms; and to amend and reenact subsection 4 of section 14-02.1-02, section 14-02.1-03, subsection 3 of section 14-02.1-04, section 14-02.1-05, section 14-02.1-07, and section 14-02.1-08 of the North Dakota Century Code, relating to definitions in the Abortion Control Act, consent to abortion, limitation on performance of abortion, preserving the life of a viable fetus, recording and reporting the abortion, and protection of infants born alive.

Introduced by Representatives Wald, DuBord, Riehl and Lee  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 343  
 Reported Back: Amended, 979  
 Amendments adopted, 1005  
 Engrossed, 1052  
 Final Passage: Passed, 1136  
 Messaged to Senate, 1173  
 Returned to House: Amended, 2024-2025  
 House concurs, 2065  
 Enrolled, 2215  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker, 2274  
 Returned to House, signed by President, 2274  
 Sent to Governor, 2299  
 Approved by Governor, 2381

**House Bill No. 1582.** — A Bill for an Act to amend and reenact sections 47-18-01, 47-18-03, 47-18-14, 47-18-17, 47-18-18, and 47-18-19 of the North Dakota Century Code, relating to the homestead; and to repeal section 47-18-02 of the North Dakota Century Code, relating to the homestead.

Introduced by Representatives Lardy, Hanson, Melby and Brokaw  
 Introduction, first reading, referred to Committee on Judiciary, 343  
 Reported Back: Do pass, 526  
 Final Passage: Passed, 580  
 Messaged to Senate, 653  
 Returned to House: Amended, 1500  
 House concurs, 1546

Final Passage: Passed, 1587  
 Enrolled, 1665  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1693  
 Approved by Governor, 1832

**House Bill No. 1583.** — A Bill for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to heads of families; and to amend and reenact sections 28-22-01 and 28-22-05 of the North Dakota Century Code, relating to exemptions for heads of families and single persons.

Introduced by Representatives Lardy, Hanson, Melby and Brokaw  
 Introduction, first reading, referred to Committee on Judiciary, 343  
 Reported Back: Amended, 596  
 Amendments adopted, 603  
 Engrossed, 637  
 Final Passage: Passed, 691  
 Messaged to Senate, 752  
 Returned to House: Passed, 1497  
 Enrolled, 1580  
 Signed by Speaker, 1605  
 Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1609  
 Approved by Governor, 1718

**House Bill No. 1584.** — A Bill for an Act to amend and reenact section 28-22-16 of the North Dakota Century Code, relating to limitations of exemptions.

Introduced by Representatives Lardy, Hanson, Melby and Brokaw  
 Introduction, first reading, referred to Committee on Judiciary, 343  
 Reported Back: Do pass, 526  
 Final Passage: Passed, 580  
 Messaged to Senate, 653  
 Returned to House: Passed, 1286  
 Enrolled, 1350  
 Signed by Speaker, 1359  
 Sent to Senate, signed by Speaker, 1360  
 Returned to House, signed by President, 1375  
 Sent to Governor, 1376  
 Approved by Governor, 1481

**House Bill No. 1585.** — A Bill for an Act to create and enact three new sections to chapter 14-09 of the North Dakota Century Code, relating to investigations to be conducted before awarding custody, and the test and factors to be used in making an award of custody; and to amend and reenact sections 14-05-22 and 14-09-07 of the North Dakota Century Code, relating to awards of custody issued in connection with a decree of divorce, and the right of a custodial parent to change the residence of the child.



Introduced by Representatives Stenehjem and Swiontek and Senator Lashkowitz

Introduction, first reading, referred to Committee on Judiciary, 343

Reported Back: Amended, 891

Amendments adopted, 918

Engrossed, 950

Final Passage: Passed, 1013

Messaged to Senate, 1116

Returned to House: Amended, 1543-1544

House concurs, 1584

Final Passage: Passed 1636

Enrolled, 1716

Signed by Speaker, 1729

Sent to Senate, signed by Speaker, 1729

Returned to House, signed by President, 1736

Sent to Governor, 1743

Approved by Governor, 1833

**House Bill No. 1586.** — A Bill for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to compensation for the collection of sales and use taxes; and providing an effective date.

Introduced by Representative Maixner

Introduction, first reading, referred to Committee on Finance and Taxation, 343

Reported Back: Do not pass, 1038

Final Passage: Lost, 1055

**House Bill No. 1587.** — A Bill for an Act to amend and reenact section 57-54-16 of the North Dakota Century Code, relating to compensation for the collection of motor fuels tax.

Introduced by Representative Maixner

Introduction, first reading, referred to Committee on Finance and Taxation, 343

Reported Back: Amended, 1073

Amendments adopted, 1116

Engrossed, 1154

Final Passage: Lost, 1154

Reconsidered action by which House Bill failed to pass — motion failed, 1172

**House Bill No. 1588.** — A Bill for an Act to provide for grants from the state library commission to eligible public libraries to supplement local tax efforts; and to amend and reenact section 57-36-32 of the North Dakota Century Code, providing an increase in the cigarette tax to fund the state library commission's activities under this Act; and to provide an appropriation.

Introduced by Representatives Unhjem, Wentz, Gackle, Berg and Winkjer

Introduction, first reading, referred to Committee on Education, 343

Reported Back: Amended and re-referred to Committee on Finance

and Taxation, 663-664

Amendments adopted, 671

Re-referred to Committee on Finance and Taxation, 671

Engrossed, 710

Reported Back: Do pass, 942

Re-referred to Committee on Appropriations, 960

Reported Back: Amended, 1073

Re-engrossed, 1154

Final Passage: Passed, 1199

Returned to House: Amended, 2025

House concurs, 2065

Final Passage: Passed, 2128

Enrolled, 2215

Signed by Speaker, 2274

Sent to Senate, signed by Speaker, 2274

Returned to House, signed by President, 2283

Sent to Governor, 2299

Approved by Governor, 2381

**House Bill No. 1589.** — A Bill for an Act to regulate products liability actions by providing for the indemnification of the seller by the manufacturer and requiring the manufacturer to assume the defense of the seller in certain actions.

Introduced by Representatives Unhjem, Stenehjem and Marsden

Introduction, first reading, referred to Committee on Industry, Business and Labor, 344

Reported Back: Do not pass, 702

Final Passage: Passed, 714

Messaged to Senate, 789

Returned to House: Passed, 1497

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, signed by Speaker, 1606

Returned to House, signed by President, 1608

Sent to Governor, 1609

Approved by Governor, 1718

**House Bill No. 1590.** — A Bill for an Act to authorize the state board of higher education to transfer to the medical center rehabilitation hospital foundation land bequeathed to the university of North Dakota medical center rehabilitation hospital, and to transfer to the North Dakota state university development foundation land bequeathed to North Dakota state university.

Introduced by Representative Kermott and Senator Holmberg

Introduction, first reading, referred to Committee on State and Federal Government, 344

Reported Back: Amended, 1038-1039

Amendments adopted, 1053

Engrossed, 1114

Final Passage: Passed, 1137

Messaged to Senate, 1173

Returned to House: Passed, 1540

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, signed by Speaker, 1621  
 Returned to House, signed by President, 1649  
 Sent to Governor, 1650  
 Approved by Governor, 1832

**House Bill No. 1591.** — A Bill for an Act to amend and reenact sections 40-47-01.1 and 40-48-18 of the North Dakota Century Code, relating to the application of zoning and subdivision regulation authority to unincorporated territory outside the limits of a city.

Introduced by Representatives Mushik and Gerl  
 Introduction, first reading, referred to Committee on Political Subdivisions, 344  
 Reported Back: Do pass, 596  
 Final Passage: Passed, 615  
 Messaged to Senate, 674  
 Returned to House: Failed to pass, 1420

**House Bill No. 1592.** — A Bill for an Act to amend and reenact subsection 2 of section 39-10-03 of the North Dakota Century Code, relating to equipment on class A authorized emergency vehicles; and to repeal subsection 4 of section 39-10-03.

Introduced by Representative Gackle  
 Introduction, first reading, referred to Committee on Transportation, 344  
 Reported Back: Do pass, 561  
 Final Passage: Passed, 581  
 Messaged to Senate, 653  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, signed by Speaker, 1337  
 Returned to House, signed by President, 1356  
 Sent to Governor, 1372  
 Approved by Governor, 1481

**House Bill No. 1593.** — A Bill for an Act to create and enact a new section to chapter 38-09 of the North Dakota Century Code, relating to payment of compensation of the surface owner for oil and gas leased by the state.

Introduced by Representative Murphy  
 Introduction, first reading, referred to Committee on Natural Resources, 344  
 Reported Back: Amended, 856  
 Amendments adopted, 866  
 Engrossed, 912  
 Final Passage: Passed, 927  
 Messaged to Senate, 996  
 Returned to House: Failed to pass, 1673

**House Bill No. 1594.** — A Bill for an Act to create and enact two new sections to chapter 32-15 of the North Dakota Century Code, relating to the reconveyance of property taken by eminent domain.

Introduced by Representative Murphy and Senator Iszler  
 Introduction, first reading, referred to Committee on Judiciary, 344  
 Returned to House, 500  
 Re-referred to Committee on Agriculture, 500  
 Reported Back: Amended, 1039-1040  
 Amendments adopted, 1053  
 Engrossed, 1114  
 Final Passage: Lost, 1138

**House Bill No. 1595.** — A Bill for an Act to provide for a severance tax upon all coal mines; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected; to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the establishment of a coal impact commission; to provide for impact loans to be administered by the board of university and school lands and to provide a penalty; and to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to privilege tax on coal conversion facilities.

Introduced by Representatives Lipsiea and Gunderson  
 Introduction, first reading, referred to Committee on Finance and Taxation, 344  
 Reported Back: Do not pass, 943  
 Final Passage: Lost, 957

**House Bill No. 1596.** — A Bill for an Act to create and enact a new section to chapter 62-01 of the North Dakota Century Code, relating to a prohibition of possessing a pistol in a liquor establishment, providing for an exception and a penalty; and to amend and reenact sections 62-01-01, 62-01-08, 62-01-09, 62-01-10, and 62-01-14 of the North Dakota Century Code, relating to the definition of a pistol, the form and term of a pistol license, regulation of pistol sales, the penalty for violating sales regulations, and the granting and conditions of pistol dealers' licenses.

Introduced by Representative Murphy  
 Introduction, first reading, referred to Committee on Judiciary, 345  
 Reported Back: Amended, 702  
 Amendments adopted, 711  
 Engrossed, 748  
 Final Passage: Passed, 764  
 Messaged to Senate, 826  
 Returned to House: Passed, 1441  
 Enrolled, 1535  
 Signed by Speaker, 1551  
 Sent to Senate, signed by Speaker, 1551  
 Returned to House, signed by President, 1554  
 Sent to Governor, 1555  
 Approved by Governor, 1668

**House Bill No. 1597.** — A Bill for an Act to amend and reenact sections 39-20-04 and 39-20-05 of the North Dakota Century Code, relating to the revocation of a person's driver's license upon refusal to submit to a test for intoxication unless the person subsequently pleads

guilty to the offense charged, and the right of a driver to an administrative hearing before the revocation of the driver's license.

Introduced by Representative Fleming

Introduction, first reading, referred to Committee on Transportation, 345

Reported Back: Do not pass, 980

Final Passage: Lost, 1001

**House Bill No. 1598.** — A Bill for an Act to create and enact chapter 14-10.1 of the North Dakota Century Code, relating to the emancipation of minors; and to amend and reenact sections 14-09-20, 14-10-04, 14-10-09, 14-10-10, and 14-10-11, and subsection 2 of section 27-20-03 of the North Dakota Century Code, relating to parents' authority, to the rights and responsibilities of minors, and to the jurisdiction of juvenile courts.

Introduced by Representative Vig

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 345

Returned to House, 711

Re-referred to Committee on Judiciary, 711

Reported Back: Amended, 891-892

Amendments adopted, 918

Engrossed, 950

Final Passage: Passed, 1171

Messaged to Senate, 1200

Returned to House: Failed to pass, 1673

**House Bill No. 1599.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption of gas from the sales and use tax; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subdivision b of subsection 1 of section 57-39.2-02.1, subsection 2 of section 57-39.2-18, subdivision a of subsection 6 of section 57-40.2-01, section 57-53-02 of the North Dakota Century Code, relating to the exemption of gas and heating fuels from sales and use and special fuels taxes, and to remove references to sales and use taxes on electricity; and to provide an effective date.

Introduced by Representative Gackle

Introduction, first reading, referred to Committee on Finance and Taxation, 345

Reported Back: Do not pass, 739

Final Passage: Lost, 757

**House Bill No. 1600.** — A Bill for an Act to create and enact a new subsection to section 11-16-05 of the North Dakota Century Code, relating to restrictions upon the powers of state's attorneys to defend criminal cases.

Introduced by Representative Stenehjem

Introduction, first reading, referred to Committee on Judiciary, 345

Reported Back: Do pass, 703

Final Passage: Passed, 727

Messaged to Senate, 789

Returned to House: Failed to pass, 1603

**House Bill No. 1601.** — A Bill for an Act to amend and reenact subsection 2 of section 19-03.1-32 and subsection 2 of section 19-03.1-35 of the North Dakota Century Code, relating to search warrants for controlled substances, and the state laboratories department's regulatory functions under the Uniform Controlled Substances Act.

Introduced by Representative Stenehjem  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 345  
 Returned to House, 386  
 Re-referred to Committee on State and Federal Government, 386  
 Reported Back: Do pass, 815  
 Floor Amendment adopted, 839  
 Final Passage: Passed, 839  
 Messaged to Senate, 918  
 Returned to House: Amended, 1369  
 Enrolled, 1409  
 Signed by Speaker, 1412  
 Sent to Senate, signed by Speaker, 1413  
 Returned to House, signed by President, 1435  
 Sent to Governor, 1436  
 Approved by Governor, 1619

**House Bill No. 1602.** — A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Introduced by Representative Knudson  
 Introduction, first reading, referred to Committee on Education, 346  
 Returned to House, 867  
 Withdrawn, 867

**House Bill No. 1603.** — A Bill for an Act to amend and reenact sections 12-54.1-01, 12-59-05, 12.1-16-01, and 12.1-32-01 of the North Dakota Century Code, relating to good conduct sentence reduction for offenders sentenced to the penitentiary or state farm, to parole consideration by the parole board, to murder, and to the classification of offenses; and making murder a class AA felony with a maximum penalty of life imprisonment, and providing that a sentence for a class AA felony shall be served without benefit of parole or good conduct sentence reduction.

Introduced by Representative Vander Vorst  
 Introduction, first reading, referred to Committee on Judiciary, 346  
 Reported Back: Do not pass, 816  
 Final Passage: Passed, 827  
 Messaged to Senate, 918  
 Returned to House: Failed to pass, 1726

**House Bill No. 1604.** — A Bill for an Act to amend and reenact subsection 4 of section 38-13-05 of the North Dakota Century Code, relating to the definition of mineral developer.

Introduced by Representatives Winkjer, Kretschmar, Stenehjem and Unhjem

Introduction, first reading, referred to Committee on Natural Resources, 346

Reported Back: Amended, 780

Amendments adopted, 788

Engrossed, 821

Final Passage: Passed, 841

Messaged to Senate, 918

Returned to House: Passed, 1420

Enrolled, 1483

Signed by Speaker, 1486

Sent to Senate, signed by Speaker, 1486

Returned to House, signed by President, 1501

Sent to Governor, 1506

Vetoed by Governor, 1668

Reconsideration of vetoed measure, 1669

Placed on second reading and final passage for purpose of reconsideration as a vetoed measure, 1730

Final Passage: Failed to pass over Governor's veto, 1730

House Bill 604 delivered to Secretary of State, 1828

**House Bill No. 1605.** — A Bill for an Act to authorize service of process by mail by federal marshals; and declaring an emergency.

Introduced by Representative Richie

Introduction, first reading, referred to Committee on Judiciary, 346

Reported Back: Amended, 1040

Amendments adopted, 1053

Engrossed, 1114

Final Passage: Passed and emergency clause carried, 1188

Messaged to Senate, 1200

Returned to House: Passed, 2105

Enrolled, 2172

Signed by Speaker, 2183

Sent to Senate, signed by Speaker, 2183

Returned to House, signed by President, 2199

Sent to Governor, 2240

Approved by Governor, 2381

**House Bill No. 1606.** — A Bill for an Act to provide that the provisions of subdivision b of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to the deduction from state per-pupil payments of a portion of money received under Public Law 81-874 be temporarily suspended.

Introduced by Representatives Black and Mattson

Introduction, first reading, referred to Committee on Education, 346

Reported Back: Amended and re-referred to Committee on Appropriations, 633

Amendments adopted, 642

Engrossed, 670

Re-referred to Committee on Appropriations, 642

Reported Back: Do not pass, 1074

Final Passage: Lost, 1120

**House Bill No. 1607.** — A Bill for an Act to create and enact section 26-02-36.1 of the North Dakota Century Code, relating to failure to issue or renew automobile insurance policies with respect to named drivers excluded from coverage under the policy.

Introduced by Representatives Vander Vorst, Lang and Langley  
Introduction, first reading, referred to Committee on Industry,  
Business and Labor, 346

Reported Back: Do pass, 664

Final Passage: Lost, 691

**House Bill No. 1608.** — A Bill for an Act to amend and reenact subsection 6 of section 57-39.2-01 and subsection 5 of section 57-40.2-01 of the North Dakota Century Code, redefining "gross receipts" and "purchase price" to exclude any federal excise taxes on goods.

Introduced by Representative Freborg  
Introduction, first reading, referred to Committee on Finance and  
Labor, 346

Reported Back: Amended, 1042

Amendments adopted, 1053

Engrossed, 1114

Final Passage: Passed, 1171

Messaged to Senate, 1200

Returned to House: Failed to pass, 1726

**House Bill No. 1609.** — A Bill for an Act to require inclusion of chiropractic service under group accident and sickness policies, hospital service contracts, and medical service contracts.

Introduced by Representatives Gerl, Hoffner and Tweten  
Introduction, first reading, referred to Committee on Industry,  
Business and Labor, 346

Reported Back: Do not pass, 943

Final Passage: Lost, 957

**House Bill No. 1610.** — A Bill for an Act to amend and reenact section 15-47-13 of the North Dakota Century Code, relating to the school census; and declaring an emergency.

Introduced by Representative Wentz  
Introduction, first reading, referred to Committee on Education, 347

Reported Back: Amended, 943

Amendments adopted, 961

Engrossed, 995

Final Passage: Passed, 1014

Messaged to Senate, 1116

Returned to House: Passed, 603

Enrolled, 1666

Signed by Speaker, 1673

Sent to Senate, signed by Speaker, 1673

Returned to House, signed by President, 1692

Sent to Governor, 1693

Approved by Governor, 1832



**House Bill No. 1611.** — A Bill for an Act providing for appropriations to study the state accounting and financial reporting system; and declaring an emergency.

Introduced by Representatives Kloubec, R. Christensen and Kelly and Senators Tennesfos and Naaden

Introduction, first reading, referred to Committee on Appropriations, 347

Reported Back: Amended, 856

Amendments adopted, 866

Engrossed, 912

Final Passage: Passed, 928

Messaged to Senate, 996

Returned to House: Passed, 2184

Enrolled, 2299

Signed by Speaker, 2303

Sent to Senate, signed by Speaker, 2303

Returned to House, signed by President, 2319

Sent to Governor, 2365

Approved by Governor, 2381

**House Bill No. 1612.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the carry back of investment credits for prior taxable years; to amend and reenact section 57-38-01.4 of the North Dakota Century Code, relating to the subchapter S election by shareholders of a corporation for income tax purposes; and to provide an effective date.

Introduced by Representative Gackle

Introduction, first reading, referred to Committee on Finance and Taxation, 347

Reported Back: Do pass, 892

Final Passage: Passed, 929

Messaged to Senate, 996

Returned to House: Amended, 1424

House concurs, 1446

Final Passage: Passed, 1490

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, signed by Speaker, 1606

Returned to House, signed by President, 1608

Sent to Governor, 1608

Approved by Governor, 1718

**House Bill No. 1613.** — A Bill for an Act to provide state employees the right to join or form employee associations, to establish a public employment relations board, to provide collective bargaining and dispute resolution procedures, and to prohibit employee strikes; and to amend and reenact sections 34-11-01, 34-11-02, and 34-11-03 of the North Dakota Century Code, relating to mediation of public employer-employee disputes.

Introduced by Representative Wessman

Introduction, first reading, referred to Committee on Industry,

Business and Labor, 347

Returned to House, 386

Re-referred to State and Federal Government, 386

Returned to House, 882

Withdrawn, 882

**House Bill No. 1614.** — A Bill for an Act to amend and reenact sections 15-39.2-01 and 15-39.2-05 of the North Dakota Century Code, relating to the method for calculating retirement annuity of teachers retired under the teachers' insurance and annuity association of America-college retirement equities fund.

Introduced by Representative I. Jacobson and Senator Wenstrom

Introduction, first reading, referred to Committee on Education, 347

Reported Back: Do pass, 526

Final Passage: Passed, 581

Messaged to Senate, 653

Returned to House: Passed, 2106

Enrolled, 2215

Signed by Speaker, 2274

Sent to Senate, signed by Speaker, 2274

Returned to House, signed by President, 2283

Sent to Governor, 2299

Approved by Governor, 2381

**House Bill No. 1615.** — A Bill for an Act to amend and reenact Section 57-37.1-12 of the North Dakota Century Code, relating to access to the contents of safe deposit boxes after death of owner.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Judiciary, 347

Reported Back: Do pass, 633

Final Passage: Passed, 692

Messaged to Senate, 752

Returned to House: Passed 1323

Enrolled, 1382

Signed by Speaker, 1392

Sent to Senate, signed by Speaker, 1393

Returned to House, signed by President, 1405

Sent to Governor, 1407

Approved by Governor, 1534

**House Bill No. 1616.** — A Bill for an Act to amend and reenact subsection 1 of section 39-10-28 of the North Dakota Century Code relating to stopping for pedestrians in crosswalks.

Introduced by Representative Conmy

Introduction, first reading, referred to Committee on Transportation,  
347

Reported Back: Amended and Do Not Pass, 980

Amendments adopted, 1005

Engrossed, 1052

Final Passage: Passed, 1056

Messaged to Senate, 1134

Returned to House: Failed to pass, 1673

**House Bill No. 1617.** — A Bill for an Act to amend and reenact sections 11-18-16, 11-18-17, and 11-18-20 of the North Dakota Century Code, relating to buried transmission facilities; and providing an effective date.

Introduced by Representatives Vander Vorst and Leibhan  
Introduction, first reading, referred to Committee on Political Subdivisions, 347

Reported Back: Amended, 980-981

Amendments adopted, 1005

Engrossed, 1052

Final Passage: Passed, 1188

Messaged to Senate, 1200

Returned to House: Passed, 1674

Enrolled, 1773

Signed by Speaker, 1824

Sent to Senate, signed by Speaker, 1824

Returned to House, signed by President, 1858

Sent to Governor, 1859

Approved by Governor, 1946

**House Bill No. 1618.** — A Bill for an Act to create and enact section 54-42-02.1 of the North Dakota Century Code, relating to the organization, meetings, and compensation of the merit system council; to amend and reenact sections 54-42-01, 54-44.3-01, 54-44.3-11, 54-44.3-12, 54-44.3-15, 54-44.3-16, 54-44.3-20, 54-44.3-21, and 54-44.3-22 of the North Dakota Century Code, relating to the merit system council and legislative intent and the establishment, powers, and duties of the state personnel division; and to repeal sections 54-44.3-02, 54-44.3-03, 54-44.3-04, 54-44.3-05, 54-44.3-06, 54-44.3-07, 54-44.3-08, 54-44.3-09, 54-44.3-10, 54-44.3-13, 54-44.3-14, 54-44.3-17, 54-44.3-18, 54-44.3-19, 54-44.3-23, 54-44.3-24, 54-44.3-25, 54-44.3-26, and 54-44.3-27 of the North Dakota Century Code, relating to the state personnel board, records of the central personnel division, assistance to cities and political subdivisions, application of central personnel system to certain employees, prohibitive conduct, penalty for violation, and records of the merit system council.

Introduced by Representative Marsden and Senator Melland

Introduction, first reading, referred to Committee on State and Federal Government, 348

Returned to House, 638

Withdrawn, 638

**House Bill No. 1619.** — A Bill for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08 of the North Dakota Century Code, relating to enrollment periods used in determining per-pupil foundation program payments for school districts.

Introduced by Representatives Leibhan and Vander Vorst

Introduction, first reading, referred to Committee on Education, 348

Reported Back: Do pass and re-refer to Committee on Appropriations, 633

Re-referred to Committee on Appropriations, 633

Reported Back: Do pass, 981

Final Passage: Passed, 1064

Messaged to Senate, 1134

Returned to House: Failed to pass, 1603

**House Bill No. 1620.** — A Bill for an Act to create and enact a new section to chapter 60-06 of the North Dakota Century Code, relating to the determination of the fair rental terms of existing leaseholds on railroad rights of way.

Introduced by Representatives Gerl and Fleming  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 348  
 Reported Back: Amended, 857  
 Amendments adopted, 866  
 Engrossed, 912  
 Final Passage: Passed, 930  
 Messaged to Senate, 996  
 Returned to House: Passed, 1674  
 Enrolled, 1773  
 Signed by Speaker, 1824  
 Sent to Senate, signed by Speaker, 1824  
 Returned to House, signed by President, 1858  
 Sent to Governor, 1859  
 Approved by Governor, 1946

**House Bill No. 1621.** — A Bill for an Act relating to adult abuse, protection orders, temporary protection orders, assistance of peace officers in service or execution of protection orders, the right to apply for relief, the exclusiveness of the remedy from other remedies, emergency relief; and providing a penalty for violation of a protection order.

Introduced by Representatives Stenehem, Unhjem, Mushik and Senators Holmberg, Redlin and Christensen  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs 348  
 Returned to House, 386  
 Re-referred to Committee on State and Federal Government, 386  
 Reported Back: Amended, 816  
 Amendments adopted, 823  
 Engrossed, 863  
 Final Passage: Passed, 882  
 Messaged to Senate, 951  
 Returned to House: Amended, 2050-2051  
 House concurs, 2065  
 Final Passage: Passed, 2128  
 Enrolled, 2215  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker, 2274  
 Returned to House, signed by President, 2283  
 Sent to Governor, 2299  
 Approved by Governor, 2381

**House Bill No. 1622.** — A Bill for an Act to create and enact chapter 50-06.2 of the North Dakota Century Code, providing counseling, training, jobs, services, and health care for displaced homemakers; and providing a termination date.

Introduced by Representatives Mushik, Olson and Stenehjem and Senators Christensen and Redlin

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 348

Reported Back: Amended, 981-982

Amendments adopted, 1006

Engrossed, 1052

Final Passage: Passed, 1172

Messaged to Senate, 1200

Returned to House: Passed, 2184

Enrolled, 2299

Signed by Speaker, 2303

Sent to Senate, signed by Speaker, 2303

Returned to House, signed by President, 2319

Sent to Governor, 2365

Approved by Governor, 2381

**House Bill No. 1623.** — A Bill for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to authority of the highway commissioner and local authorities to regulate the use of highways in their respective jurisdiction and to deposit funds collected in their respective road funds for highway purposes.

Introduced by Representatives Fleming, R. Hausauer and Weber

Introduction, first reading, referred to Committee on Transportation, 348

Reported Back: Do not pass, 561

Final Passage: Lost, 570

**House Bill No. 1624.** — A Bill for an Act to provide for payment of room and board on behalf of handicapped students in out-of-state placements, and the development of implementation of interagency agreements for the provision of related services to handicapped students.

Introduced by Representatives Fleming, Mushik, Herman and Knudson

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 349

Reported Back: Do pass and re-refer to Committee on Appropriations, 944

Reported Back: Amended, 1040-1041

Amendments adopted, 1053

Engrossed, 1114

Final Passage: Passed, 1173

Messaged to Senate, 1200

Returned to House: Amended, 1901-1902

House concurs, 2004

Final Passage: Passed, 2065

Enrolled, 2111

Signed by Speaker, 2113

Sent to Senate, signed by Speaker, 2114

Returned to House, signed by President, 2129

Sent to Governor, 2129

Approved by Governor, 2285

**House Bill No. 1625.** — A Bill for an Act to provide for a severance tax for the privilege of severing coal from the earth; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of said tax to the state and its political subdivisions; to provide for a coal development impact office in the office of the governor; to provide for a coal development impact commission to approve or disapprove impact grants; providing a penalty; and providing a savings clause.

Introduced by Representatives Thompson, Langley, Knudson, Martin and Riehl

Introduction, first reading, referred to Committee on Finance and Taxation, 349

Reported Back: Majority to Do Not Pass, 944 Minority to Do Pass, 944

Final Passage: Lost, 958

**House Bill No. 1626.** — A Bill for an Act to amend and reenact the provisions of section 34-06-04 of the North Dakota Century Code, relating to the powers of the labor commissioner.

Introduced by Representatives Kloubec, Lang, Kermott and Opedahl

Introduction, first reading, referred to Committee on Industry, Business and Labor, 349

Returned to House, 749

Withdrawn, 749

**House Bill No. 1627.** — A Bill for an Act to prohibit littering, to provide for the placement and use of litter receptacles, definitions, to create a litter control account, to provide for enforcement by the state highway department; and providing penalties.

Introduced by Representative Meiers, and Senators Walsh and Holmberg

Introduction, first reading, referred to Committee on Industry, Business and Labor, 349

Reported Back: Amended, 1042-1043

Amendments adopted, 1053

Engrossed, 1114

Final Passage: Lost, 1189

**House Bill No. 1628.** — A Bill for an Act to create and enact a new subsection to section 39-06.1-06, a new paragraph to subdivision a of subsection 3 of section 39-06.1-10, and section 39-09-01.1 of the North Dakota Century Code, relating to the fee assessed for a care required violation, the points assessed for a care required violation, and care required in operation of a vehicle; and to amend and reenact sections 39-06.1-09 and 39-21-01 of the North Dakota Century Code, relating to definition of moving violation, and the use of lighted lamps on motor vehicles; and providing a penalty for improper use of lighted lamps.

Introduced by Representatives Thorsgard, Rued and Timm

Introduction, first reading, referred to Committee on Transportation, 349

Reported Back: Do pass, 562  
 Final Passage: Passed, 582  
 Messaged to Senate, 653  
 Returned to House: Amended, 1891  
 House does not concur, 1973  
 Conference Committee: House, 1973 Senate, 2017  
 Conference Committee Report: House adopts, 2085 Senate adopts,  
 2273  
 Conference Committee amendments adopted, 2103  
 Final Passage: Passed, 2151  
 Enrolled, 2366  
 Signed by Speaker, 2366  
 Sent to Senate, signed by Speaker, 2367  
 Returned to House, signed by President, 2367  
 Sent to Governor, 2368  
 Approved by Governor, 2381

**House Bill No. 1629.** — A Bill for an Act authorizing the board of university and school lands to invest permanent funds of the common schools in add-alternates for the judicial wing and state office building; and declaring an emergency.

Introduced by Representatives Unhjem, Backes, Strinden and Stenehjerm

Introduction, first reading, referred to Committee on State and Federal Government, 349

Reported Back: Do pass, 817

Final Passage: Passed, 930 and emergency clause carried, 931

Reconsidered action by which House Bill passed, emergency clause failed — motion prevailed, 931

Final Passage: Passed and emergency clause carried, 931

Messaged to Senate, 996

Returned to House: Passed, 1497

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, signed by Speaker, 1606

Returned to House, signed by President, 1608

Sent to Governor, 1608

Approved by Governor, 1718

**House Bill No. 1630.** — A Bill for an Act to amend and reenact subsection 1 of section 12.1-33-01 and subsections 1 and 2 of section 12.1-33-03 of the North Dakota Century Code, relating to the right of a person who has been convicted of a felony to vote and hold public office, except during the term of actual incarceration.

Introduced by Representatives Conmy and Winkjer

Introduction, first reading, referred to Committee on Judiciary, 350

Reported Back: Do pass, 562

Final Passage: Passed, 583

Messaged to Senate, 653

Returned to House: Passed, 1497

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, signed by Speaker, 1606  
 Returned to House, signed by President, 1608  
 Sent to Governor, 1608  
 Approved by Governor, 1718

**House Bill No. 1631.** — A Bill for an Act to create and enact a new chapter of the North Dakota Century Code, relating to criminal extradition; to repeal chapter 29-30 of the North Dakota Century Code relating to fugitives from justice; and providing a penalty for the violation of the rights of an accused person.

Introduced by Representative Kretschmar  
 Introduction, first reading, referred to Committee on Judiciary, 350  
 Reported Back: Amended, 1108-1109  
 Amendments adopted, 1116  
 Engrossed, 1154  
 Final Passage: Passed, 1167  
 Messaged to Senate, 1200  
 Returned to House: Passed, 2106  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, signed by Speaker, 2183  
 Returned to House, signed by President, 2199  
 Sent to Governor, 2240  
 Approved by Governor, 2381

**House Bill No. 1632.** — A Bill for an Act providing for legislative council sunset performance reviews; and making an appropriation.

Introduced by Representatives F. Larsen and Berge  
 Introduction, first reading, referred to Committee on Appropriations, 350  
 Reported Back: Amended, 496  
 Amendments adopted, 500  
 Engrossed, 529  
 Final Passage: Lost, 727  
 Reconsidered action by which House Bill failed to pass — motion failed, 749

**House Bill No. 1633.** — A Bill for an Act establishing minimum educational requirements for certain insurance agents.

Introduced by Representative Scofield  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 350  
 Reported Back: Do not pass, 703  
 Final Passage: Lost, 715

**House Bill No. 1634.** — A Bill for an Act to amend and reenact subsection 1 of section 39-04-19, subsection 2 of section 39-12-05, and sections 57-54.1-09, 57-54.1-11, and 57-54.1-12 of the North Dakota Century Code, relating to election of trip permit in lieu of vehicle registration fees, improved equipment permit fees, issuance and



display of license or permit, revocation of license, and occasional trip permits; and to repeal section 57-54.1-08 of the North Dakota Century Code, relating to importer for use bond.

Introduced by Representatives Gorder and Peltier and Senators Tallackson and Vosper

Introduction, first reading, referred to Committee on Transportation, 350

Reported Back: Amended, 817

Amendments adopted, 823

Engrossed, 863

Re-referred to Committee on Transportation, 959

Reported Back: Amended, 1043

Amendments adopted 1054

Re-engrossed, 1114

Final Passage: Passed, 1167

Messaged to Senate, 1200

Returned to House: Amended, 1727

House concurs, 1775

Final Passage: Passed, 1852

Enrolled, 1883

Signed by Speaker, 1890

Sent to Senate, signed by Speaker, 1891

Returned to House, signed by President, 1928

Sent to Governor, 1931

Approved by Governor, 2084

**House Bill No. 1635.** — A Bill for an Act to amend and reenact subsection 4 of section 19-03.1-05, subsection 5 of section 19-03.1-07, subsection 3 of section 19-03.1-09, section 19-03.1-11 and subsection 2 of section 19-03.1-13 of the North Dakota Century Code, relating to the schedules of controlled substances under the Uniform Controlled Substances Act.

Introduced by Representative Stenehjelm

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 350

Returned to House, 386

Re-referred to Committee on State and Federal Government, 386

Reported Back: Amended, 703

Amendments adopted, 711

Engrossed, 748

Final Passage: Passed, 765

Messaged to Senate, 826

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1337

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Approved by Governor, 1481

**House Bill No. 1636.** — A Bill for an Act to create and enact a new section to chapter 39-19 of the North Dakota Century Code, relating to

requiring the state highway department to join the international registration plan and the multistate reciprocal agreement.

Introduced by Representatives Gorder, Peltier and Senators Tallackson and Vosper

Introduction, first reading, referred to Committee on Transportation, 350

Reported Back: Amended, 945

Amendments adopted, 961

Engrossed, 995

Final Passage: Passed, 1014

Messaged to Senate, 1116

Returned to House: Amended, 1727

House concurs, 1775

Final Passage: Passed, 1853

Enrolled, 1883

Signed by Speaker, 1890

Sent to Senate, signed by Speaker, 1891

Returned to House, signed by President, 1928

Sent to Governor, 1931

Approved by Governor, 2084

**House Bill No. 1637.** — A Bill for an Act to create and enact a new section to chapter 26-03.1 and chapter 26-27 of the North Dakota Century Code, relating to options required to be offered to persons who are insured for medical care coverage by insurance companies and nonprofit medical service corporations; and to amend and reenact section 26-03.1-08 of the North Dakota Century Code, relating to the applicability of the provisions of chapter 26-03 to blanket and group insurance policies.

Introduced by Representatives Unhjem and Reed and Senators Reiten and Holmberg

Introduction, first reading, referred to Committee on Industry, Business and Labor, 351

Reported Back: Amended, 892

Amendments adopted, 918

Engrossed, 950

Final Passage: Passed, 1015

Messaged to Senate, 1116

Returned to House: Amended, 1675

House concurs, 1720

Final Passage: Passed, 1780

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, signed by Speaker, 1827

Returned to House, signed by President, 1866

Sent to Governor, 1862

Approved by Governor, 1946

**House Bill No. 1638.** — A Bill for an Act to create and enact three new sections to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, providing definitions to be used, relating to allocation of moneys in the coal development fund, and allowing money to go to state agencies to study derivative impacts in all parts of North Dakota.

Introduced by Representatives Tinjum, Dick and Weber  
 Introduction, first reading, referred to Committee on Finance and  
 Taxation, 351  
 Reported Back: Do not pass, 945  
 Final Passage: Lost, 959

**House Bill No. 1639.** — A Bill for an Act to provide minimum raises  
 for all state employees; and providing an effective date.

Introduced by Representatives Wessman, Gorder, Kingsbury and  
 Kelly

Introduction, first reading, referred to Committee on State and  
 Federal Government, 351

Reported Back: Amended and re-referred to Committee on Appropri-  
 ations, 704

Amendments adopted, 711

Re-referred to Committee on Appropriations, 711

Engrossed, 748

Reported Back: Amended, 1109-1110

Amendments adopted, 1116

Re-engrossed 1154

Final Passage: Passed, 1189

Messaged to Senate, 1200

Returned to House: Amended, 2082

House does not concur, 2122

Conference Committee: House, 2127 Senate, 2137

Conference Committee Report: House adopts, 2161 Senate adopts,  
 2283

Conference Committee amendments adopted, 2189

Final Passage: Passed, 2193

Enrolled, 2376

Signed by Speaker, 2376

Sent to Senate, signed by Speaker, 2376

Returned to House, signed by President, 2377

Sent to Governor, 2377

Approved by Governor, 2381

**House Bill No. 1640.** — A Bill for an Act to allow nonprofit veterans,  
 charitable, educational, religious, and fraternal organizations, civic  
 and service clubs, and public-spirited organizations to conduct games  
 of chance; and providing for definitions, licensure by the attorney  
 general, city and county approval in certain instances, restrictions on  
 the conduct of games of chance, bookkeeping requirements, expense  
 requirements, examination of books and records, licensure of distribu-  
 tors, a tax based on expenses and a criminal penalty for violation of  
 this Act.

Introduced by Representative Wald

Introduction, first reading, referred to Committee on Judiciary, 351

Reported Back: Do not pass, 817

Final Passage: Lost, 828

**House Bill No. 1641.** — A Bill for an Act to amend and reenact section  
 35-19-01 of the North Dakota Century Code, relating to the innkeeper's  
 lien and residential dwelling unit lessor's lien.

Introduced by Representative Wald

Introduction, first reading, referred to Committee on Judiciary, 351

Reported Back: Do not pass, 1044

Final Passage: Lost, 1056

**House Bill No. 1642.** — A Bill for an Act to provide public access to certain law enforcement records and providing exceptions.

Introduced by Representative Boyum

Introduction, first reading, referred to Committee on Judiciary, 351

Reported Back: Amended, 982-983

Amendments adopted, 1006

Engrossed, 1052

Final Passage: Passed, 1168

Messaged to Senate, 1200

House requests return, 1670

Senate accedes to request, 1694

Reconsidered action by which House Bill passed — motion prevailed, 1696

Reconsidered adoption of amendments, 1696

Reconsidered action by which House accepted Committee Reports, motion prevailed, 1696

Withdrawn, 1696

**House Bill No. 1643.** — A Bill for an Act to create and enact a new section to chapter 48-10 of the North Dakota Century Code, relating to duties of the capitol grounds planning commission.

Introduced by Representatives Mushik and Solberg

Introduction, first reading, referred to Committee on State and Federal Government, 351

Reported Back: Do not pass, 1074

Final Passage: Lost, 1120

**House Bill No. 1644.** — A Bill for an Act to amend and reenact sections 12-54.1-01, 12-59-05, 12.1-16-01, and 12.1-32-01 of the North Dakota Century Code, relating to good conduct sentence reduction for prison inmates, parole consideration by the parole board, the definition and penalty for murder, and the classification and maximum penalties for offenses; and providing a life imprisonment penalty for murder without benefit of parole or good conduct sentence reduction.

Introduced by Representative Swiontek, Richie, Unhjem and Lipsiea

Introduction, first reading, referred to Committee on Judiciary, 351

Reported Back: Do not pass, 818

Final Passage: Lost, 828

**House Bill No. 1645.** — A Bill for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to fees for snowmobile registration and assessment of a snowmobile trail tax; and providing an appropriation.

Introduced by Representatives Berge, F. Larson and Houmann and Senator Strinden

Introduction, first reading, referred to Committee on Appropriations, 352

Reported Back: Do pass, 496  
 Final Passage: Lost 513  
 Reconsidered action by which House Bill failed to pass — motion prevailed on verification vote, 530  
 Final Passage: Passed 611  
 Messaged to Senate, 674  
 Returned to House: Amended, 1902-1903  
 House does not concur, 1973  
 Conference Committee: House, 1973 Senate, 2017  
 Conference Committee Report: House adopts, 2119 Senate adopts, 2283  
 Conference Committee amendments adopted, 2140  
 Final Passage: Passed, 2197  
 Enrolled, 2376  
 Signed by Speaker, 2376  
 Sent to Senate, signed by Speaker, 2376  
 Returned to House, signed by President, 2377  
 Sent to Governor, 2377  
 Approved by Governor, 2381

**House Bill No. 1646.** — A Bill for an Act to amend and reenact subdivision a of subsection 1 of section 14-14-03, and sections 14-14-14 and 14-14-23 of the North Dakota Century Code, relating to uniform child custody jurisdiction, modification of a custody decree in another state, and to international application of the Act; and providing for jurisdiction if the state is the domicile of the child and at least one of his parents, for modification of a custody decree when the present welfare of a child requires a modification, and recognizing custody decrees of other nations provided they do not prejudice the rights of the United States and North Dakota governments or their citizens.

Introduced by Representatives Mushik and Conmy  
 Introduction, first reading, referred to Committee on Judiciary, 352  
 Reported Back: Do not pass, 562  
 Final Passage: Lost, 571

**House Bill No. 1647.** — A Bill for an Act to provide a property tax exemption on land used for shelterbelts, and to provide procedures for the administration of the tax exemption.

Introduced by Representatives Brokaw and Tinjum  
 Introduction, first reading, referred to Committee on Finance and Taxation, 352  
 Reported Back: Do not pass, 740  
 Final Passage: Lost, 757

**House Bill No. 1648.** — A Bill for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to the consumption and possession of alcoholic beverages in motor vehicles.

Introduced by Representatives Rued and Wald  
 Introduction, first reading, referred to Committee on Transportation, 352  
 Reported Back: Amended, 983

Amendments adopted, 1006  
 Engrossed, 1052  
 Final Passage: Passed, 1168  
 Messaged to Senate, 1200  
 Returned to House: Passed, 1674  
 Enrolled, 1773  
 Signed by Speaker, 1824  
 Sent to Senate, signed by Speaker, 1824  
 Returned to House, signed by President, 1858  
 Sent to Governor, 1859

**House Bill No. 1649.** — A Bill for an Act to amend and reenact subsection 4 of section 39-04-19 and section 39-04-21 of the North Dakota Century Code, relating to motor vehicle registration fee for trailers, and to payment of motor vehicle registration fees.

Introduced by Representatives Brokaw and Tinjum  
 Introduction, first reading, referred to Committee on Transportation, 352  
 Returned to House, 603  
 Withdrawn, 603

**House Bill No. 1650.** — A Bill for an Act to amend and reenact section 40-20-03 of the North Dakota Century Code, relating to the qualifications of a city engineer.

Introduced by Representatives Peterson and Kuchera  
 Introduction, first reading, referred to Committee on Political Subdivisions, 352  
 Reported Back: Amended, 740  
 Amendments adopted, 749  
 Engrossed, 788  
 Re-referred to Committee on Political Subdivisions, 803  
 Reported Back: Amended, 945  
 Amendments adopted, 961  
 Re-engrossed, 996  
 Final Passage: Passed, 1015  
 Messaged to Senate, 1116  
 Returned to House: Failed to pass, 1673

**House Bill No. 1651.** — A Bill for an Act relating to payment of utility bills on a budget basis, payment agreements on delinquent accounts, disconnection of service, deposits; and declaring an emergency.

Introduced by Representatives Maixner, Kelly and Wentz and Senators Miller-Heinrich, Orange and Krauter  
 Introduction, first reading, referred to Committee on Industry, Business and Labor, 352  
 Reported Back: Do not pass, 664  
 Final Passage: Lost, 675

**House Bill No. 1652.** — A Bill for an Act to amend and reenact section 39-06-17 of the North Dakota Century Code, relating to restricted operator's licenses.

Introduced by Representative Richard

Introduction, first reading, referred to Committee on Transportation, 353

Reported Back: Amended, 740-741

Amendments adopted, 749

Engrossed, 788

Final Passage: Passed, 803

Messaged to Senate, 866

Returned to House: Failed to pass, 1673

**House Bill No. 1653.** — A Bill for an Act to provide for conditions of participation for eligibility of nursing homes and intermediate care facilities to receive medical assistance payments, exemption to conditions of participation, reports to social service board of North Dakota, and rejection of reports.

Introduced by Representatives Meiers and Berger

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 353

Reported Back: Do pass, 818

Final Passage: Lost, 1190

**House Bill No. 1654.** — A Bill for an Act to amend and reenact sections 50-09-14, 50-24-19, and 52-06-14 of the North Dakota Century Code, relating to appeals from applications for aid to dependent children; to appeals from applications for assistance to the aged, blind, or disabled; and to appeals relating to unemployment compensation benefits.

Introduced by Representative Mertens

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 353

Returned to House, 711

Withdrawn, 711

**House Bill No. 1655.** — A Bill for an Act to repeal section 14-07-02 of the North Dakota Century Code, relating to the status of the husband as the head of the family.

Introduced by Representatives Herman, Black and Eagles

Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 353

Reported Back: Do pass, 704

Returned to House, 386

Re-referred to Committee on State and Federal Government, 386

Final Passage: Passed, 728

Messaged to Senate, 789

Returned to House: Passed, 1256

Enrolled, 1307

Signed by Speaker, 1337

Sent to Senate, signed by Speaker, 1337

Returned to House, signed by President, 1350

Sent to Governor, 1372

Approved by Governor, 1481

**House Bill No. 1656.** — A Bill for an Act to prohibit discrimination against any person twenty-one years of age or older, solely on the basis of age, to prohibit compulsory termination of employment of state or political subdivision employees solely on the basis of age, and to provide for full credit for service beyond normal retirement age; and to amend and reenact section 15-34.2-14, subsections 1 and 2 of section 27-17-01, sections 37-02-07, 39-03A-13, 39-03A-18, 40-46-15, and 54-52-17 of the North Dakota Century Code, relating to qualifications of school busdrivers, retirement benefits for supreme court and district court judges, compulsory termination of appointed officers of the state staff corps, optional retirement for highway patrolmen, compulsory termination of highway patrolmen, compulsory termination of city employees, and postponed retirement for members of the North Dakota public employees retirement system.

Introduced by Representatives Black, Unhjem, Eagles and Kuchera  
Introduction, first reading, referred to Committee on State and Federal Government, 353

Reported Back: Do not pass, 704

Final Passage: Lost, 716

**House Bill No. 1657.** — A Bill for an Act to provide for tuition grants to national guard members who enroll in private colleges and universities.

Introduced by Representatives Martinson and Unhjem

Introduction, first reading, referred to Committee on Education, 353

Reported Back: Amended and re-referred to Committee on Appropriations, 562-563,

Amendments adopted, 566

Engrossed, 602

Re-referred to Committee on Appropriations, 566

Reported Back: Amended, 893

Amendments adopted, 919

Re-engrossed 950

Final Passage: Passed, 1191

Messaged to Senate, 1200

Returned to House: Amended, 1837

House concurs, 1890

Final Passage: Passed, 1955

Enrolled, 2060

Signed by Speaker, 2072

Sent to Senate, signed by Speaker, 2072

Returned to House, signed by President, 2075

Sent to Governor, 2080

Approved by Governor, 2146

**House Bill No. 1658.** — A Bill for an Act to amend and reenact sections 26-26-04, 26-27-05, 26-27.1-05, and 26-27.2-05 of the North Dakota Century Code, relating to the membership of the boards of directors of nonprofit hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations, and nonprofit vision service corporations.

Introduced by Representatives Kingsbury, Gorder and Walsh and



**Senators Orange and Barth**

Introduction, first reading, referred to Committee on Industry, Business and Labor, 354

Reported Back: Do not pass, 893

Final Passage: Lost, 915

**House Bill No. 1659.** — A Bill for an Act to amend and reenact section 57-24-02 of the North Dakota Century Code, eliminating the requirement of posting notice of tax sales; and to repeal sections 57-24-03 and 57-24-04 of the North Dakota Century Code, relating to the form of the notice to be posted and leaving the list posted.

Introduced by Representatives Riehl and Meyer

Introduction, first reading, referred to Committee on Political Subdivisions, 354

Returned to House, 756

Withdrawn, 756

**House Bill No. 1660.** — A Bill for an Act to create and enact a new subsection to section 43-17-31 of the North Dakota Century Code, relating to the grounds for revocation, suspension, or refusal to grant a physician's license.

Introduced by Representatives Walsh, Opedahl, Wentz and Meiers

Introduction, first reading, referred to Committee on Industry, Business and Labor, 354

Reported Back: Do not pass, 893

Final Passage: Lost, 915

**House Bill No. 1661.** — A Bill for an Act to create and enact the Uniform Marriage and Divorce Act as a chapter of the North Dakota Century Code, providing procedures for the solemnization and registration of marriage, promoting the amicable settlement of disputes between parties to a marriage, providing for the invalidation of certain marriages and for the dissolution of others, providing for the division of property of the parties, and making reasonable provision for the spouse and minor children during and after litigation, making irreconcilable differences the sole basis for dissolution; to amend sections 12.1-20-10, 12.1-20-11, and 14-03-10 of the North Dakota Century Code, relating to penalty for unlawful cohabitation, prohibited marriages, and solemnization of marriages without license; to repeal sections 14-03-01, 14-03-02, 14-03-03, 14-03-06, 14-03-07, 14-03-08, 14-03-09, 14-03-17, 14-03-18, 14-03-19, 14-03-21, and 14-03-22, and chapters 14-04, 14-05, 14-06, and 27-05.1 of the North Dakota Century Code, relating to the marital relationship and family court; and to provide an effective date.

Introduced by Representatives Wentz, Meiers, Stenehjem and Kretschmar

Introduction, first reading, referred to Committee on Judiciary, 354

Reported Back: Amended, 983-985

Amendments adopted, 1006

Engrossed, 1052

Final Passage: Passed, 1192

Messaged to Senate, 1200

Returned to House: Failed to pass, 1726

**House Bill No. 1662.** — A Bill for an Act to amend and reenact section 11-10-02.1 of the North Dakota Century Code, relating to the employment of county surveyors.

Introduced by Representatives Peterson and Kuchera  
Introduction, first reading, referred to Committee on Political Subdivisions, 354

Reported Back: Do pass, 742

Final Passage: Passed, 758

Messaged to Senate, 826

Returned to House: Failed to pass, 1426

**House Bill No. 1663.** — A Bill for an Act to provide for negotiation and arbitration rights and procedures for public employees, except teachers; and to repeal chapter 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and employees.

Introduced by Representative Gerl

Introduction, first reading, referred to Committee on Industry, Business and Labor, 354

Returned to House, 386

Re-referred to Committee on State and Federal Government, 386

Reported Back: Divided Majority to do not pass, 894 Minority to amend, 894-895

Report of minority substituted for report of majority, 912

Amendments adopted, 1006

Engrossed, 1052

Final Passage: Lost, 1193

**House Bill No. 1664.** — A Bill for an Act to amend and reenact sections 43-20-06, 43-28-05, 43-28-14, and 43-28-17 of the North Dakota Century Code, relating to late registration fees for dental hygienists, compensation of members of the board of dental examiners, dental reexamination fees, and late registration fees for dentists.

Introduced by Representative Timm

Introduction, first reading, referred to Committee on Industry, Business and Labor, 354

Reported Back: Amended, 665

Amendments adopted, 671

Engrossed, 710

Final Passage: Passed, 728

Messaged to Senate, 789

Returned to House: Passed, 1369

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, signed by Speaker, 1413

Returned to House, signed by President, 1435

Sent to Governor, 1436

Approved by Governor, 1619

**House Bill No. 1665.** — A Bill for an Act to amend and reenact sections 27-06-01, 27-06-03, 27-06-04, 27-06-05, 27-06-06, 27-06-07, and 27-06-08 of the North Dakota Century Code, relating to district court reporters.

Introduced by Representatives Conmy and Stenehjem  
Introduction, first reading, referred to Committee on Judiciary, 355  
Reported Back: Do pass, 665  
Final Passage: Passed, 766  
Messaged to Senate, 826  
Returned to House: Passed, 1323  
Enrolled, 1382  
Signed by Speaker, 1392  
Sent to Senate, signed by Speaker, 1393  
Returned to House, signed by President, 1405  
Sent to Governor, 1407  
Approved by Governor, 1534

**House Bill No. 1666.** — A Bill for an Act to amend and reenact paragraph 1 of subdivision m of subsection 13 of section 52-01-01 of the North Dakota Century Code, relating to the definition of employment in agricultural labor for purposes of unemployment compensation; and providing an effective date.

Introduced by Representative Stenehjem  
Introduction, first reading, referred to Committee on Industry, Business and Labor, 355  
Reported Back: Do not pass, 858  
Final Passage: Lost, 916

**House Bill No. 1667.** — A Bill for an Act to create and enact section 40-50-19.1 and section 40-50-19.2 of the North Dakota Century Code, relating to the platting of townsites, additions and subdivisions; and to amend and reenact section 40-50-01, section 40-50-03 and section 40-50-04 of the North Dakota Century Code, relating to the platting of townsites, additions and subdivisions; and to repeal section 40-50-02 of the North Dakota Century Code, relating to the platting of townsites, additions and subdivisions.

Introduced by Representative Conmy  
Introduction, first reading, referred to Committee on Political Subdivisions, 355  
Reported Back: Amended, 742  
Amendments adopted, 749  
Engrossed, 788  
Final Passage: Passed, 804  
Messaged to Senate, 866  
Returned to House: Passed, 1441  
Enrolled, 1535  
Signed by Speaker, 1551  
Sent to Senate, signed by Speaker, 1551  
Returned to House, signed by President, 1554  
Sent to Governor, 1555  
Approved by Governor, 1668

**House Bill No. 1668.** — A Bill for an Act to provide a minimum fifty dollar per month salary increase for classified state employees on July 1, 1979, and July 1, 1980.

Introduced by Representatives Gorder, Kingsbury, Wessman, Fleming and Mushik

Introduction, first reading, referred to Committee on State and Federal Government, 355

Reported Back: Do pass, 1074

Final Passage: Lost, 1190

**House Bill No. 1669.** — A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officers, and to create and enact subsection 6 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of sheriffs.

Introduced by Representative Martinson

Introduction, first reading, referred to Committee on Political Subdivisions, 355

Reported Back: Amended, 985

Amendments adopted, 1006

Engrossed, 1052

Final Passage: Passed, 1169

Messaged to Senate, 1200

Returned to House: Amended, 1837

House concurs, 1890

Final Passage: Passed, 1955

Enrolled, 2060

Signed by Speaker, 2072

Sent to Senate, signed by Speaker, 2072

Returned to House, signed by President, 2075

Sent to Governor, 2080

Approved by Governor, 2146

**House Bill No. 1670.** — A Bill for an Act to allow college fraternities and sororities to conduct raffles with proceeds to go to educational, charitable, patriotic, or other public-spirited uses, and providing for definitions, city approval for raffles, persons permitted to conduct raffles, expenses and compensation, a statement of receipts and expenses, examination of books and records; providing a penalty; and declaring an emergency.

Introduced by Representatives Stenehjem, Mattson, Swiontek and Unhjem

Introduction, first reading, referred to Committee on Judiciary, 355

Returned to House, 823

Withdrawn, 823

**House Bill No. 1671.** — A Bill for an Act to require certain insurers doing business in North Dakota to file certain information with the commissioner of insurance; and to amend and reenact section 26-01-06 of the North Dakota Century Code, relating to the power of the commissioner of insurance to issue certificates of authority to insurers.

Introduced by Representatives Rued and Crabtree

Introduction, first reading, referred to Committee on Industry, Business and Labor, 355

Reported Back: Do pass, 1044

Final Passage: Passed, 1193  
 Messaged to Senate, 1200  
 Returned to House: Amended, 1727  
 House concurs, 1775  
 Final Passage: Passed, 1853  
 Enrolled, 1883  
 Signed by Speaker, 1890  
 Sent to Senate, signed by Speaker, 1891  
 Returned to House, signed by President, 1928  
 Sent to Governor, 1931  
 Approved by Governor, 2064

**House Bill No. 1672.** — A Bill for an Act to provide for a county tax on certain factories and refineries in lieu of a township tax and to provide for a sharing of that tax between the county and townships of the county.

Introduced by Representatives Tweten and Berg and Senator Thane  
 Introduction, first reading, referred to Committee on Finance and Taxation, 356  
 Reported Back: Amend and Do Not pass, 1074-1075  
 Amendments adopted, 1116  
 Engrossed, 1154  
 Final Passage: Lost, 1155

**House Bill No. 1673.** — A Bill for an Act to provide for the distribution of a portion of the motor vehicle fuels tax to counties; and to amend and reenact sections 57-50-01, 57-50-06, subsections 5 and 7 of section 57-52-03, sections 57-52-04, 57-54-08, and 57-54-14 of the North Dakota Century Code, relating to the refund of the motor fuel tax, the imposition of a tax on special fuels, the imposition of a tax on motor vehicle fuels, the allocation of the tax on motor vehicle fuels, and the definition of a special fuel user; and to repeal section 57-50-11.1 of the North Dakota Century Code, relating to the assignment of refund claims on motor fuel taxes.

Introduced by Representatives Tweten, Berg and Lipsiea and Senator Thane  
 Introduction, first reading, referred to Committee on Finance and Taxation, 356  
 Reported Back: Do not pass, 1075  
 Final Passage: Lost, 1121

**House Bill No. 1674.** — A Bill for an Act to amend and reenact section 15-38-10 of the North Dakota Century Code, to require instruction in the free enterprise system by teachers in public schools.

Introduced by Representatives Swiontek and Mattson  
 Introduction, first reading, referred to Committee on Education, 356  
 Returned to House, 1000  
 Withdrawn, 1000

**House Bill No. 1675.** — A Bill for an Act to create and enact the Uniform Federal Lien Registration Act, as chapter 35-28.1 of the North

Dakota Century Code, relating to the filing and recording of federal tax liens and other federal liens; and to repeal chapter 35-28 of the North Dakota Century Code, relating to the filing and recording of federal tax liens.

Introduced by Representative Winkjer  
 Introduction, first reading, referred to Committee on Judiciary, 356  
 Reported Back: Do pass, 665  
 Final Passage: Passed, 766  
 Messaged to Senate, 826  
 Returned to House: Passed, 1603  
 Enrolled, 1666  
 Signed by Speaker, 1673  
 Sent to Senate, signed by Speaker, 1673  
 Returned to House, signed by President, 1692  
 Sent to Governor, 1693  
 Approved by Governor, 1832

**House Bill No. 1676.** — A Bill for an Act to amend and reenact subsection 4 of section 61-24-08 of the North Dakota Century Code, relating to the use of Garrison Diversion Conservancy District funds to provide food or alcoholic beverages for public officials.

Introduced by Representatives Matheny and Maixner  
 Introduction, first reading, referred to Committee on Political Subdivisions, 356  
 Reported Back: Do not pass, 858  
 Final Passage: Lost, 872

**House Bill No. 1677.** — A Bill for an Act to amend and reenact section 39-20-01 of the North Dakota Century Code, relating to the implied consent to determine the alcoholic content of blood.

Introduced by Representatives Fleming and Stenehjerm  
 Introduction, first reading, referred to Committee on Transportation, 356  
 Reported Back: Do pass, 742  
 Final Passage: Passed, 767  
 Messaged to Senate, 826  
 Returned to House: Failed to pass, 1441

**House Bill No. 1678.** — A Bill for an Act to prohibit discrimination in employment because of race, color, religion, national origin, sex, age, or marital status; and providing a penalty.

Introduced by Representatives Herman and Eagles  
 Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 357  
 Reported Back: Do not pass, 704  
 Final Passage: Lost, 716

**House Bill No. 1679.** — A Bill for an Act to amend and reenact subsection 1 of section 37-01-40 of the North Dakota Century Code, relating to the definition of "veteran".

Introduced by Representatives Vig and Reed  
Introduction, first reading, referred to Committee on Social Services  
and Veterans Affairs, 357  
Returned to House, 916  
Withdrawn, 916

**House Bill No. 1680.** — A Bill for an Act to create and enact a new subsection to section 47-19-02 of the North Dakota Century Code, relating to instruments entitled to record without acknowledgment.

Introduced by Representative Winkjer  
Introduction, first reading, referred to Committee on Judiciary, 357  
Reported Back: Do pass, 563  
Final Passage: Passed, 583  
Messaged to Senate, 653  
Returned to House: Passed, 1286  
Enrolled, 1350  
Signed by Speaker, 1359  
Sent to Senate, signed by Speaker, 1360  
Returned to House, signed by President, 1375  
Sent to Governor, 1376  
Approved by Governor, 1481

**House Bill No. 1681.** — A Bill for an Act to create and enact section 39-08-10.1 of the North Dakota Century Code, relating to requiring notification of the next of kin following an accident involving death or serious injury.

Introduced by Representative Mushik  
Introduction, first reading, referred to Committee on Political  
Subdivisions, 357  
Reported Back: Amended, 946  
Amendments adopted, 962  
Engrossed, 995  
Final Passage: Passed, 1016  
Messaged to Senate, 1116  
Returned to House: Passed, 1726  
Enrolled, 1826  
Signed by Speaker, 1827  
Sent to Senate, signed by Speaker, 1827  
Returned to House, signed by President, 1860  
Sent to Governor, 1862  
Approved by Governor, 1946

**House Bill No. 1682.** — A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the issuance of game and fish licenses by county auditors; and to repeal sections 20.1-03-18, 20.1-03-19, and 20.1-03-20 of the North Dakota Century Code, relating to filing of license applications, reports of license sales, and bonds required of county auditors for the issuance of game and fish licenses.

Introduced by Representative Riehl and Senator Barth  
Introduction, first reading, referred to Committee on Natural

Resources, 357

Reported Back: Do not pass, 597

Final Passage: Lost, 603

**House Bill No. 1683.** — A Bill for an Act to amend and reenact subsection 3 of section 39-06-14 and subdivision c of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to combinations of three unit vehicles permissible on state highways, and classification of driver's licenses, requiring drivers of those three unit vehicles which include two trailers to have a class 1 driver's license.

Introduced by Representative Richard

Introduction, first reading, referred to Committee on Transportation, 357

Returned to House, 638

Withdrawn, 638

**House Bill No. 1684.** — A Bill for an Act to amend and reenact sections 20.1-01-18, 20.1-01-19, 20.1-01-20, and 53-08-05 of the North Dakota Century Code, relating to hunting on lands belonging to another, and to landowner liability to others who use land for recreational purposes; and to repeal sections 20.1-01-17 and 20.1-01-22 of the North Dakota Century Code, relating to posting of lands to prohibit hunting and hunting on lands having unharvested crops.

Introduced by Representatives Gunsch, Gunderson and Mertens

Introduction, first reading, referred to Committee on Natural Resources, 357

Reported Back: Do not pass, 743

Final Passage: Lost, 759

**House Bill No. 1685.** — A Bill for an Act to amend and reenact section 2-06-10 of the North Dakota Century Code, relating to the size of municipalities that may issue bonds under the Airport Authorities Act.

Introduced by Representative F. Larson

Introduction, first reading, referred to Committee on Political Subdivisions, 357

Reported Back: Amended, 743

Amendments adopted, 749

Engrossed, 788

Final Passage: Lost 793

**House Bill No. 1686.** — A Bill for an Act to amend and reenact section 58-06-02 of the North Dakota Century Code, increasing the compensation for township supervisors.



Introduced by Representative Reed  
 Introduction, first reading, referred to Committee on Political  
 Subdivisions, 358  
 Reported Back: Amended, 743-744  
 Amendments adopted, 749  
 Engrossed, 788  
 Final Passage: Passed, 804  
 Messaged to Senate, 866  
 Returned to House: Passed, 1420  
 Enrolled, 1483  
 Signed by Speaker, 1486  
 Sent to Senate, signed by Speaker, 1486  
 Returned to House, signed by President, 1501  
 Sent to Governor, 1506  
 Approved by Governor, 1667

**House Bill No. 1687.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to tax credits for members of the North Dakota national guard.

Introduced by Representative Kennelly  
 Introduction, first reading, referred to Committee on Finance and  
 Taxation, 358  
 Returned to House, 671  
 Withdrawn, 671

**House Bill No. 1688.** — A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, providing for a city tax levy for workmen's compensation premiums and unemployment compensation contributions.

Introduced by Representative Leibhan  
 Introduction, first reading, referred to Committee on Finance and  
 Taxation, 358  
 Reported Back: Do not pass, 1075  
 Final Passage: Lost, 1122

**House Bill No. 1689.** — A Bill for an Act to limit purchase of tobacco products, to prohibit misrepresentation of age in purchasing tobacco products, to prohibit delivery of tobacco products to certain persons, to require local licenses for the sale of tobacco products, to provide procedures for license revocation; providing penalties; and providing an effective date.

Introduced by Representatives Kuchera and Vig  
 Introduction, first reading, referred to Committee on Social Services  
 and Veterans Affairs, 358  
 Reported Back: Amended, 985-986  
 Amendments adopted, 1006  
 Engrossed, 1051  
 Final Passage: Lost, 1058

**House Bill No. 1690.** — A Bill for an Act to create and enact a new section to chapter 40-09 of the North Dakota Century Code, providing

for a biennial vote on whether city commission proceedings shall be published in the official newspaper; and to amend and reenact section 40-08-12, providing for a biennial vote on whether city council proceedings shall be published in the official newspaper.

Introduced by Representative Lipsiea  
Introduction, first reading, referred to Committee on Political Subdivisions, 358

Reported Back: Amended, 780

Amendments adopted, 788

Engrossed, 821

Final Passage: Lost, 829

**House Bill No. 1691.** — A Bill for an Act to create a governor's council on physical fitness and sports, and to provide for the membership, compensation, and powers and duties of the council.

Introduced by Representatives Pomeroy, Stenehjem and Hoffner  
Introduction, first reading, referred to Committee on State and Federal Government, 358

Reported Back: Amended, 858

Amendments adopted, 866

Engrossed, 912

Final Passage: Lost, 917

**House Bill No. 1692.** — A Bill for an Act to amend and reenact section 57-60-02 of the North Dakota Century Code, relating to the rate of the coal conversion privilege tax.

Introduced by Representative Gackle  
Introduction, first reading, referred to Committee on Finance and Taxation, 358

Returned to House, 962

Withdrawn, 962

**House Bill No. 1693.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide for a partial exemption from such tax on coal used for the production of methanol.

Introduced by Representative Strinden  
Introduction, first reading, referred to Committee on Finance and Taxation, 1208

Reported Back: Do pass, 1517

Final Passage: Lost, 1553

**House Bill No. 1694.** — A Bill for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to making public buildings and facilities accessible and usable by the physically handicapped.

Introduced by Representative Strinden  
Introduction, first reading, referred to Committee on Political Subdivisions, 1208

Reported Back: Amended, 1745-1746  
Amendments adopted, 1775  
Engrossed, 1828  
Final Passage: Passed, 1857  
Messaged to Senate, 1862  
Returned to House: Passed, 2106  
Enrolled, 2172  
Signed by Speaker, 2183  
Sent to Senate, signed by Speaker, 2183  
Returned to House, signed by President, 2199  
Sent to Governor, 2240  
Approved by Governor, 2381

**House Bill No. 1695.** — A Bill for an Act to repeal chapter 50-24 of the North Dakota Century Code, relating to aid to aged, blind, or disabled program, but continuing certain provisions in effect.

Introduced by Representative Stenehjem  
Introduction, first reading, referred to Committee on Social Services and Veterans Affairs, 1486  
Reported Back: Do pass, 1746  
Final Passage: Passed, 1786  
Messaged to Senate, 1794  
Returned to House: Passed, 2106  
Enrolled, 2172  
Signed by Speaker, 2183  
Sent to Senate, signed by Speaker, 2183  
Returned to House, signed by President, 2199  
Sent to Governor, 2240  
Approved by Governor, 2381

## House Concurrent Resolutions

**House Concurrent Resolution No. 3001.** — A concurrent resolution to create a new article II of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 26 through 44 and sections 46 through 70 of the present article II of the Constitution of the State of North Dakota, relating to the legislative assembly; and providing an effective date.

Introduced by Legislative Council Constitutional Revision Committee  
Introduction, First reading, referred to Committee on Constitutional Revision, 86

Reported Back: Amended, 1425

Amendments adopted, 1438

Engrossed, 1482

Final Passage: Adopted, 1493

To Senate, 1605

Returned to House: Amended, 1970

House Concurs, 1999

Enrolled, 2111

Final Passage: Adopted, 2066

Signed by Speaker, 2113

Sent to Senate, 2114

Returned to House, signed by President, 2129

Delivered to Secretary of State, 2130

**House Concurrent Resolution No. 3002.** — A concurrent resolution to create a new section of the Constitution of the State of North Dakota relating to legislative reimbursement; to repeal section 45 of the Constitution of the State of North Dakota, relating to legislative salaries and mileage; and providing an effective date.

Introduced by Legislative Council Constitutional Revision Committee  
Introduction, First reading, referred to Committee on Constitutional Revision, 86

Reported Back: Do Pass, 1516

Final Passage: Adopted, 1556

To Senate, 1619

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, 2037

Returned to House, signed by President, 2059

Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3003.** — A concurrent resolution for the amendment of sections 215 and 216 and subsection 1 and subdivision d of subsection 6 of article 54 of the amendments to the Constitution of the State of North Dakota, all relating to the listing of the state's public institutions; and providing an effective date.

Introduced by Legislative Council Constitutional Revision Committee  
Introduction, First reading, referred to Committee on Constitutional Revision, 86

Reported Back: Do Not Pass, 780  
 Final Passage: Lost, 794

**House Concurrent Resolution No. 3004.** — A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 215 and 216 of the Constitution of the State of North Dakota, relating to the listing of the state's public institutions; for the repeal of article 54 of the amendments to the Constitution of the State of North Dakota, relating to the board of higher education; and providing an effective date.

Introduced by Legislative Council Constitutional Revision Committee  
 Introduction, First reading, referred to Committee on Constitutional Revision, 86

Reported Back: Do Not Pass, 781  
 Final Passage: Lost, 794

**House Concurrent Resolution No. 3005.** — A concurrent resolution creating a new article III of the Constitution of the State of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to executive branch organization, to the powers and duties of the governor, and to gubernatorial succession; to repeal article III, consisting of sections 71 through 84, of the Constitution of the State of North Dakota, relating to the executive branch of government, to the election, qualification, and compensation of executive officials, to the powers and duties of the governor, and to gubernatorial succession; and providing an effective date.

Introduced by Legislative Council Constitutional Revision Committee  
 Introduction, First reading, referred to Committee on Constitutional Revision, 86

Reported Back: Do Pass, 526  
 Final Passage: Adopted, 616  
 To Senate, 674  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, 1337  
 Returned to House, signed by President, 1350  
 Delivered to Secretary of State, 1372  
 House requests return of House Concurrent Resolution from Secretary of State, 2108  
 Returned to House, 2126  
 Reconsidered adoption of committee report from Committee on Enrolling and Engrossing, motion prevailed, 2126  
 Senate requests return, 2126  
 To Senate, 2130  
 Returned to House: Amended, 2262  
 House: Concurr, 2267  
 Final Passage: Adopted, 2267  
 Enrolled, 2376  
 Signed by Speaker 2376

Sent to Senate, 2376

Returned to House, signed by President, 2377

Delivered to Secretary of State, 2377

**House Concurrent Resolution No. 3006.** — A concurrent resolution directing a Legislative Council study of community corrections programs and the State Penitentiary.

Introduced by Legislative Council Corrections and Penology Committee

Introduction, First reading, referred to Committee on State and Federal Government, 87

Reported Back: Do Pass, 149

Final Passage: Adopted, 163

To Senate, 192

Returned to House: Failed to Pass, 1256

**House Concurrent Resolution No. 3007.** — A concurrent resolution directing an interim study by the Legislative Council of the feasibility and desirability of providing for comprehensive post-retirement adjustment programs for the Public Employees Retirement System, Teachers' Fund for Retirement, and Highway Patrol retirement program.

Introduced by Legislative Council Retirement Committee

Introduction, First reading, referred to Committee on State and Federal Government, 87

Reported Back: Do Pass, 382

Final Passage: Adopted, 396

To Senate, 450

Returned to House: Amended, 1258

House concurs, 1275

Final Passage: Adopted, 1310

Enrolled, 1381

Signed by Speaker, 1392

Sent to Senate, 1393

Returned to House, signed by President, 1405

Delivered to Secretary of State, 1407

**House Concurrent Resolution No. 3008.** — A concurrent resolution directing the Legislative Council to study legislative apportionment.

Introduced by Representative Kretschmar

Introduction, First reading, referred to Committee on Political Subdivisions, 87

Reported Back: Do Pass, 179

Final Passage: Adopted, 191

To Senate, 219

Returned to House: Passed, 1441

Enrolled, 1535

Signed by Speaker, 1551

Sent to Senate, 1551

Returned to House, signed by President, 1554

Delivered to Secretary of State, 1556

**House Concurrent Resolution No. 3009.** — A concurrent resolution to amend and reenact section 174 of the Constitution of the State of North Dakota, relating to legislative authority to provide a four-mill property tax levy to defray the expenses of the state, and providing that the legislative assembly may not raise revenue for the state through a property tax.

Introduced by Representatives Kingsbury and A. Hausauer  
 Introduction, First reading, referred to Committee on Constitutional Revision, 87  
 Reported Back: Do Pass, 895  
 Final Passage: Adopted, 1016  
 To Senate, 1116  
 Returned to House: Passed, 1970  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, 2037  
 Returned to House, signed by President, 2059  
 Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3010.** — A concurrent resolution urging school boards to cooperate with the North Dakota national guard for the Guard Career Education Program.

Introduced by Representatives Knudson and Martin  
 Introduction, First reading, referred to Committee on Education, 87  
 Reported Back: Do Pass, 197  
 Final Passage: Adopted, 207  
 To Senate, 250  
 Returned to House: Passed, 1256  
 Enrolled, 1307  
 Signed by Speaker, 1337  
 Sent to Senate, 1337  
 Returned to House, signed by President, 1350  
 Delivered to Secretary of State, 1372

**House Concurrent Resolution No. 3011** — A concurrent resolution to repeal article 60 of the amendments to the Constitution of the State of North Dakota, relating to a one-mill levy on all taxable property within the State of North Dakota for the North Dakota state medical center at the University of North Dakota.

Introduced by Representatives Kingsbury and A. Hausauer  
 Introduction, First reading, referred to Committee on Constitutional Revision, 101  
 Reported Back: Do Pass, 781  
 Final Passage: Adopted, 805  
 To Senate, 866  
 Returned to House: Passed, 1970  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, 2037  
 Returned to House, signed by President, 2059  
 Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3012** — A concurrent resolution requesting full implementation of the Agricultural Adjustment Act of 1949, as amended in 1977, which includes ninety percent of parity loan rates on the major agricultural commodities.

Introduced by Representative Nicholas  
 Introduction, First reading, referred to Committee on Agriculture,  
 101  
 Reported Back: Amended, 179-180  
 Amendments adopted, 186  
 Engrossed, 203  
 Final Passage: Adopted, 207  
 To Senate, 250  
 Returned to House: Amended, 578  
 House: Concurs, 619  
 Rules suspended, properly re-engrossed, placed on final passage, 619  
 Enrolled, 670  
 Signed by Speaker, 672  
 Sent to Senate, 673  
 Returned to House, signed by President, 673  
 Delivered to Secretary of State, 679

**House Concurrent Resolution No. 3013** — A concurrent resolution directing the legislative council to study the feasibility and desirability of adopting a method of computing state income tax liability by taking a percentage of a taxpayer's federal income tax liability.

Introduced by Representative Peltier  
 Introduction, First reading, referred to Committee on Finance and  
 Taxation, 101  
 Reported Back: Do Pass, 233  
 Final Passage: Adopted, 245  
 To Senate, 278  
 Returned to House: Passed, 1603  
 Enrolled, 1666  
 Signed by Speaker, 1673  
 Sent to Senate, 1673  
 Returned to House, signed by President, 1692  
 Delivered to Secretary of State, 1693

**House Concurrent Resolution No. 3014.** — A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

Introduced by Committee on Employment  
 Introduction, first reading, referred to Committee on Appropriations,  
 132  
 Reported Back: Amended, 323-325  
 Amendments adopted, 363  
 Engrossed, 385  
 Final Passage: Adopted, 397  
 To Senate, 407  
 Returned to House: Passed, 422  
 Enrolled, 444  
 Signed by Speaker, 444



Sent to Senate, 451  
 Returned to House, signed by President, 454  
 Delivered to Secretary of State, 459

**House Concurrent Resolution No. 3015.** — A concurrent resolution directing the Legislative Council to study public and private cost containment procedures relating to hospitals, clinics, nursing homes, insurance companies providing health care coverage, physicians, dentists, optometrists, podiatrists, and others providing health care services.

Introduced by Representatives Unhjem, Stenehjem, Swiontek, Eagles and Nicholas

Introduction, First reading, referred to Committee on Industry, Business and Labor, 139

Reported Back: Do Pass, 325

Final Passage: Adopted, 373

To Senate, 414

Returned to House: Passed, 1370

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, 1413

Returned to House, signed by President, 1435

Delivered to Secretary of State, 1436

**House Concurrent Resolution No. 3016.** — A concurrent resolution directing the Legislative Council to study floodplain management, including the construction of dikes and other devices for flood control regulation.

Introduced by Committee on Natural Resources

Introduction, First reading, referred to Committee on Natural Resources, 139

Reported Back: Amended, 407

Amendments adopted, 412

Engrossed, 443

Floor Amendment, 458

Re-engrossed, 458

Final Passage: Adopted, 458

To Senate, 537

Returned to House: Passed, 1392

Enrolled, 1438

Signed by Speaker, 1445

Sent to Senate, 1445

Returned to House, signed by President, 1453

Delivered to Secretary of State, 1462

**House Concurrent Resolution No. 3017.** — A concurrent resolution congratulating Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcoming his visit to North Dakota.

Introduced by Representatives Solberg and Wagner

Rules suspended, not referred to Committee, read in entirety, not

printed as a bill, printed in Journal, placed on second reading and final passage, 139

Final Passage: Adopted, 140  
 To Senate, 158  
 Returned to House: Passed, 180  
 Enrolled, 185  
 Signed by Speaker, 192  
 Sent to Senate, 192  
 Returned to House, signed by President, 208  
 Delivered to Secretary of State, 250

**House Concurrent Resolution No. 3018.** — A concurrent resolution directing a Legislative Council study of the desirability and feasibility of increased use of paraprofessional medical personnel as a means of lowering the high costs of medical care in North Dakota.

Introduced by Representatives Wentz and Kermott  
 Introduction, First reading, referred to Committee on Industry, Business and Labor, 171  
 Reported Back: Do Pass, 326  
 Final Passage: Adopted, 373  
 To Senate, 414  
 Returned to House: Passed, 1540  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, 1621  
 Returned to House, signed by President, 1649  
 Delivered to Secretary of State, 1650

**House Concurrent Resolution No. 3019.** — A concurrent resolution directing a Legislative Council study of the real property laws of North Dakota, particularly with respect to those laws affecting mobile home ownership, and the laws relating to the taxation of mobile homes.

Introduced by Representatives Conmy, Martinson, Black and Koski  
 Introduction, First reading, referred to Committee on Industry, Business and Labor, 183  
 Reported Back: Do Pass, 294  
 Final Passage: Adopted, 316  
 To Senate, 389  
 Returned to House: Amended, 1391  
 House: Concurr, 1419  
 Enrolled, 1535  
 Final Passage: Adopted, 1448  
 Signed by Speaker, 1535  
 Sent to Senate, 1551  
 Returned to House, signed by President, 1554  
 Delivered to Secretary of State, 1556

**House Concurrent Resolution No. 3020.** — A concurrent resolution urging the United States Congress to allow speed limits greater than 55 miles per hour in sparsely populated areas.

Introduced by Representatives Richard, Timm, Fleming, R. Hausauer and Winkjer

Introduction, First reading, referred to Committee on Transportation, 183

Reported Back: Amended, 1139

Amendments adopted, 1216

Engrossed, 1235

Final Passage: Adopted, 1241

To Senate, 1316

Returned to House: Passed, 1674

Enrolled, 1773

Signed by Speaker, 1824

Sent to Senate, 1824

Returned to House, signed by President, 1858

Delivered to Secretary of State, 1859

**House Concurrent Resolution No. 3021.** — A concurrent resolution directing the Legislative Council to study the provision of health care services in North Dakota.

Introduced by Representative A. Hausauer

Introduction, First reading, referred to Committee on Industry, Business and Labor, 183

Reported Back: Do Pass, 859

Final Passage: Adopted, 1017

To Senate, 1116

Returned to House: Amended, 1727-1728

House: Concurr, 1775

Enrolled, 1883

Final Passage: Adopted, 1854

Signed by Speaker, 1890

Sent to Senate, 1891

Returned to House, signed by President, 1928

Delivered to Secretary of State, 1931

**House Concurrent Resolution No. 3022.** — A concurrent resolution directing the Legislative Council to study and review the powers, duties, and jurisdictional boundaries of water management districts and legal drain boards.

Introduced by Representatives Berg, Wessman and Weber, and Senators Thane, Fritzell and Nelson

Introduction, First reading, referred to Committee on Agriculture, 253

Reported Back: Do Pass, 744

Final Passage: Adopted, 767

To Senate, 826

Returned to House: Passed, 1420

Enrolled, 1483

Signed by Speaker, 1486

Sent to Senate, 1486

Returned to House, signed by President, 1501

Delivered to Secretary of State, 1506

**House Concurrent Resolution No. 3023.** — A concurrent resolution directing the Legislative Council to study the appropriate sections of the North Dakota Century Code which relate to the operation of

emergency vehicles, and lighting systems and other equipment emergency vehicles are authorized to use, with emphasis on the assignment of the responsibility for adopting rules, and requiring specific training and equipment, for safe operation of emergency vehicles.

Introduced by Representatives Peltier and Koski

Introduction, First reading, referred to Committee on Transportation, 274

Reported Back: Do Pass, 946

Final Passage: Adopted, 1018

To Senate, 1117

Returned to House: Passed, 1674

Enrolled, 1773

Signed by Speaker, 1824

Sent to Senate, 1824

Returned to House, signed by President, 1858

Delivered to Secretary of State, 1859

**House Concurrent Resolution No. 3024.** — A concurrent resolution urging the President and Congress to maintain diplomatic relations and uphold treaty obligations with the Republic of China -Taiwan.

Introduced by Representatives Strinden and Martinson and Senator Tennefos

Introduction, First reading, referred to Committee on State and Federal Government, 301

Reported Back: Do Pass, 705

Final Passage: Adopted, 805

To Senate, 1116

Returned to House: Passed, 1370

Enrolled, 1409

Signed by Speaker, 1412

Sent to Senate, 1413

Returned to House, signed by President, 1435

Delivered to Secretary of State, 1436

**House Concurrent Resolution No. 3025.** — A concurrent resolution of the North Dakota Legislative Assembly calling for an amendment to the United States Constitution prohibiting federal estate taxes.

Introduced by Representatives Winkjer and Scofield

Introduction, First reading, referred to Committee on Finance and Taxation, 301

Reported Back: Do Pass, 1075

Reconsidered action by which House accepted Committee Report, 1138

Withdrawn, 1138

**House Concurrent Resolution No. 3026.** — A concurrent resolution to rescind North Dakota's ratification of the Equal Rights Amendment.

Introduced by Representatives Marsden, Dotzenrod, Gackle, Houmann and Lee

Introduction, First reading, referred to Committee on Judiciary, 301

Returned to House — Withdrawn, 1237

**House Concurrent Resolution No. 3027.** — A concurrent resolution directing the Legislative Council to conduct a study of the membership of agricultural product promotion entities in North Dakota.

Introduced by Representative Peltier and Senator Jones  
 Introduction, First reading, referred to Committee on Agriculture,  
 374  
 Reported Back: Amended, 781  
 Amendments adopted, 788  
 Engrossed, 821  
 Final Passage: Adopted, 1018  
 To Senate, 1117  
 Returned to House: Passed, 1726  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, 1827  
 Returned to House, signed by President, 1860  
 Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3028.** — A concurrent resolution directing the legislative council to study the tax laws of this state as they affect financial institutions such as banks and trust companies, building and loan associations, insurance companies, and credit unions.

Introduced by Representative Gackle  
 Introduction, First reading, referred to Committee on Finance and  
 Taxation, 374  
 Reported Back: Do Pass, 1044  
 Final Passage: Adopted, 1226  
 To Senate, 1279  
 Returned to House: Passed, 1783  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, 1827  
 Returned to House, signed by President, 1860  
 Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3029.** — A concurrent resolution directing the Legislative Council to study the feasibility of public television coverage of the Forty-seventh Legislative Assembly.

Introduced by Representatives Mertens, Kuchera and Kretschmar  
 and Senators Hoffner, Holmberg and Wenstrom  
 Introduction, First reading, referred to Committee on State and  
 Federal Government, 397  
 Reported Back: Do Pass, 666  
 Final Passage: Adopted, 768  
 To Senate, 826  
 Returned to House: Failed to pass, 1256

**House Concurrent Resolution No. 3030.** — A concurrent resolution urging Congress to develop a uniform definition of the term "veteran" for all federal programs relating to veterans.

Introduced by Representatives Vig and Reed

Introduction, First reading, referred to Committee on Social Services and Veterans Affairs, 438

Reported Back: Do Pass, 782

Final Passage: Adopted, 806

To Senate, 866

Returned to House: Passed, 1286

Enrolled, 1350

Signed by Speaker, 1359

Sent to Senate, 1360

Returned to House, signed by President, 1375

Delivered to Secretary of State, 1382

**House Concurrent Resolution No. 3031.** — A concurrent resolution urging the President and Congress to provide assistance to railroads linking agricultural areas and urban market areas of the nation.

Introduced by Representatives Crabtree and Erickson and Senator Smykowski

Introduction, First reading, referred to Committee on Transportation, 438

Reported Back: Amended, 986

Amendments adopted, 1006

Engrossed, 1051

Final Passage: Adopted, 1217

To Senate, 1279

Returned to House: Passed, 1674

Enrolled, 1773

Signed by Speaker, 1824

Sent to Senate, 1824

Returned to House, signed by President, 1858

Delivered to Secretary of State, 1859

**House Concurrent Resolution No. 3032.** — A concurrent resolution directing a study by the Legislative Council to review the equity and adequacy of retirement provisions for supreme court and district court judges.

Introduced by Representatives Martinson, Kermott, Lee and Pomeroy  
Introduction, First reading, referred to Committee on State and Federal Government, 438

Reported Back: Do Pass, 666

Final Passage: Adopted, 768

To Senate, 826

Returned to House: Amended, 1424

House concurs, 1446

Final Passage: Adopted, 1490

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, 1606

Returned to House, signed by President, 1608

Delivered to Secretary of State, 1609

**House Concurrent Resolution No. 3033.** — A concurrent resolution in support of Northern Tier Pipeline.

Introduced by Representatives Strinden, Backes, Mushik and Kretschmar

Introduction, First reading, referred to Committee on Natural Resources, 438

Reported Back: Do Pass, 782

Final Passage: Adopted, 806

To Senate, 866

Returned to House: Passed, 1420

Enrolled, 1483

Signed by Speaker, 1486

Sent to Senate, 1486

Returned to House, signed by President, 1501

Delivered to Secretary of State, 1506

**House Concurrent Resolution No. 3034.** — A concurrent resolution of the North Dakota Legislative Assembly calling for an amendment to the United States Constitution proposing to the several states the requirement of a balanced United States cash budget for each session of Congress except in time of war or national emergency.

Introduced by Representatives Retzer and Gorder

Introduction, First reading, referred to Committee on Constitutional Revision, 438

Returned to House — Re-referred to Committee on Constitutional Revision, 1000

Returned to House: withdrawn, 1209

**House Concurrent Resolution No. 3035.** — A concurrent resolution directing a Legislative Council study of the relationship between American Indian tribal governments and North Dakota state government.

Introduced by Representative Strinden and Senator Nething

Introduction, First reading, referred to Committee on State and Federal Government, 439

Reported Back: Do Pass, 666

Final Passage: Adopted, 769

To Senate, 826

Returned to House: Amended, 1424

House concurs, 1446

Final Passage: Adopted, 1491

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, 1606

Returned to House, signed by President, 1608

Delivered to Secretary of State, 1609

**House Concurrent Resolution No. 3036.** — A concurrent resolution urging Congress to change the name of Lake Audubon and to name it after a prominent North Dakotan.

Introduced by Representatives Marsden, Berg, Fleming, R. Hausauer, Mertens and Nicholas

Introduction, First reading, referred to Committee on State and Federal Government, 439

Reported Back: Do Not Pass, 666

Final Passage: Lost, 676

**House Concurrent Resolution No. 3037.** — A concurrent resolution urging that the construction of the Garrison Diversion Project and the condemnation of land for mitigation acreage required by the project be halted until certain information has been provided to the people of North Dakota.

Introduced by Representatives Matheny and Walsh

Introduction, First reading, referred to Committee on Agriculture, 439

Reported Back: Do Not Pass, 1139

Final Passage: Lost, 1213

**House Concurrent Resolution No. 3038.** — A concurrent resolution urging North Dakota Governor Arthur A. Link to proclaim a "North Dakota Forgotten Victims of Crime Week".

Introduced by Representatives Olson, Solberg and Unhjem

Introduction, First reading, referred to Committee on Political Subdivisions, 439

Reported Back: Amended, 1140

Amendments adopted, 1216

Engrossed, 1235

Final Passage: Adopted, 1241

To Senate, 1316

Returned to House: Passed, 1726

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, 1827

Returned to House, signed by President, 1860

Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3039.** — A concurrent resolution urging a moratorium on structural changes in the North Dakota judicial system and directing the Legislative Council to arrange for an independent study of the judicial system by a consultant and to prepare any necessary legislation.

Introduced by Representative H. Larson

Introduction, First reading, referred to Committee on Judiciary, 466

Reported Back: Do Not Pass, 1044

Final Passage: Lost, 1058

**House Concurrent Resolution No. 3040.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making public the lending criteria utilized by financial institutions.

Introduced by Representative Wentz

Introduction, First reading, referred to Committee on Industry, Business and Labor, 467

Reported Back: Do Not Pass, 1045

Final Passage: Lost, 1214



**House Concurrent Resolution No. 3041.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the State of North Dakota withdrawing from the social security system with respect to state employees.

Introduced by Representative Wessman

Introduction, First reading, referred to Committee on State and Federal Government, 527

Reported Back: Do Pass, 818

Final Passage: Lost, 1019

**House Concurrent Resolution No. 3042.** — A concurrent resolution directing the Legislative Council to conduct a study of severed mineral interests in North Dakota.

Introduced by Representatives Richard, Winkjer, Solberg and A. Hausauer and Senator Krauter

Introduction, First reading, referred to Committee on Natural Resources, 527

Reported Back: Amended, 782

Final Passage: Adopted, 788

Engrossed, 821

To Senate, 1117

Returned to House: Passed, 1441

Enrolled, 1535

Signed by Speaker, 1551

Sent to Senate, 1551

Returned to House, signed by President, 1554

Delivered to Secretary of State, 1556

**House Concurrent Resolution No. 3043.** — A concurrent resolution directing the Legislative Council to study state agency and department use of computers.

Introduced by Representatives Lardy, Solberg and R. Hausauer

Introduction, First reading, referred to Committee on State and Federal Government, 597

Reported Back: Do Pass, 818

Final Passage: Adopted, 1020

To Senate, 1117

Returned to House: Passed, 1497

Enrolled, 1580

Signed by Speaker, 1605

Sent to Senate, 1606

Returned to House, signed by President, 1608

Delivered to Secretary of State, 1609

**House Concurrent Resolution No. 3044.** — A concurrent resolution directing the Legislative Council to study the adequacy of community-based residential facilities and care for physically handicapped young adults in North Dakota and to clarify the respective responsibilities of state and local agencies involved in the provision of residential care, treatment, supervision, and related services, and, when necessary, protection to physically handicapped young adults.

Introduced by Representative Mertens  
 Introduction, First reading, referred to Committee on Social Services  
 and Veterans Affairs, 634  
 Reported Back: Do Pass, 987  
 Final Passage: Adopted, 1021  
 To Senate, 1117  
 Returned to House: Passed, 1726  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, 1827  
 Returned to House, signed by President, 1860  
 Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3045.** — A concurrent resolution directing the Legislative Council to study catastrophic illness programs, minimum benefits in health insurance, and the uninsurable pooled risks concept.

Introduced by Representatives Unhjem, Stenehjem and Hoffner and Senator Peterson  
 Introduction, First reading, referred to Committee on Industry, Business and Labor, 667  
 Reported Back: Do Pass, 859  
 Final Passage: Adopted, 1021  
 To Senate, 1117  
 Returned to House: Passed, 1540  
 Enrolled, 1618  
 Signed by Speaker, 1620  
 Sent to Senate, 1621  
 Returned to House, signed by President, 1649  
 Delivered to Secretary of State, 1650

**House Concurrent Resolution No. 3046.** — A concurrent resolution directing a Legislative Council study of the alternatives available for the accumulation of sick leave by state employees.

Introduced by Representative Strinden  
 Introduction, First reading, referred to Committee on State and Federal Government, 667  
 Reported Back: Do Pass, 819  
 Final Passage: Adopted, 1022  
 To Senate, 1117  
 Returned to House: Passed, 1497  
 Enrolled, 1580  
 Signed by Speaker, 1605  
 Sent to Senate, 1606  
 Returned to House, signed by President, 1608  
 Delivered to Secretary of State, 1609

**House Concurrent Resolution No. 3047.** — A concurrent resolution to establish a procedure for calling the Legislative Assembly back into regular session after adjournment.

Introduced by Representative Strinden and Senator Nething  
 Introduction, First reading, referred to Committee on State and

Federal Government, 667

Reported Back: Do Not Pass, 1140

Reconsidered action by which House accepted Committee Report, 1360

Re-referred to Committee on State and Federal Government, 1360

Final Passage: Lost, 2347

**House Concurrent Resolution No. 3048.** — A concurrent resolution directing a Legislative Council study to monitor the collocation of comprehensive mental health and area social service centers.

Introduced by Representative Strinden

Introduction, First reading, referred to Committee on Social Services and Veterans Affairs, 744

Reported Back: Do Pass, 987

Final Passage: Adopted, 1022

To Senate, 1117

Returned to House: Amended, 1728

House: Concurs, 1775

Enrolled, 1883

Final Passage: Adopted, 1855

Signed by Speaker, 1890

Sent to Senate, 1891

Returned to House, signed by President, 1928

Delivered to Secretary of State, 1931

**House Concurrent Resolution No. 3049.** — A concurrent resolution directing the Legislative Council to conduct a study of North Dakota gambling laws, the gambling laws of other states, and their procedures for licensure, taxation, and auditing.

Introduced by Representatives Gerl, Winkjer and Wald and Senator Barth

Introduction, First reading, referred to Committee on Judiciary, 744

Reported Back: Do Not Pass, 1045

Final Passage: Lost, 1215

**House Concurrent Resolution No. 3050.** — A concurrent resolution directing a Legislative Council study of the fire insurance premium tax.

Introduced by Representative Kingsbury

Introduction, First reading, referred to Committee on Appropriations, 744

Reported Back: Do Pass, 1076

Final Passage: Adopted, 1226

To Senate, 1279

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, 2037

Returned to House, signed by President, 2059

Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3051.** A concurrent resolution urging Congress to maintain Farmers Home Administration county offices in North Dakota.

Introduced by Representatives Kretschmar and Vander Vorst and Senator Naaden

Introduction, First reading, referred to Committee on Agriculture, 793

Reported Back: Do Pass, 1140

Final Passage: Adopted, 1217

To Senate, 1279

Returned to House: Passed, 1726

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, 1827

Returned to House, signed by President, 1860

Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3052.** — A concurrent resolution directing the Legislative Council to conduct a study of the doctrine of comparative negligence and other related areas.

Introduced by Representatives Rued and A. Hausauer and Senator Lips

Introduction, First reading, referred to Committee on Industry, Business and Labor, 783

Reported Back: Do Pass, 1076

Final Passage: Adopted, 1226

To Senate, 1279

Returned to House: Passed, 1540

Enrolled, 1618

Signed by Speaker, 1620

Sent to Senate, 1621

Returned to House, signed by President, 1649

Delivered to Secretary of State, 1650

**House Concurrent Resolution No. 3053.** — A concurrent resolution directing the Legislative Council to conduct a study of the effect of the Federal Bankruptcy Act on state laws.

Introduced by Representative Rued

Introduction, First reading, referred to Committee on Judiciary, 819

Reported Back: Do Not Pass, 1045

Final Passage: Lost, 1215

**House Concurrent Resolution No. 3054.** — A concurrent resolution directing the Legislative Council to conduct a study of the taxation of sales of water in North Dakota.

Introduced by Representatives Berg and Nicholas

Introduction, First reading, referred to Committee on Natural Resources, 819

Reported Back: Do Pass, 1141

Final Passage: Adopted, 1217

To Senate, 1279

Returned to House: Passed, 1726  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, 1828  
 Returned to House, signed by President, 1860  
 Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3055.** — A concurrent resolution directing the legislative council to study the provisions relating to the membership of the boards of directors of non-profit hospital service corporations, non-profit medical service corporations, non-profit dental service corporations and non-profit vision service corporations.

Introduced by Representatives Nicholas, Meyer and Rued and Senators Peterson and Reiten  
 Introduction, First reading, referred to Committee on Industry, Business and Labor, 860  
 Reported Back: Do Pass, 1228  
 Final Passage: Adopted, 1241  
 Returned to House: Passed, 1603  
 Enrolled, 1666  
 Signed by Speaker, 1673  
 Sent to Senate, 1673  
 Returned to House, signed by President, 1692  
 Delivered to Secretary of State, 1693

**House Concurrent Resolution No. 3056.** — A concurrent resolution directing a Legislative Council study of binding arbitration between school teachers and school boards.

Introduced by Representatives Dick and H. Larson  
 Introduction, first reading, referred to Committee on Education, 860  
 Reported Back: Do Not Pass, 1045  
 Final Passage: Lost, 1216

**House Concurrent Resolution No. 3057.** — A concurrent resolution directing the Legislative Council to study the issuance of game and fish licenses, particularly with respect to the role of county auditors in such issuance.

Introduced by Representatives Winkjer, Berg and Dick  
 Introduction, First reading, referred to Committee on Natural Resources, 902  
 Reported Back: Do Pass, 1141  
 Final Passage: Adopted, 1226  
 To Senate, 1279  
 Returned to House: Passed, 1970  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, 2037  
 Returned to House, signed by President, 2059  
 Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3058.** — A concurrent resolution directing the Legislative Council to conduct a study of the financing of elementary and secondary schools in the continuing effort toward the goal of providing the best possible education for the students of North Dakota.

Introduced by Representatives Swiontek, Knudson, Schindler and Berger

Introduction, First reading, referred to Committee on Education, 947

Reported Back: Do Pass, 1046

Final Passage: Adopted, 1226

To Senate, 1279

Returned to House: Passed, 1726

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, 1828

Returned to House, signed by President, 1860

Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3059.** A concurrent resolution directing the Legislative Council to study alternative methods of providing equitable and effective means of financing eradication and control of leafy spurge, Canada thistle, and other noxious weeds.

Introduced by Representatives Martin, Knudson and Nicholas and Senator Krauter

Introduction, First reading, referred to Committee on Agriculture, 947

Reported Back: Amended, 1376

Amendments adopted, 1385

Final Passage: Adopted, 1415

To Senate, 1485

Returned to House: Amended, 1971

Final Passage: Adopted, 2067

Enrolled, 2111

Signed by Speaker, 2113

Sent to Senate, 2114

Returned to House, signed by President, 2129

Delivered to Secretary of State, 2130

**House Concurrent Resolution No. 3060.** — A concurrent resolution to appoint an official photographer for the Forty-sixth Legislative Assembly, to set forth the photography order, and to authorize payment.

Introduced by Representative Reed and Senator Vosper

Introduction, First reading, referred to Committee on State and Federal Government, 991

Reported Back: Do Pass, 1228

Final Passage: Adopted, 1241

To Senate, 1362

Returned to House: Passed, 1726

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, 1828

Returned to House, signed by President, 1860

Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3061.** — A concurrent resolution directing the Legislative Council to conduct a study of deinstitutionalization programs for residents of the State Hospital, Grafton State School, and San Haven State Hospital.

Introduced by Representative Unhjem and Senator Lips  
Introduction, First reading, referred to Committee on Social Services and Veterans Affairs, 991  
Reported Back: Do Pass, 1342  
Final Passage: Adopted, 1360  
To Senate, 1411  
Returned to House: Passed, 1970  
Enrolled, 2027  
Signed by Speaker, 2037  
Sent to Senate, 2037  
Returned to House, signed by President, 2059  
Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3062.** — A concurrent resolution for the amendment of section 176 of the Constitution of the State of North Dakota, relating to the taxation of property.

Introduced by Representatives Backes and Strinden  
Introduction, First reading, referred to Committee on Constitutional Revision, 991  
Reported Back: Amended, 1425  
Final Passage: Adopted, 1494  
Returned to House: Passed, 1970  
Enrolled, 2027  
Signed by Speaker, 2037  
Sent to Senate, 2037  
Returned to House, signed by President, 2059  
Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3063.** — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility of granting salary adjustments based on fluctuations in the cost of living.

Introduced by Representatives Swiontek, Koski, Stenehjem, Kingsbury and Unhjem  
Introduction, First reading, referred to Committee on State and Federal Government, 991  
Reported Back: Do Not Pass, 1293  
Final Passage: Lost, 1312

**House Concurrent Resolution No. 3064.** — A concurrent resolution directing the Legislative Council to study the membership of occupational and professional regulatory agencies, boards, and commissions.

Introduced by Representatives Wentz, Wessman, Meiers and Gerl  
Introduction, First reading, referred to Committee on Industry, Business and Labor, 991  
Reported Back: Do Not Pass, 1268  
Final Passage: Adopted, 1277  
To Senate, 1352

Returned to House: Passed, 1653  
 Enrolled, 1692  
 Signed by Speaker, 1673  
 Sent to Senate, 1673  
 Returned to House, signed by President, 1692  
 Delivered to Secretary of State, 1693

**House Concurrent Resolution No. 3065.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing legislators with ready access to legislative data processing systems during the legislative session.

Introduced by Representatives Koski, Lardy, Hedstrom, Black and Wessman  
 Introduction, First reading, referred to Committee on State and Federal Government, 991  
 Reported Back: Do Not Pass, 1293  
 Final Passage: Lost, 1313

**House Concurrent Resolution No. 3066.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota State Legislature enacting legislation which would provide a limited adjustment to the taxable income of renters which represents that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise receive benefits pursuant to the provisions of subsection 2 of section 57-02-08.1.

Introduced by Representative Pomeroy  
 Introduction, First reading, referred to Committee on Finance and Taxation, 991  
 Reported Back: Do Pass, 1293  
 Final Passage: Adopted, 1314  
 To Senate, 1383  
 Returned to House: Failed to Pass, 1970

**House Concurrent Resolution No. 3067.** — A concurrent resolution directing the Legislative Council to study the possibility of merging the administration of the various state-level public employees retirement programs.

Introduced by Representative G. Larson  
 Introduction, First reading, referred to Committee on State and Federal Government, 992  
 Reported Back: Do Not Pass, 1294  
 Final Passage: Lost, 1313

**House Concurrent Resolution No. 3068.** — A concurrent resolution directing the Legislative Council to study the energy tax structure of the state.

Introduced by Representative Strinden  
 Introduction, First reading, referred to Committee on Finance and



## Taxation, 992

Reported Back: Do Pass, 1268  
 Final Passage: Adopted, 1278  
 To Senate, 1353  
 Returned to House: Passed, 1783  
 Enrolled, 1826  
 Signed by Speaker, 1826  
 Sent to Senate, 1827  
 Returned to House, signed by President, 1860  
 Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3069.** — A concurrent resolution directing the Legislative Council to study the needs of local public libraries, including the financing of such facilities.

Introduced by Representative Unhjem  
 Introduction, First reading, referred to Committee on Education, 992  
 Returned to House, withdrawn, 1209

**House Concurrent Resolution No. 3070.** — A concurrent resolution directing the Legislative Council to conduct a study of the possibility of implementing a system whereby the sales, use, and motor vehicle excise taxes could be adjusted periodically.

Introduced by Representative Richard  
 Introduction, First reading, referred to Committee on Finance and Taxation, 992  
 Reported Back: Amended, 1294  
 Final Passage: Adopted, 1361  
 To Senate, 1411  
 Returned to House: Failed to pass, 1970

**House Concurrent Resolution No. 3071.** — A concurrent resolution directing the Legislative Council to conduct a study of the effects of energy development on state and local government.

Introduced by Representative Strinden  
 Introduction, First reading, referred to Committee on Finance and Taxation, 992  
 Reported Back: Do Pass, 1268  
 Final Passage: Adopted, 1278  
 To Senate, 1353  
 Returned to House: Amended, 1971  
 House does not concur, 1999  
 Conference Committee: House, 1999 Senate, 2072  
 Conference Committee Report: House adopts, 2131 Senate adopts, 2283  
 Enrolled, 2366  
 Signed by Speaker, 2366  
 Sent to Senate, 2367  
 Returned to House, signed by President, 2367  
 Delivered to Secretary of State, 2368

**House Concurrent Resolution No. 3072.** — A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees and the personnel policies currently governing state employees.

Introduced by Representatives Koski and Mushik  
Introduction, First reading, referred to Committee on State and Federal Government, 992

Reported Back: Do Pass, 1295

Final Passage: Adopted, 1311

To Senate, 1383

Returned to House: Amended, 1971

House concurs, 2000

Final Passage: Adopted, 2067

Enrolled, 2111

Signed by Speaker, 2113

Sent to Senate, 2114

Returned to House, signed by President, 2129

Delivered to Secretary of State, 2130

**House Concurrent Resolution No. 3073.** — A concurrent resolution directing the Legislative Council to conduct a study of the property tax exemption for farm homes.

Introduced by Representatives Unhjem, G. Larson and Retzer  
Introduction, First reading, referred to Committee on Finance and Taxation, 992

Returned to House, withdrawn, 1237

**House Concurrent Resolution No. 3074.** — A concurrent resolution directing the Legislative Council to study the reporting of agricultural research carried out by the Agricultural Experiment Station and Cooperative Extension Service, emphasizing the possibility of annually reporting information directly to an appropriate committee of the North Dakota Legislative Council.

Introduced by Representatives Lipsiea and Houmann  
Introduction, First reading, referred to Committee on Agriculture, 992

Reported Back: Do Pass, 1377

Final Passage: Adopted, 1386

To Senate, 1444

Returned to House: Amended and failed to pass, 1726

**House Concurrent Resolution No. 3075.** — A concurrent resolution directing a Legislative Council study of methods of providing assistance to private institutions of higher education in North Dakota.

Introduced by Representatives Unhjem and Mushik  
Introduction, First reading, referred to Committee on Education, 993

Reported Back: Do Pass, 1295

Final Passage: Adopted, 1315

To Senate, 1383

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, 2037

Returned to House, signed by President, 2059

Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3076.** — A concurrent resolution directing the Legislative Council to conduct a study of the problems related to persons driving while under the influence of alcohol or drugs.

Introduced by Representatives Hoffner, Meiers, Swiontek, Richie and Stenehjem

Introduction, First reading, referred to Committee on Transportation, 993

Reported Back: Amended, 1342

Amendments adopted, 1352

Engrossed, 1382

Final Passage: Adopted, 1387

To Senate, 1444

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, 2037

Returned to House, signed by President, 2059

Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3077.** — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of providing supplementary benefits to workmen's compensation claimants.

Introduced by Representatives Mushik, Gerl and Rued

Introduction, First reading, referred to Committee on Industry, Business and Labor, 993

Reported Back: Do Pass, 1295

Final Passage: Adopted, 1311

To Senate, 1383

Returned to House: Passed, 1603

Enrolled, 1666

Signed by Speaker, 1673

Sent to Senate, 1673

Returned to House, signed by President, 1692

Delivered to Secretary of State, 1693

**House Concurrent Resolution No. 3078.** — A concurrent resolution directing the Legislative Council to conduct a study of the relative rights of the owners of the surface and mineral estates.

Introduced by Representatives Murphy, A. Hausauer and Maixner and Senators Jacobson, Roen and Redlin

Introduction, First reading, referred to Committee on Natural Resources, 993

Reported Back: Do Pass, 1141

Final Passage: Adopted, 1226

To Senate, 1279

Returned to House: Passed, 1726

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, 1828

Returned to House, signed by President, 1860

Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3079.** — A concurrent resolution for the amendment of subdivision a of subsection 2 of article 54 of the Constitution of the State of North Dakota, relating to appointing a student member to the board of higher education.

Introduced by Representatives Stenehjerm and Swiontek  
Introduction, First reading, referred to Committee on Education, 993  
Returned to House — re-referred to Committee on Constitutional Revision, 1000  
Reported Back: Amended, 1516  
Amendments adopted, 1538  
Final Passage: Lost, 1590

**House Concurrent Resolution No. 3080.** — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota Legislative Assembly enacting legislation which would provide renters on fixed or low income an income tax credit for that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise qualify for the renter's refund as provided by subsection 2 of section 57-02-08.1 of the North Dakota Century Code.

Introduced by Representative Pomeroy  
Introduction, First reading, referred to Committee on Finance and Taxation, 993  
Reported Back: Do Pass, 1295  
Final Passage: Adopted, 1311  
To Senate, 1383  
Returned to House: Passed, 1970  
Enrolled, 2027  
Signed by Speaker, 2037  
Sent to Senate, 2037  
Returned to House, signed by President, 2059  
Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3081.** — A concurrent resolution directing the Legislative Council to conduct a study of the education and role of the teacher.

Introduced by Representatives Swiontek, Knudson, Mattson, Black and Berger  
Introduction, First reading, referred to Committee on Education, 993  
Reported Back: Amended, 1296  
Amendments adopted, 1309  
Engrossed, 1349  
Final Passage: Adopted, 1361  
To Senate, 1412  
Returned to House: Passed, 1970  
Enrolled, 2027  
Signed by Speaker, 2037  
Sent to Senate, 2037  
Returned to House, signed by President, 2059  
Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3082.** — A concurrent resolution directing the Legislative Council to study the personal liability of officers and members of boards and commissions of the state and political subdivisions.

Introduced by Representatives Meiers, Maixner, Boyum and Stenehem

Introduction, First reading, referred to Committee on Political Subdivisions, 993

Reported Back: Do Pass, 1342

Final Passage: Adopted, 1356

To Senate, 1412

Returned to House: Passed, 1726

Enrolled, 1826

Signed by Speaker, 1827

Sent to Senate, 1828

Returned to House, signed by President, 1860

Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3083.** — A concurrent resolution directing the Legislative Council to conduct a study of the Old West Regional Commission's activities which impact North Dakota.

Introduced by Representative Strinden

Introduction, First reading, referred to Committee on State and Federal Government, 1208

Reported Back: Do Pass, 1399

Final Passage: Adopted, 1415

To Senate, 1485

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, 2037

Returned to House, signed by President, 2059

Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3084.** — A concurrent resolution directing the Legislative Council to study the budgeting systems of the institutions of higher education.

Introduced by Representative Strinden

Introduction, First reading, referred to Committee on Appropriations, 1209

Returned to House, withdrawn, 1830

**House Concurrent Resolution No. 3085.** — A concurrent resolution directing the Legislative Council to conduct a study of the four-year medical program of the University of North Dakota Medical School.

Introduced by Representative Strinden

Introduction, First reading, referred to Committee on Education, 1236

Reported Back: Do Pass, 1296

Final Passage: Adopted, 1311

To Senate, 1383

Returned to House: Passed, 1970  
 Enrolled, 2027  
 Signed by Speaker, 2037  
 Sent to Senate, 2037  
 Returned to House, signed by President, 2059  
 Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3086.** — A concurrent resolution urging the Federal Aviation Administration to abandon the proposed "controlled visual flight" rules.

Introduced by Representatives Erickson, Scofield and Rued and Senator Solberg

Introduction, First reading, referred to Committee on Transportation, 1275

Rules suspended — not printed as a Resolution — motion prevailed, 1275

Reported Back: Do Pass, 1327

Final Passage: Adopted, 1327

To Senate, 1327

Returned to House: Passed, 1375

Enrolled, 1381

Signed by Speaker, 1383

Sent to Senate, 1384

Returned to House, signed by President, 1393

Delivered to Secretary of State, 1397

**House Concurrent Resolution No. 3087.** — A concurrent resolution directing a Legislative Council study of the feasibility of eliminating the 21-mill county levy for schools and substituting either a state-collected tax or any other suitable alternative.

Introduced by Representatives Tweten, Kingsbury and Murphy

Introduction, First reading, referred to Committee on Finance and Taxation, 1309

Reported Back: Do Pass, 1400

Final Passage: Adopted, 1413

To Senate, 1485

Returned to House: Passed, 1970

Enrolled, 2027

Signed by Speaker, 2037

Sent to Senate, 2037

Returned to House, signed by President, 2059

Delivered to Secretary of State, 2061

**House Concurrent Resolution No. 3088.** — A concurrent resolution for a constitutional amendment providing for the creation of a coal development impact trust fund; and providing an effective date.

Introduced by Representatives Kingsbury and Freborg

Introduction, First reading, referred to Committee on Constitutional Revision, 1545

Reported Back: Amended, 1744-1745

Amendments adopted, 1775  
 Engrossed, 1828  
 Final Passage: Adopted, 1860  
 To Senate, 1862  
 Returned to House: Passed, 2319  
 Enrolled, 2376  
 Signed by Speaker, 2376  
 Sent to Senate, 2376  
 Returned to House, signed by President, 2377  
 Delivered to Secretary of State, 2377

**House Concurrent Resolution No. 3089.** — A concurrent resolution congratulating Willis "Bill" Osmon, the Valley City State College athletic director, on being named to the National Association of Intercollegiate Athletics Hall of Fame.

Introduced by Representatives F. Larson and Berge and Senator Strinden

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1545 Final Passage: Adopted, 1546

To Senate, 1619  
 Returned to House: Passed, 1783  
 Enrolled, 1826  
 Signed by Speaker, 1827  
 Sent to Senate, 1827  
 Returned to House, signed by President, 1860  
 Delivered to Secretary of State, 1863

**House Concurrent Resolution No. 3090.** — A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

Introduced by Committee on Employment

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, and laid over one legislative day, 1622

Final Passage: Adopted, 1681  
 To Senate, 1782  
 Returned to House: Passed, 2106  
 Enrolled, 2172  
 Signed by Speaker, 2183  
 Sent to Senate, 2183  
 Returned to House, signed by President, 2199  
 Delivered to Secretary of State, 2240

**House Concurrent Resolution No. 3091.** — A concurrent resolution setting forth legislative policy that the use of federal appropriations for purposes of fish and wildlife land acquisitions in connection with the Garrison Diversion Unit should be limited to purchases from only willing sellers, urging the Secretary of the Interior to establish a policy of crediting existing federal and state-owned land toward fish and wildlife mitigation and enhancement requirements, supporting the Governor's wetland policy, and urging development by the Fish and

Wildlife Service of a plan for acquisition of Garrison wildlife areas for purposes of mitigation and enhancement consistent with the policies established by the statutory and contract agreements between the United States and the State of North Dakota.

Introduced by Representatives Retzer and Strinden and Senator Nething

Introduction, First reading, referred to Committee on Natural Resources, 1676

Reported Back: Do Pass, 1796

Final Passage: Adopted, 1861

To Senate, 1862

Returned to House: Passed, 2298

Enrolled, 2376

Signed by Speaker, 2376

Sent to Senate, 2376

Returned to House, signed by President, 2377

Delivered to Secretary of State, 2377

**House Concurrent Resolution No. 3092.** — A concurrent resolution directing an interim study by the Legislative Council of the implementation of laws requiring public buildings and facilities to be accessible and usable by the physically handicapped.

Introduced by Representatives Kelly, Kretschmar, Conmy and Wentz

Introduction, First reading, referred to Committee on Political Subdivisions, 1720

Reported Back: Do Pass, 1796

Final Passage: Adopted, 1856

To Senate, 1862

Returned to House: Passed, 2106

Enrolled, 2172

Signed by Speaker, 2183

Sent to Senate, 2183

Returned to House, signed by President, 2199

Delivered to Secretary of State, 2240

**House Concurrent Resolution No. 3093.** — A concurrent resolution congratulating Robert G. Thompson on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees.

Introduced by Representative Peltier

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1831

Final Passage: Adopted, 1831

To Senate, 1851

Returned to House: Passed, 1970

Enrolled, 2060

Signed by Speaker, 2072

Sent to Senate, 2072

Returned to House, signed by President, 2075

Delivered to Secretary of State, 2080



**House Concurrent Resolution No. 3094.** — A concurrent resolution congratulating the UND-Williston women's basketball team and their coach, Ms. Penny Johnson, for placing third in the National Junior College women's basketball tournament.

Introduced by Representatives Scofield, Winkjer and I. Jacobson and Senators Wenstrom and Rait

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1944 Final Passage: Adopted, 1944

To Senate, 1968

Returned to House: Passed, 2106

Enrolled, 2215

Signed by Speaker, 2274

Sent to Senate, 2274

Returned to House, signed by President, 2283

Delivered to Secretary of State, 2299

**House Concurrent Resolution No. 3095.** — A concurrent resolution urging the United States Congress to designate Fort Totten as a national historic site.

Introduced by Representative Langley

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1945 Final Passage: Adopted, 1945

To Senate, 1968

Returned to House: Passed, 2106

Enrolled, 2172

Signed by Speaker, 2183

Sent to Senate, 2183

Returned to House, signed by President, 2199

Delivered to Secretary of State, 2240

**House Concurrent Resolution No. 3096.** — A concurrent resolution congratulating the Barcome rink of Grand Forks on winning the World Junior Curling Championship.

Introduced by Representatives Strinden and Kuchera and Senator Goodman

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1979

Final Passage: Adopted, 1980

To Senate, 1985

Returned to House: Passed, 2106

Enrolled, 2172

Signed by Speaker, 2183

Sent to Senate, 2183

Returned to House, signed by President, 2199

Delivered to Secretary of State, 2240

## House Resolution

**Joint Resolution No. 1.** — A joint resolution welcoming the Honorable Milton R. Young to the Joint Session of the Forty-sixth Legislative Assembly, and recognizing his significant achievements.

Introduced by Representative Strinden and Senator Nething

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 416

Final Passage: Adopted, 417

Enrolled, 421

Signed by Speaker, 422

Delivered to Secretary of State, 473

## House Memorial Resolution

**House Memorial Resolution No. A.** — A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

Introduced by Representatives Lipsiea, Hanson and Houmann

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1685

Final Passage: Adopted, 1686

Enrolled, 1773

Signed by Speaker, 1824

Delivered to Secretary of State, 1828

## Senate Bills

**Senate Bill No. 2001.** Elected State Officials — A Bill for an Act making an appropriation for defraying the expenses of various elected officials of the state of North Dakota; and declaring an emergency.

Received from Senate, 1187

Introduced, First Reading, Referred to Committee on Appropriation, 1231

Reported Back: Amended, 1796-1799

Amendments adopted, 1835

Final Passage: Passed and emergency clause carried, 1904

Returned to Senate: Amended, 1924

Senate does not concur, 2008

Conference Committee: House, 2027 Senate, 2008

Conference Committee Report: House adopts, 2288 Senate adopts, 2267

Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2290

Received from Senate, 2279

Signed by Speaker, 2379

Sent to Senate, signed by Speaker, 2380

**Senate Bill No. 2002.** Superintendent of Public Instruction — A Bill for an Act making an appropriation for defraying the expenses of the department of public instruction of the state of North Dakota.

Received from Senate, 1117

Introduced, First Reading, Referred to Committee on Appropriations, 1201

Reported Back: Amended, 1956-1957

Amendments adopted, 1975

Final Passage: Passed, 2004

Returned to Senate: Amended, 2031

Senate does not concur, 2098

Conference Committee: House, 2107 Senate, 2098

Conference Committee Report: House adopts, 2341 Senate adopts, 2340

Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2342

Final Passage: Passed, 2342

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker, 2380

**Senate Bill No. 2003.** Director of Accounts and Purchases — A Bill for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of accounts and purchases of the state of North Dakota.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Appropriations, 1110

Reported Back: Amended, 1934-1935

Amendments adopted, 1947

Re-referred to Committee on Appropriations, 2015

Reported Back: Amended, 2052-2053

Amended, 2052-2053

Amendments adopted, 2064

Final Passage: Passed, 2070

Returned to Senate: Amended, 2083

Senate concurs, 2122

Received from Senate, 2177

Signed by Speaker, 2198

Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2004.** Homestead Tax Credit -- A Bill for an Act making an appropriation for the homestead tax credit, and providing for the distribution of such funds.

Received from Senate, 538

Introduced, First Reading, Referred to Committee on Appropriations, 597

Reported Back: Do pass, 1342

Final Passage: Passed, 1363

Returned to Senate: Passed, 1412

Received from Senate, 1497

Signed by Speaker, 1537

Sent to Senate, signed by Speaker, 1538

**Senate Bill No. 2005.** Personal Property Tax Replacement — A Bill for an Act making an appropriation for the distribution of funds for the replacement of personal property taxes.

Received from Senate, 316

Introduced, First Reading, Referred to Committee on Appropriations, 383

Reported Back: Do pass, 1343

Final Passage: Passed, 1363

Returned to Senate: Passed, 1412

Received from Senate, 1497

Signed by Speaker, 1537

Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2006.** — A Bill for an Act making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota; and declaring an emergency.

Received from Senate, 954

Introduced, First Reading, Referred to Committee on Appropriations, 1046

Reported Back: Amended, 1746-1747

Amendments adopted, 1776

Final Passage: Passed and emergency clause carried, 1867

Returned to Senate: Passed, 1868

Senate does not concur, 1927

Conference Committee: House, 1946 Senate, 1927

Conference Committee Report: House adopts, 2150 Senate adopts, 2148

Conference Committee amendments adopted, 2239  
 Final Passage: Passed and emergency clause carried, 2259  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2372

**Senate Bill No. 2007.** — A Bill for an Act making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota; and declaring an emergency.

Received from Senate, 866  
 Introduced, First Reading, Referred to Committee on Appropriations, 947  
 Reported Back: Amended, 1698-1699  
 Amendments adopted, 1719  
 Final Passage: Passed and emergency clause carried, 1788  
 Returned to Senate: Amended, 1890  
 Senate does not concur, 2008  
 Conference Committee: House, 2027 Senate, 2008  
 Conference Committee Report: House adopts, 2131 Senate adopts, 2122  
 Conference Committee amendments adopted, 2140  
 Final Passage: Passed 2250 and emergency clause carried 2251  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2008.** School for the Deaf and School for the Blind — A Bill for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Received from Senate, 1002  
 Introduced, First Reading, Referred to Committee on Appropriations, 1110  
 Reported Back: Amended, 1799-1800  
 Amendments adopted, 1835  
 Final Passage: Passed, 1905  
 Returned to Senate: Amended, 1924  
 Senate does not concur, 2008  
 Conference Committee: House, 2028 Senate, 2008  
 Conference Committee Report: House adopts, 2300 Senate adopts, 2267  
 Final Passage: Passed, 2301  
 Received from Senate, 2374  
 Signed by Speaker, 2375  
 Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2009.** Grafton State School and San Haven State Hospital — A Bill for an Act making an appropriation for defraying the expenses of the Grafton state school and the San Haven state hospital of the state of North Dakota.

Received from Senate, 823

Introduced, First Reading, Referred to Committee on Appropriations, 902

Reported Back: Amended, 1800-1801

Amendments adopted on verification vote, 1835

Final Passage: Passed, 1905

Returned to Senate: Amended, 1924

Senate does not concur, 2008

Conference Committee: House, 2029 Senate, 2343

Conference Committee dissolved, new Conference Committee appointed, 2345

Conference Committee: House, 2345, Senate 2360

Conference Committee Report: House adopts, 2361 Senate adopts, 2361

Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2363

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2010.** State Radio Communications — A Bill for an Act making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota.

Received from Senate, 753

Introduced, First Reading, Referred to Committee on Appropriations, 819

Reported Back: Do pass, 1747

Final Passage: Passed, 1788

Returned to Senate: Passed, 1890

Received from Senate, 2032

Signed by Speaker, 2038

Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2011.** — A Bill for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota; and declaring an emergency.

Received from Senate, 608

Introduced, First Reading, Referred to Committee on Appropriations, 667

Reported Back: Amended, 1747-1748

Amendments adopted, 1776

Final Passage: Lost, 1867

Reconsidered action by which House failed to pass — motion prevailed, 1868

Final Passage: Failed, 1906

Returned to Senate: Amended, 1924

Senate does not concur, 2008

Conference Committee: House, 2027 Senate, 2008

Conference Committee Report: House adopts, 2223

Senate adopts, 2214

Received from Senate, 2372

Signed by Speaker, 2372

Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2012.** State Library Commission — A Bill for an Act making an appropriation for defraying the expenses of the state library commission of the state of North Dakota.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Appropriations, 745  
 Reported Back: Amended, 1343  
 Amendments adopted, 1352  
 Final Passage: Passed, 1389  
 Returned to Senate: Amended, 1443  
 Senate does not concur, 1511  
 Conference Committee: House, 2150 Senate, 2148  
 Conference Committee Report: House adopts, 2150 Senate adopts, 2148  
 Received from Senate, 2253  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker 2274

**Senate Bill No. 2013.** — A Bill for an Act making an appropriation for defraying the expenses of the state hospital of the state of North Dakota; and declaring an emergency.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Appropriations, 1201  
 Reported Back: Amended, 1801-1802  
 Amendments adopted, 1835  
 Final Passage: Passed and emergency clause carried, 1908  
 Returned to Senate: Amended, 1924  
 Senate does not concur, 2008  
 Conference Committee: House, 2027 Senate, 2008  
 Conference Committee Report: House adopts, 2132 Senate adopts, 2122  
 Received from Senate, 2253  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker 2274

**Senate Bill No. 2014.** North Dakota Soldiers' Home — A Bill for an Act making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on Appropriations, 527  
 Reported Back: Amended, 1141-1142  
 Amendments adopted, 1216  
 Final Passage: Passed, 1242  
 Returned to Senate: Amended, 1315  
 Senate concurs, 1390  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2015.** Miscellaneous Funds and Organizations — A Bill for an Act making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state of North Dakota.



Received from Senate, 159  
 Introduced, First Reading, Referred to Committee on Appropriations,  
 183  
 Reported Back: Amended, 1228  
 Amendments adopted, 1237  
 Final Passage: Passed, 1316  
 Returned to Senate: Amended, 1383  
 Senate does not concur, 1420  
 Conference Committee: House, 1946 Senate, 1420  
 Conference Committee Report: House adopts, 2150 Senate adopts,  
 2148  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2016.** Educational Broadcasting Council — A Bill for an Act making an appropriation for defraying the expenses of the educational broadcasting council of the state of North Dakota.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Appropriations, 745  
 Reported Back: Amended, 1400  
 Final Passage: Passed, 1453  
 Returned to Senate: Amended, 1485  
 Senate does not concur, 1547  
 Conference Committee: House, 1968 Senate, 1547  
 Conference Committee Report: House adopts, 2223 Senate adopts,  
 2214  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed, 2241  
 Received from Senate, 2375  
 Signed by Speaker, 2375  
 Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2017.** Unemployment Insurance — A Bill for an Act making an appropriation for defraying the expenses of unemployment insurance for the various departments and institutions of the state of North Dakota.

Received from Senate, 174  
 Introduced, First Reading, Referred to Committee on Appropriations, 201  
 Reported Back: Do pass, 1268  
 Final Passage: Passed, 1281  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2018.** State Contingent Fund — A Bill for an Act making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

Received from Senate, 159  
 Introduced, First Reading, Referred to Committee on Appropriations, 183

Reported Back: Do pass, 1935  
 Final Passage: Passed, 1984  
 Returned to Senate: Passed, 2030  
 Received from Senate, 2104  
 Signed by Speaker, 2112  
 Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2019.** Division of Surplus Property — A Bill for an Act making an appropriation for defraying the expenses of the division of surplus property of the state of North Dakota.

Received from Senate, 207  
 Introduced, First Reading, Referred to Committee on Appropriations, 236  
 Reported Back: Amended, 1517  
 Amendments adopted, 1538  
 Final Passage: Passed, 1592  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1744  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2021.** Pardon Board and Parole Office — A Bill for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Received from Senate, 451  
 Introduced, First Reading, Referred to Committee on Appropriations, 497  
 Reported Back: Amended, 1296-1297  
 Amendments adopted, 1309  
 Final Passage: Passed, 1364  
 Returned to Senate: Amended, 1412  
 Senate does not concur, 1463  
 Conference Committee: House, 1547 Senate, 1463  
 Conference Committee Report: House adopts, 2132 Senate adopts, 2122  
 Received from Senate, 2253  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker 2274

**Senate Bill No. 2023.** Adjutant General — A Bill for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota.

Received from Senate, 451  
 Introduced, First Reading, Referred to Committee on Appropriations, 497  
 Reported Back: Do pass, 1517  
 Final Passage: Passed, 1557  
 Returned to Senate: 1619  
 House requests return of Senate Bill — motion prevailed, 1717  
 Returned to House, 1736  
 Reconsidered action by which House Bill passed — motion prevailed, 1736

Re-referred to Committee on Appropriations, 1737

Reconsidered action by which House accepted Committee Report — motion prevailed, 1737

Reported Back: Amended, 1803

Amendments adopted, 1835

Final Passage: Passed, 1908

Returned to Senate: Amended, 1924

Senate concurs, 2008

Received from Senate, 2081

Signed by Speaker, 2095

Sent to Senate, signed by Speaker 2096

**Senate Bill No. 2024.** Disaster Emergency Services — A Bill for an Act making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

Received from Senate, 712

Introduced, First Reading, Referred to Committee on Appropriations, 783

Reported Back: Amended, 1518

Amendments adopted, 1538

Final Passage: Passed, 1593

Returned to Senate: Amended, 1672

Senate concurs, 1744

Received from Senate, 1858

Signed by Speaker, 1865

Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2025.** Civil Air Patrol — A Bill for an Act making an appropriation for defraying the expenses of the civil air patrol of the State of North Dakota.

Received from Senate, 136

Introduced, First Reading, Referred to Committee on Appropriations, 171

Reported Back: Do pass, 1142

Final Passage: Passed, 1221

Returned to Senate: Passed, 1279

Received from Senate, 1370

Signed by Speaker, 1383

Sent to Senate, signed by Speaker 1384

**Senate Bill No. 2026.** Insurance Tax to Fire Departments — A Bill for an Act making an appropriation for the payment of insurance premium taxes to fire departments.

Received from Senate, 1187

Introduced, First Reading, Referred to Committee on Appropriations, 1231

Reported Back: Amended, 1875

Amendments adopted, 1887

Reconsidered action by which House adopted amendments — motion prevailed, 1927

Re-referred to Committee on Appropriations, 1927

Reported Back: Amended, 1974-1975

Amendments adopted, 1975

Final Passage: Passed, 2005

Returned to Senate: Amended, 2031

Senate does not concur, 2098

Conference Committee: House, 2107 Senate, 2098

Conference Committee Report: House adopts, 2224 Senate adopts, 2214

Conference Committee amendments adopted, 2241

Final Passage: Passed, 2241

Received from Senate, 2372

Signed by Speaker, 2372

Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2027.** State Historical Board, International Peace Garden and Heritage Commission — A Bill for an Act making an appropriation for defraying the expenses of the state historical board and international peace garden of the State of North Dakota.

Received from Senate, 790

Introduced, First Reading, Referred to Committee on Appropriations, 860

Reported Back: Amended, 1876

Amendments adopted, 1887

Final Passage: Passed, 1984

Returned to Senate: Amended, 2030

Senate does not concur, 2098

Conference Committee: House, 2107 Senate, 2098

Conference Committee Report: House adopts, 2303 Senate adopts, 2298

Received from Senate, 2375

Signed by Speaker, 2375

Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2028.** Council on Arts and Humanities — A Bill for an Act making an appropriation for defraying the expenses of the council on arts and humanities of the State of North Dakota.

Received from Senate 790

Introduction, first reading, referred to Committee on Appropriations, 860

Reported Back: Amended, 1297

Amendments adopted, 1309

Final Passage: Passed, 1364

Returned to Senate: Amended, 1412

Senate does not concur, 1463

Conference Committee: House, 1547 Senate, 1463

Conference Committee Report: House adopts, 2125 Senate adopts, 2122

Conference Committee Report: Senate adopts, 2122

Senate requests return, 2134

Messaged to Senate, 2136

Conference Committee Report: House adopts, 2225 Senate adopts, 2214

Conference Committee amendments adopted, 2241

Final Passage: 2242

Received from Senate, 2372

Signed by Speaker, 2372

Sent to Senate signed by Speaker, 2373

**Senate Bill No. 2029.** Soil Conservation Committee and Districts — A Bill for an Act making an appropriation for defraying the expenses of the soil conservation committee and soil conservation districts of the State of North Dakota.

Received from Senate, 174

Introduced, First Reading, Referred to Committee on Appropriations, 201

Reported Back: Do pass, 1269  
 Final Passage: Passed, 1281  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2030.** Geological Survey — A Bill for an Act making an appropriation for defraying the expenses of the geological survey of the State of North Dakota.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Appropriations, 784  
 Final Passage: Passed, 1317  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2031.** Water Commission — A Bill for an Act making an appropriation for defraying the expenses of the water commission of the State of North Dakota.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Appropriations, 745  
 Reported Back: Amended, 1699-1700  
 Amendments adopted, 1719  
 Final Passage: Passed, 1789  
 Returned to Senate: Amended, 1794  
 Senate does not concur, 1927  
 Conference Committee: House, 1946 Senate, 1927  
 Conference Committee Report: House adopts, 2225 Senate adopts, 2214  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed, 2242  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2033.** Parks and Recreation Department -- A Bill for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Appropriations, 1046  
 Reported Back: Amended, 1748-1749  
 Amendments adopted, 1776  
 Final Passage: Passed, 1868  
 Returned to Senate: Passed, 1868

Senate does not concur, 1927  
 Conference Committee: House, 1947 Senate, 1927  
 Conference Committee Report: House adopts, 2227 Senate adopts, 2214  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed, 2242  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2034.** Bonding Fund and Fire and Tornado Fund — A Bill for an Act making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Appropriations, 745  
 Reported Back: Do pass, 1269  
 Final Passage: Passed, 1282  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2035.** Unsatisfied Judgment — A Bill for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the State of North Dakota.

Received from Senate, 316  
 Introduced, First Reading, Referred to Committee on Appropriations, 383  
 Reported Back: Do pass, 1344  
 Final Passage: Lost, 1365  
 Reconsidered action by which House Bill Lost, 1365  
 Re-referred to Committee on Appropriations, 1365  
 Reported Back: Amended, 1700  
 Amendments adopted, 1719  
 Final Passage: Passed, 1790  
 Returned to Senate: Amended, 1794  
 Senate concurs, 1927  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2036.** Agricultural Councils and Commissions — A Bill for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

Received from Senate, 219  
 Introduced, First Reading, Referred to Committee on Agriculture, 253  
 Reported Back: Amended, 1651

Amendments adopted, 1677  
 Final Passage: Passed, 1734  
 Returned to Senate: Amended, 1823  
 Senate concurs, 1927  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2037.** State Revenue Sharing — A Bill for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

Received from Senate, 753  
 Introduced, First Reading, Referred to Committee on Appropriations, 819  
 Reported Back: Do pass, 1464  
 Final Passage: Passed, 1985  
 Reconsidered action by which House accepted Committee Report, motion prevailed, 1496  
 Re-referred to Committee on Appropriations, 1496  
 Reported Back: Do pass, 1935  
 Returned to Senate: Passed, 2030  
 Received from Senate, 2104  
 Signed by Speaker, 2112  
 Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2038.** Judicial Branch — A Bill for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the State of North Dakota.

Received from Senate, 1187  
 Introduced, First Reading, Referred to Committee on Appropriations, 1231  
 Reported Back: Amended, 1935-1936  
 Amendments adopted, 1947  
 Final Passage: Passed, 2006  
 Returned to Senate: Amended, 2031  
 Senate does not concur, 2098  
 Conference Committee: House, 2107 Senate, 2098  
 Conference Committee Report: House adopts, 2161 Senate adopts, 2148  
 Conference Committee amendments adopted, 2239  
 Final Passage: Passed, 2259  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2039.** — A Bill for an Act making an appropriation for defraying the expenses of the coal development impact office of the state of North Dakota; and setting forth legislative intent and guidelines.

Received from Senate, 866

Introduced, First Reading, Referred to Committee on Appropriations, 947

Reported Back: Amended, 1876-1877

Amendments adopted, 1887

Final Passage: Passed and emergency clause carried, 1986

Returned to Senate: Amended, 2030

Senate does not concur, 2098

Conference Committee: House, 2107 Senate, 2098

Conference Committee Report: House adopts, 2310 Senate adopts, 2298

Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2311

Final Passage: Passed, 2311

Received from Senate, 2375

Signed by Speaker, 2375

Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2040.** Game and Fish Department — A Bill for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota; providing for a performance review; and declaring an emergency.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Appropriations, 1110

Reported Back: Amended, 1803-1805

Reconsidered action by which House accepted committee report — motion prevailed, 1830

Re-referred to Committee on Appropriations, 1830

Reported Back: Amend 1936-1938

Final Passage: Passed and emergency clause carried 2007

Returned to Senate: Amended, 2031

Returned to Senate: Amended, 2031

Senate concurs, 2098

Received from Senate, 2177

Signed by Speaker, 2198

Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2041.** Transfer of Motor Vehicle Fuel Tax — A Bill for an Act to transfer a portion of the motor vehicle fuel tax revenues to the general fund to cover the cost of administering the motor vehicle fuel tax laws.

Received from Senate, 274

Introduced, First Reading, Referred to Committee on Appropriations, 274

Reported Back: Do pass, 1344

Final Passage: Passed, 1365

Returned to Senate: Passed, 1412

Received from Senate, 1497

Signed by Speaker, 1537

Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2042.** — A Bill for an Act to amend and reenact section 1 of chapter 4 of the 1977 Session Laws of North Dakota,



relating to the appropriation for the personal property tax replacement and homestead tax credit; and making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; and declaring an emergency.

Received from Senate, 713

Introduced, First Reading, Referred to Committee on Appropriations, 784

Reported Back: Do pass, 987

Final Passage: Passed and emergency clause carried, 1222

Returned to Senate: Passed, emergency clause carried, 1279

Received from Senate, 1370

Signed by Speaker, 1383

Sent to Senate, signed by Speaker 1384

**Senate Bill No. 2043.** — A Bill for an Act to create and enact two new sections to chapter 2-07 of the North Dakota Century Code, relating to the establishment of a program of weather modification research and development under the coordination and supervision of the weather modification board, and reports by the weather modification board to the governor; and to provide an appropriation.

Received from Senate, 642

Introduced, First Reading, Referred to Committee on Agriculture, 706

Reported Back: Do pass, 1568

Re-referred to Committee on Appropriations, 1583

Reported Back: Amend 1805

Amendments adopted 1835

Final Passage: Passed, 1908

Returned to Senate: Amended, 1924

Senate does not concur, 2008

Conference Committee: House, 2084 Senate, 2008

Conference Committee Report: House adopts, 2163 Senate adopts, 2152

Conference Committee amendments adopted 2239

Final Passage: Passed, 2259

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2044.** — A Bill for an Act to require state agencies, departments, and institutions to obtain the approval of the budget section of the legislative council prior to employing persons through programs provided under the Federal Comprehensive Employment and Training Act of 1973.

Received from Senate, 316

Introduced, First Reading, Referred to Committee on Appropriations, 383

Reported Back: Do not pass, 1377

Reconsidered action by which House accepted Committee Report — motion prevailed, 1384

Re-referred to Committee on Appropriations, 1384

Reported Back: Amend 1464

Amendments adopted 1483

Returned to Senate: Amended, 1619

Senate does not concur, 1744

Conference Committee: House, 1947 Senate, 1744

Conference Committee Report: House adopts, 2133 Senate adopts, 2122

Conference Committee amendments adopted 2140

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2046.** — A Bill for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to due dates of payments to school districts.

Received from Senate, 316

Introduced, First Reading, Referred to Committee on Appropriations, 383

Reported Back: Amended, 1805-1806

Amendments adopted, 1835

Final Passage: Passed, 1909

Returned to Senate: Amended, 1925

Received from Senate, 2104

Senate Concurs, 2008

Signed by Speaker, 2112

Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2047.** — A Bill for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to due dates of payments for the personal property tax replacement.

Received from Senate, 316

Introduced, First Reading, Referred to Committee on Appropriations, 383

Reported Back: Do pass, 1701

Final Passage: Passed, 1735

Returned to Senate: Passed, 1824

Received from Senate, 1906

Signed by Speaker, 1925

Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2048.** — A Bill for an Act to authorize the department of accounts and purchases to make purchases for state agencies and institutions, to provide for the promulgation of purchasing rules and regulations by the department of accounts and purchases, to provide for competitive bidding procedures; to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to the powers and duties of the board of higher education; to amend and reenact sections 54-21-19 and 54-42-06 and subsection 21 of section 54-44-04 of the North Dakota Century Code, relating to the director of institutions furnishing supplies for the capitol, state offices, and the executive mansion; merit system coverage for purchasing division personnel; and the operation of a central purchasing service; and to repeal sections 25-01.1-23, 25-01.1-25, 25-01.1-27, 54-23-31, 54-23-34, 54-23-35, and 54-23-37 of the North Dakota Century Code, relating to purchases by the department of accounts and purchases for the state hospital and the institutions under the control of the director of institutions.

Received from Senate, 316  
Introduced, First Reading, Referred to Committee on State and Federal Government, 384  
Reported Back: Do pass, 1652  
Final Passage: Passed, 1684  
Returned to Senate: Passed, 1782  
Received from Senate, 1858  
Signed by Speaker, 1865  
Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2049.** — A Bill for an Act to create and enact a new section to chapter 46-03 of the North Dakota Century Code, relating to the numbering and arrangement of the state constitution for publication.

Received from Senate, 316  
Introduced, First Reading, Referred to Committee on Constitutional Revision, 384  
Reported Back: Do pass, 496  
Final Passage: Passed, 513  
Returned to Senate: Passed, 571  
Received from Senate, 608  
Signed by Speaker, 610  
Sent to Senate, signed by Speaker 612

**Senate Bill No. 2051.** — A Bill for an Act to amend and reenact sections 12-46-04, 12-47-05, 12-47-06, 12-47-15, 12-47-34, 12-48-03, 12-48-14, and 12-51-09 of the North Dakota Century Code, relating to the appointment and removal of state industrial school officers, the penitentiary officers, the appointment and term of penitentiary officers, the absence of the penitentiary warden and deputy wardens, escapes from the penitentiary, the manner of employing penitentiary inmates, compensation of penitentiary inmates, and the transfer of inmates between the state farm and the penitentiary; and to repeal chapter 12-49 of the North Dakota Century Code, relating to the penitentiary twine and cordage plant.

Received from Senate, 159  
Introduced, First Reading, Referred to Committee on State and Federal Government, 183  
Reported Back: Do pass, 1229  
Final Passage: Passed, 1243  
Returned to Senate: Passed, 1315  
Received from Senate, 1393  
Signed by Speaker, 1405  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2052.** — A Bill for an Act to create and enact a new subsection to section 19-03.1-01 of the North Dakota Century Code, relating to the definition of hashish; and to amend and reenact subsection 14 of section 19-03.1-01, subdivisions k through u of subsection 4 of section 19-03.1-05, and section 19-03.1-23 of the North Dakota Century Code, relating to the definition of marijuana, to the inclusion of hashish as a schedule I controlled substance, and providing penalties for possession of marijuana and hashish.

Received from Senate, 451  
 Introduced, First Reading, Referred to Committee on Judiciary, 497  
 Reported Back: Amended, 1269  
 Amendments adopted, 1275  
 Final Passage: Passed, 1317  
 Returned to Senate: Amended, 1383  
 Senate concurs, 1463  
 Received from Senate, 1546  
 Signed by Speaker, 1556  
 Sent to Senate, signed by Speaker 1556  
 Received from Senate — passed over Governor's veto. 1744  
 Placed on calendar, 1775  
 Laid over one legislative day, 1775  
 Reconsideration of vetoed measure, 1971  
 Placed on second reading and final passage for purpose of reconsideration of a vetoed measure, 1971  
 Final Passage: Passed over Governor's veto, 1971  
 Returned to Senate, 1979  
 Received from Senate — President signed certification over Governor's veto, 2371  
 Speaker signed certification over Governor's veto, 2371  
 Returned to Senate, 2371

**Senate Bill No. 2054.** — A Bill for an Act to amend and reenact sections 12.1-16-01 and 12.1-32-01 of the North Dakota Century Code, relating to murder and the classification of criminal offenses, and making murder a class AA felony with a maximum penalty of life imprisonment.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Judiciary, 1046  
 Reported Back: Amended, 1610  
 Amendments adopted, 1621  
 Final Passage: Passed, 1684  
 Returned to Senate: Amended, 1782  
 Senate does not concur, 1870  
 Conference Committee: House, 1875 Senate, 2152  
 Conference Committee Report: House adopts, 2164 Senate adopts, 2152  
 Conference Committee amendments adopted, 2239  
 Final Passage: Passed, 2260  
 Received from Senate, 2379  
 Signed by Speaker, 2379  
 Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2055.** — A Bill for an Act to amend and reenact subsection 1 of section 27-20-02, subsection 1 of section 27-20-34, and sections 27-20-35 and 27-20-36 of the North Dakota Century Code, relating to the definition of child; the transfer of a child to adult court; to the disposition of a mentally ill or mentally retarded child; and to time limitations on orders of disposition.

Received from Senate, 159  
 Introduced, First Reading, Referred to Committee on Judiciary, 183

Reported Back: Do pass, 1229  
 Final Passage: Lost, 1244  
 Returned to Senate: Lost 1244

**Senate Bill No. 2056.** — A Bill for an Act to provide for the creation of multidistrict special education boards; to amend and reenact sections 15-40.1-16.1, 15-59-01, 15-59-05.1, 15-59-06, 15-59-07, and 15-59-08 of the North Dakota Century Code, relating to transportation costs, special education of exceptional children, financing and mill levies for special education; and to repeal section 15-59-09 and chapter 15-59.1 of the North Dakota Century Code, relating to county special education programs and the election to discontinue the mill levy for special education.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Education, 1110

Reported Back: Amended and re-referred to Committee on Appropriations, 652-653

Amendments adopted and re-referred to Appropriations, 677

Reported Back, Do pass 1806

Final Passage: Passed, 1986

Returned to Senate: Amended, 2030

Senate does not concur, 2105

Conference Committee: House, 2109 Senate, 2105

Conference Committee Report: House adopts, 2228 Senate adopts, 2214

Conference Committee amendments adopted 2241

Final Passage: Passed, 2243

Received from Senate, 2369

Signed by Speaker, 2369

Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2057.** — A Bill for an Act to create and enact a new section of the North Dakota Century Code, relating to transportation costs to and from the San Haven state hospital; and to amend and reenact subsection 3 of section 25-04-05 of the North Dakota Century Code, relating to transportation costs to and from the Grafton state school.

Received from Senate, 191

Introduced, First Reading, Referred to Committee on Education, 215

Reported Back: Amended and re-referred to Committee on Appropriation 653-654

Re-referred to Committee on Appropriations, 1677

Reported Back: Do pass, 1806

Final Passage: Passed, 1987

Returned to Senate: Amended, 2030

Senate does not concur, 2105

Conference Committee: House, 2110 Senate, 2105

Conference Committee Report: House adopts, 2228 Senate adopts, 2214

Conference Committee amendments adopted, 2241

Final Passage: Passed, 2244

Received from Senate, 2372

Signed by Speaker, 2372

Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2058.** — A Bill for an Act to amend and reenact sections 25-06-04 and 25-07-04 of the North Dakota Century Code, relating to transportation of pupils of the school for the blind and the school for the deaf; and to repeal sections 25-06-06 and 25-07-07 of the North Dakota Century Code, relating to transportation of indigent persons to the school for the blind and the school for the deaf.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on Education, 215  
 Reported Back: Amended and re-referred to Committee on Appropriations, 654-655  
 Amendments adopted and re-referred to Committee on Appropriations, 677  
 Reported Back: Do pass, 1807  
 Final Passage: Passed, 1987  
 Returned to Senate: Amended, 2030  
 Senate does not concur, 2105  
 Conference Committee: House, 2110 Senate, 2105  
 Conference Committee Report: House adopts, 2229 Senate adopts, 2214  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed, 2245  
 Received from Senate, 2375  
 Signed by Speaker, 2375  
 Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2059.** — A Bill for an Act to create and enact a new section to chapter 25-01.1 of the North Dakota Century Code, relating to the duty of the heads of state institutions to provide for surrogate parents where necessary; and to create and enact a new section to chapter 25-09 of the North Dakota Century Code, relating to the duty of certain handicapped patients to pay for costs of education and related services; and declaring an emergency.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Education, 907  
 Reported Back: Do pass, 1610  
 Final Passage: Passed and emergency clause carried, 1639  
 Returned to Senate: Passed, 1728  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2060.** — A Bill for an Act to amend and reenact sections 15-59-03, 15-59-04, and 15-59-05 of the North Dakota Century Code, relating to the advisory council on special education; and to repeal section 15-59-02 of the North Dakota Century Code, relating to the advisory council on special education.

Received from Senate, 174  
 Introduced, First Reading, Referred to Committee on Education, 202  
 Reported Back: Do pass, 1229  
 Final Passage: Passed, 1244  
 Returned to Senate: Passed, 1315

Received from Senate, 1393  
Signed by Speaker, 1405  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2064.** — A Bill for an Act relating to “best management practices”, for farming land to be irrigated by water from the Garrison Diversion Unit of the Pick-Sloan Missouri River basin project.

Received from Senate, 207  
Introduced, First Reading, Referred to Committee on Agriculture, 236  
Reported Back: Do pass, 1569  
Final Passage: Passed, 1593  
Returned to Senate: Passed, 1672  
Received from Senate, 1783  
Signed by Speaker, 1825  
Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2065.** — A Bill for an Act to amend and reenact section 15-20.2-08 of the North Dakota Century Code, relating to assessment of participating districts for expenses of multidistrict vocational education centers using mobile units.

Received from Senate, 269  
Introduced, First Reading, Referred to Committee on Education, 301  
Reported Back: Do pass, 1298  
Final Passage: Passed, 1318  
Returned to Senate: Passed, 1383  
Received from Senate, 1443  
Signed by Speaker, 1452  
Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2067.** — A Bill for an Act to amend and reenact section 40-57-05 of the North Dakota Century Code, relating to notification to the state securities commissioner of the issuance of bonds under the Municipal Industrial Development Act of 1955 and ensuring that the consent of any governmental body or public officer of the state is not required to authorize the issuance or sale of bonds.

Received from Senate, 159  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 183  
Reported Back: Do pass, 1298  
Final Passage: Passed 1319  
Returned to Senate: Passed, 1383  
Received from Senate, 1443  
Signed by Speaker, 1452  
Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2068.** — A Bill for an Act to amend and reenact section 40-57-04 of the North Dakota Century Code, relating to project authorization and bond issuance under the Municipal Industrial Development Act of 1955 and requiring a public notice and hearing prior to project authorization and bond issuance.

Received from Senate, 159  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 183  
 Reported Back: Do pass, 1298  
 Final Passage: Passed, 1320  
 Returned to House: Passed 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2069.** — A Bill for an Act to create and enact a new section to chapter 40-57 of the North Dakota Century Code, relating to limitations on a municipality's authority to issue bonds under the Municipal Industrial Development Act of 1955 if the proposed project would receive an unfair competitive advantage to the substantial detriment of existing enterprises.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 215  
 Reported Back: Do pass, 1298  
 Final Passage: Passed, 1320  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2070.** — A Bill for an Act to amend and reenact section 40-57-02 of the North Dakota Century Code, relating to the definitions of projects and municipalities under the Municipal Industrial Development Act of 1955; and to provide for the application of this Act.

Received from Senate, 174  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 202  
 Reported Back: Amended, 1518  
 Amendments adopted, 1538  
 Final Passage: Passed, 1590  
 Reconsidered action by which House passed Senate Bill — motion  
 failed, 1621  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1927  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038  
 Received from Senate — passed over Governor's veto, 2261  
 Placed on calendar, 2282  
 Placed at foot of calendar, 2283  
 Placed on second reading and final passage for purpose of reconsideration  
 of a vetoed measure, 2325  
 Final Passage: Failed to pass over Governor's veto, 2325  
 Returned to Senate, 2327



**Senate Bill No. 2071.** — A Bill for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to requirements governing the sale or purchase of banking institutions.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 301  
 Reported Back: Do pass, 1142  
 Final Passage: Passed, 1222  
 Returned to Senate: Passed, 1279  
 Received from Senate, 1370  
 Signed by Speaker, 1384  
 Sent to Senate, signed by Speaker 1384

**Senate Bill No. 2072.** — A Bill for an Act to create and enact chapter 27-26 of the North Dakota Century Code, relating to the appointment of temporary judges; and declaring an emergency.

Received from Senate, 316  
 Introduced, First Reading, Referred to Committee on Judiciary, 384  
 Reported Back: Amended, 705  
 Amendments adopted, 711  
 Final Passage: Passed and emergency clause carried, 771  
 Returned to Senate: Amended, 826  
 Senate does not concur, 1054  
 Conference Committee: House, 1058 Senate, 1054  
 Conference Committee Report: House adopts, 2230 Senate adopts, 2214  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed, 2245  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2073.** — A Bill for an Act to amend and reenact section 39-17-02 of the North Dakota Century Code, relating to unsatisfied judgment fund administrative expenses.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 215  
 Reported Back: Do pass, 1425  
 Final Passage: Passed, 1454  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2074.** — A Bill for an Act to amend and reenact sections 54-03-02 and 54-03-02.1 of the North Dakota Century Code, relating to the date of convening of the legislative assembly.

Received from Senate, 183  
 Introduced, First Reading, Referred to Committee on State and

Federal Government, 184  
 Reported Back: Do pass, 1229  
 Final Passage: Passed, 1245  
 Returned to Senate: Passed, 1315  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2075.** — A Bill for an Act to amend and reenact section 54-35-02 of the North Dakota Century Code, relating to the powers and duties of the legislative council and to provide authority to screen and prioritize study resolutions; and declaring an emergency.

Received from Senate, 316  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 384  
 Reported Back: Do pass, 1230  
 Final Passage: Passed and emergency clause carried, 1245  
 Returned to Senate: Passed and emergency clause carried, 1315  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2076.** — A Bill for an Act to provide for a state building code, with enforcement by cities, townships, and counties, and exemptions; and to amend sections 11-33-01, 40-47-01, and 58-03-11 of the North Dakota Century Code, relating to the zoning authority of counties, cities, and townships.

Received from Senate, 316  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 384  
 Reported Back: Do pass, 987  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 1223  
 Re-referred to Committee on Political Subdivisions, 1223  
 Reported Back: Do pass, 1749  
 Final Passage: Passed, 1790  
 Returned to Senate: Passed, 1890  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2077.** — A Bill for an Act to amend and reenact section 54-52-02.1 of the North Dakota Century Code, relating to membership of county, city, and noncertified school district employees in the public employees retirement system; and to repeal subsection 10 of section 54-52-17 of the North Dakota Century Code, relating to the opportunity for certain members of the public employees retirement system to withdraw from that system.

Received from Senate, 132  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 145  
 Reported Back: Do pass, 268

Final Passage: Passed, 284  
 Returned to Senate: 363  
 Received from Senate, 407  
 Signed by Speaker, 407  
 Sent to Senate, signed by Speaker 407

**Senate Bill No. 2078.** — A Bill for an Act to amend and reenact section 54-34-03 of the North Dakota Century Code, relating to the appointment of the business and industrial development commission.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 216  
 Reported Back: Do not pass, 1655  
 Final Passage: Lost, 1682  
 Returned to Senate: Failed to pass, 1782

**Senate Bill No. 2079.** — A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the composition of the state board of public school education.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on Education, 216  
 Reported Back: Do pass, 1401  
 Final Passage: Passed, 1416  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2080.** — A Bill for an Act to amend and reenact sections 20.1-02-23, 20.1-02-24, and 20.1-02-25 of the North Dakota Century Code, relating to the membership, compensation, meetings, and duties of the state game and fish advisory board.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Natural Resources, 467  
 Reported Back: Do pass, 1142  
 Final Passage: Passed, 1223  
 Returned to Senate: Passed, 1279  
 Received from Senate, 1370  
 Signed by Speaker, 1384  
 Sent to Senate, signed by Speaker 1384

**Senate Bill No. 2083.** — A Bill for an Act to provide for the referral of proposed and existing administrative rules to an interim committee of the legislative council.

Received from Senate, 250  
 Introduction, First Reading, Referred to Committee on State and Federal Government, 224  
 Reported Back: Do pass 1299

Final Passage: Passed, 1321  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker 1452  
 Sent to Senate signed by Speaker 1452

**Senate Bill No. 2084.** — A Bill for an Act to create and enact four new sections to the North Dakota Century Code, relating to senate confirmation of gubernatorial appointments; and to amend and reenact sections 15-65-01, 15-65-02, 15-65-03, and 15-65-04 of the North Dakota Century Code, relating to the creation, membership, and duties of the public broadcasting council.

Received from Senate, 207  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 237  
 Reported Back: Do pass, 1270  
 Reconsidered action by which House accepted Committee Report, 1321  
 Re-referred to Committee on State and Federal Government, 1321  
 Reported Back: Amended, 1701-1702  
 Amendments adopted, 1719  
 Final Passage: Passed, 1791  
 Returned to Senate: Amended, 1794  
 Senate does not concur, 1927  
 Conference Committee: House, 1947 Senate, 1927  
 Conference Committee Report: House adopts, 2135 Senate adopts, 2105  
 Conference Committee amendments adopted 2140  
 Final Passage: Lost, 2261

**Senate Bill No. 2085.** — A Bill for an Act to provide state assistance for airports served by commercial air carriers and to provide procedures for the distribution of funds to such airports; to amend sections 57-56-01.1 and 57-56-03 of the North Dakota Century Code, relating to a tax on sales of jet aviation motor fuel and the distribution of proceeds; and to provide an appropriation.

Received from Senate, 1187  
 Introduced, First Reading, Referred to Committee on Transportation, 1231  
 Reported Back: Do pass and re-refer to Committee on Appropriations, 1519  
 Final Passage: Passed 1791  
 Returned to Senate: Passed, 1791  
 Returned to Senate: Passed  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2086.** — A Bill for an Act to amend and reenact the second table of subdivision b of subsection 2 of section 39-04-19, subsection 3 of section 39-12-04, subsection 2 of section 39-12-05, and subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to motor vehicle registration fees, length limitations on vehicles and combinations of vehicles, weight limitations for vehicles on the interstate system, and gross weight limitations on designated highways.

Received from Senate, 219  
Introduced, First Reading, Referred to Committee on Transportation, 254

Reported Back: Amended, 1519  
Amendments adopted, 1538  
Final Passage: Passed, 1594  
Returned to Senate: Amended, 1672  
Senate concurs, 1744  
Received from Senate, 1858  
Signed by Speaker, 1865  
Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2087.** — A Bill for an Act to amend and reenact section 40-48-05 of the North Dakota Century Code, relating to members of the planning commission.

Received from Senate, 174  
Introduced, First Reading, Referred to Committee on Political Subdivisions, 202

Reported Back: Do pass, 988  
Final Passage: Passed, 1224  
Returned to Senate: Passed, 1279  
Received from Senate, 1370  
Signed by Speaker, 1384  
Sent to Senate, signed by Speaker 1384

**Senate Bill No. 2088.** — A Bill for an Act to amend and reenact sections 53-02-05 and 53-02-08 of the North Dakota Century Code, relating to permits to hold public dances or music festivals and the presence of law officers at public dances or music festivals.

Received from Senate, 250  
Introduced, First Reading, Referred to Committee on Political Subdivisions, 274

Reported Back: Do not pass, 988  
Final Passage: Lost, 1220  
Returned to Senate: Failed to pass, 1279

**Senate Bill No. 2089.** — A Bill for an Act to amend and reenact section 16-13-16 of the North Dakota Century Code, relating to the compensation of members of county canvassing boards.

Received from Senate, 159  
Introduced, First Reading, Referred to Committee on Judiciary, 184  
Reported Back: Do not pass, 1426  
Final Passage: Lost, 1449  
Returned to Senate: Failed to pass, 1537

**Senate Bill No. 2090.** — A Bill for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to distribution of codes to legislators; and to amend and reenact section 46-04-01 of the North Dakota Century Code, relating to official distribution of state laws.

Received from Senate, 184  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 184  
 Reported Back: Do pass, 1299  
 Final Passage: Passed, 1321  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2091.** — A Bill for an Act to amend and reenact subsection 4 of section 63-01.1-02, subsection 2 of section 63-01.1-03, and section 63-01.1-04 of the North Dakota Century Code, relating to definition of noxious weed, determination of which weeds are noxious statewide and countywide, and giving the county control authority power to declare county noxious weed for county purposes.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Agriculture, 467  
 Reported Back: Do not pass, 988  
 Final Passage: Lost, 1221  
 Returned to Senate: Failed to pass, 1279

**Senate Bill No. 2092.** — A Bill for an Act to allow creditors to charge a service charge in the amount of one and one-half percent on accounts receivable from thirty days after the obligation is incurred, and to require creditors to supply debtors with a periodic statement.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 784  
 Reported Back: Divided Majority to amend, 1520 Minority to amend, 1520-1521  
 Majority Amendments adopted, 1538  
 Minority Amendments not adopted, 1538  
 Final Passage: Failed, 1594  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866  
 Received from Senate — passed over Governor's veto, 2262  
 Placed on calendar, 2282  
 Placed at foot of calendar, 2283  
 Place on second reading and final passage for purpose of reconsideration of a vetoed measure, 2326  
 Final Passage: Failed to pass over Governor's veto, 2327  
 Returned to Senate, 2327

**Senate Bill No. 2093.** — A Bill for an Act to amend and reenact subsection 3 of section 39-21-40 of the North Dakota Century Code, relating to restrictions on tire equipment.

Received from Senate, 136  
 Introduced, First Reading, Referred to Committee on Transportation, 171  
 Reported Back: Do pass, 988  
 Final Passage: Passed, 1224  
 Returned to Senate: Passed, 1279  
 Received from Senate, 1370  
 Signed by Speaker, 1384  
 Sent to Senate, signed by Speaker 1384

**Senate Bill No. 2094.** — A Bill for an Act to amend and reenact sections 15-63-02, 15-63-03, 15-63-04, and 15-63-05, all of the North Dakota Century Code, relating to scholarships for Indian students.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on Education, 216  
 Reported Back: Do pass, 1401  
 Final Passage: Passed, 1417  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2095.** — A Bill for an Act relating to appointments to vacant state offices.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Judiciary, 1201  
 Reported Back: Amended, 1426  
 Amendments adopted, 1438  
 Final Passage: Lost, 1501  
 Reconsidered action by which House Bill failed to pass — motion prevailed, 1505  
 Final Passage: Passed, 1558  
 Returned to Senate: Amended, 1919  
 Senate does not concur, 1693  
 Conference Committee: House, 1698 Senate, 1693  
 Senate adopts Conference Committee Report — failed to pass bill, 2129

**Senate Bill No. 2096.** — A Bill for an Act to create and enact nine new sections to chapter 4-30 of the North Dakota Century Code, relating to applicants for a dairy industries license satisfying the dairy department as to financial condition or otherwise providing security for payments to dairy producers; to amend and reenact sections 4-30-04, 4-30-07, 4-30-08, and 4-30-15 of the North Dakota Century Code, relating to the dairy department becoming trustee upon default of the licensee, remedies of claimants upon default of the licensee, dairy department appeals or compromises of actions, and suspension or revocation of license and judicial review; and to repeal section 4-30-03 of the North Dakota Century Code, relating to bonding of purchasers of dairy products.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Agriculture,  
 408

Reported Back: Do pass, 1569  
 Final Passage: Passed, 1595  
 Returned to Senate: Passed, 1672  
 Received from Senate, 1783  
 Signed by Speaker, 1825  
 Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2099.** — A Bill for an Act to amend and reenact section 18-04-04 and section 18-04-05 of the North Dakota Century Code, relating to distribution of insurance premium tax to cities, rural fire departments and rural fire protection districts.

Received from Senate, 1187  
 Introduced, First Reading, Referred to Committee on Political  
 Subdivisions, 1231

Reported Back: Do pass and re-referred to Committee on Appropriations, 1521

Reported Back: Amended, 1877  
 Amendments adopted, 1888  
 Final Passage: Passed, 1988  
 Returned to Senate: Amended, 2030  
 Senate concurs, 2098  
 Received from Senate, 2145  
 Signed by Speaker, 2152  
 Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2100.** — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code, relating to local control of entertainment in liquor establishments.

Received from Senate, 136  
 Introduced, First Reading, Referred to Committee on Political  
 Subdivisions, 171

Reported Back: Do pass 268  
 Final Passage: Passed, 284  
 Returned to Senate: 363  
 Received from Senate, 407  
 Signed by Speaker, 407  
 Sent to Senate, signed by Speaker 407

**Senate Bill No. 2101.** — A Bill for an Act to amend and reenact sections 35-13-01, 35-13-02, 35-13-03, and 35-13-04 of the North Dakota Century Code, relating to authorization for a repairman's lien, contents of a lien statement and requirement of filing, inclusion of separate articles in one statement, and priority of liens.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 408

Reported Back: Do pass, 1299  
 Final Passage: Passed 1322  
 Returned to Senate: Passed, 1383



Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker, 1452

**Senate Bill No. 2102.** — A Bill for an Act to authorize the state board of higher education to issue revenue bonds for the construction of student housing at the state school of science at Wahpeton; to provide an appropriation; and to declare an emergency.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on Appropriations, 216  
 Reported Back: Do pass, 466  
 Final Passage: Passed and emergency clause carried, 487  
 Returned to Senate: Passed, 537  
 Received from Senate, 571  
 Signed by Speaker, 602  
 Sent to Senate, signed by Speaker, 607

**Senate Bill No. 2103.** — A Bill for an Act to provide an appropriation for construction of a classroom-auditorium building at the state school of science; and to declare an emergency.

Received from Senate, 191  
 Introduced, First Reading, Referred to Committee on Appropriations, 216  
 Reported Back: Do pass, 466  
 Final Passage: Passed and emergency clause carried, 487  
 Returned to Senate: Passed 537  
 Received from Senate, 571  
 Signed by Speaker, 602  
 Sent to Senate, signed by Speaker, 607

**Senate Bill No. 2107.** — A Bill for an Act to amend and reenact section 6-09.1-02 of the North Dakota Century Code, relating to the appointment, membership, officers, terms, duties, and compensation of the Bank of North Dakota advisory board of directors.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 467  
 Reported Back: Do pass 1427  
 Final Passage: Passed, 1454  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker, 1607

**Senate Bill No. 2109.** — A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to increase maximum loan value of farmland from one-half to sixty-five percent.

Received from Senate, 250  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 274

Reported Back: Amended, 1427

Amendments adopted, 1438

Final Passage: Passed, 1502

Returned to Senate: Amended, 1537

Senate does not concur, 1681

Conference Committee: House, 1688 Senate, 1681

Conference Committee Report: House adopts, 1885 Senate adopts, 1870

Conference Committee amendments adopted, 1947

Final Passage: Passed 2007

Received from Senate, 2104

Signed by Speaker, 2112

Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2110.** — A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to participate with subsidiary corporations, to purchase short term commercial and finance company paper, and to increase maximum loan value of farmland from one-half to sixty-five percent.

Received from Senate, 389

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 439

Reported Back: Amend 1521-1522

Amendments adopted, 1544

Final Passage: Passed, 1596

Returned to Senate: Amended, 1672

Senate does not concur, 1795

Conference Committee: House, 1795 Senate, 1795

Conference Committee Report: House adopts, 2086 Senate adopts, 2074

Conference Committee amendments adopted 2104

Final Passage: Passed, 2153

Received from Senate, 2304

Signed by Speaker, 2304

Sent to Senate, signed by Speaker 2304

**Senate Bill No. 2113.** — A Bill for an Act to provide for responsibility of inpatient and outpatient care to persons afflicted or suspected of being afflicted with tuberculosis; to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to biennial reports and assistant superintendent at the San Haven state hospital; to amend and reenact subsection 5 of section 25-01-01 and sections 25-04-01 and 25-04-03 of the North Dakota Century Code, concerning the Grafton state school, and the San Haven state hospital and the powers and duties of the assistant superintendent; to repeal subsection 6 of section 25-01-01 and chapter 25-05 of the North Dakota Century Code, relating to the state sanitorium and to the care of tubercular persons.

Received from Senate, 207

Introduced, First Reading, Referred to Committee on State and Federal Government, 237

Reported Back: Amended, 1344

Amendments adopted, 1352

Final Passage: Passed, 1389

Returned to Senate: Amended, 1443

Senate does not concur, 1511

Conference Committee: House, 1547 Senate, 1511  
Conference Committee Report: House does not adopt, 2092 Senate adopts, 2074

Conference Committee dissolved, new committee appointed, 2100

Conference Committee: House, 2100 Senate, 2105

Conference Committee Report: House adopts, 2231 Senate adopts, 2214

Conference Committee amendments adopted, 2241

Final Passage: Passed, 2246

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker, 2379

**Senate Bill No. 2115.** — A Bill for an Act to amend and reenact section 26-03-49 of the North Dakota Century Code, relating to the inception and expiration dates for insurance policies; and declaring an emergency.

Received from Senate, 269

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 301

Reported Back: Do pass, 859

Final Passage: Passed and emergency clause carried, 1225

Returned to Senate: Passed and emergency clause carried, 1279

Received from Senate, 1370

Signed by Speaker, 1384

Sent to Senate, signed by Speaker, 1384

**Senate Bill No. 2120.** — A Bill for an Act to amend and reenact section 36-01-04 of the North Dakota Century Code, relating to the compensation and expenses of members of the board.

Received from Senate, 250

Introduced, First Reading, Referred to Committee on State and Federal Government, 275

Reported Back: Do pass, 1401

Final Passage: Passed, 1417

Returned to Senate: Passed, 1485

Received from Senate, 1606

Signed by Speaker, 1607

Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2121.** — A Bill for an Act to amend and reenact section 39-10.2-06 of the North Dakota Century Code, relating to requiring anyone, under the age of eighteen, operating a motorcycle to wear protective headgear, requiring anyone operating a motorcycle, eighteen or older, to have headgear in possession at all times, and requiring anyone riding upon a motorcycle to wear headgear at all times.

Received from Senate, 415

Introduced, First Reading, Referred to Committee on Transportation, 467

Reported Back: Do not pass, 1749

Final Passage: Lost, 1784

Returned to Senate: Failed to pass, 1890

**Senate Bill No. 2122.** — A Bill for an Act to amend and reenact section 40-21-09 of the North Dakota Century Code, relating to election districts.

Received from Senate, 294  
 Introduced, First Reading, Referred to Committee on Judiciary, 358  
 Reported Back: Do pass, 1610  
 Final Passage: Passed, 1640  
 Returned to Senate: Passed, 1728  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2125.** — A Bill for an Act to create and enact a new subsection to section 39-16-01 of the North Dakota Century Code, relating to the definition of consumer reporting agency; and to amend and reenact sections 39-16-03 and 39-16-03.1 of the North Dakota Century Code, relating to the highway commissioner releasing abstracts of operating records on court order only and the confidentiality of driver record abstracts more than three years old.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Transportation, 439  
 Reported Back: Amended, 1750-1751  
 Amendments adopted, 1776  
 Final Passage: Passed, 1868  
 Returned to Senate: Amended, 1890  
 Senate does not concur, 2008  
 Conference Committee: House, 2033 Senate, 2008  
 Conference Committee Report: House adopts, 2033 Senate adopts, 2152  
 Conference Committee amendments adopted 2164  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2128.** — A Bill for an Act to amend and reenact subsection 2 of section 15-60-03 of the North Dakota Century Code, relating to the state school construction fund.

Received from Senate, 219  
 Introduced, First Reading, Referred to Committee on Education, 254  
 Reported Back: Do pass, 1299  
 Final Passage: Passed, 1327  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2129.** — A Bill for an Act to amend and reenact section 15-37-01 of the North Dakota Century Code, relating to teachers' oath.

Received from Senate, 250  
 Introduced, First Reading, Referred to Committee on Education, 275  
 Reported Back: Do pass, 1143  
 Final Passage: Passed, 1246  
 Returned to Senate: Passed, 1315  
 Received from Senate, 1393

Signed by Speaker, 1405  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2130.** — A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to starting age for kindergarten pupils.

Received from Senate, 294  
Introduced, First Reading, Referred to Committee on Education, 359  
Reported Back: Do pass, 1702  
Final Passage: Passed, 1735  
Returned to Senate: Passed, 1824  
Received from Senate, 1906  
Signed by Speaker, 1925  
Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2131.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 15-40.2-05 of the North Dakota Century Code, relating to payment of tuition by school district.

Received from Senate, 269  
Introduced, First Reading, Referred to Committee on Education, 301  
Reported Back: Amended, 1655  
Amendments adopted, 1677  
Final Passage: Passed, 1737  
Returned to Senate: Amended, 1824  
Senate does not concur, 1927  
Conference Committee: House, 1934 Senate, 1927  
Conference Committee Report: House adopts, 2141 Senate adopts,  
2137  
Conference Committee amendments adopted, 2239  
Received from Senate, 2369  
Signed by Speaker, 2369  
Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2132.** — A Bill for an Act to amend and reenact subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to the age a person must be before he may apply for a big game hunting license.

Received from Senate, 136  
Introduced, First Reading, Referred to Committee on Natural Resources, 171  
Reported Back: Do Pass, 783  
Final Passage: Passed, 1246  
Returned to Senate: Passed 1315  
Received from Senate, 1393  
Signed by Speaker, 1405  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2135.** — A Bill for an Act to amend section 54-21-25 of the North Dakota Century Code, relating to contracting of services if suitable facilities or services are not available for adult inmates.

Received from Senate, 269

Introduced, First Reading, Referred to Committee on State and Federal Government, 301

Reported Back: Amended, 1465

Amendments adopted, 1483

Final Passage: Passed, 1559

Returned to Senate: Amended, 1559

Senate concurs, 1744

Received from Senate, 1858

Signed by Speaker, 1865

Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2136.** — A Bill for an Act to amend and reenact sections 54-23-12 and 54-23-18 of the North Dakota Century Code, relating to required inspections of the director of institutions within his institutions, and meetings with heads of institutions and the director of institutions.

Received from Senate, 219

Introduced, First Reading, Referred to Committee on State and Federal Government, 254

Reported Back: Do pass, 1427

Final Passage: Passed, 1455

Returned to Senate: Passed, 1485

Received from Senate, 1606

Signed by Speaker, 1607

Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2137.** — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to prior service credit and withdrawal from the public employees retirement system; and to provide for retroactivity.

Received from Senate, 366

Introduced, First Reading, Referred to Committee on State and Federal Government, 408

Reported Back: Do pass, 1401

Reconsidered action by which House adopted committee report, 1410

Re-referred to Committee on State and Federal Government, 1410

Reported Back: Do pass, 1655

Final Passage: Passed, 1688

Reconsidered action by which House Bill passed — motion prevailed, 1691

Final Passage: Lost, 1792

Reconsidered action by which House Bill Lost — motion prevailed, 1792

Final Passage: Passed, 1869

Received from Senate, 2081

Signed by Speaker, 2095

Sent to Senate, signed by Speaker 2096

**Senate Bill No. 2139.** — A Bill for an Act to amend and reenact section 15-47-37 of the North Dakota Century Code, relating to instructing school students concerning the United States and state constitutions and the pledge of allegiance, and providing for instruction concerning the national anthem.

Received from Senate, 294  
 Introduced, First Reading, Referred to Committee on Education, 359  
 Reported Back: Do pass, 1611  
 Final Passage: Passed, 1640  
 Returned to Senate: Passed, 1728  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2142.** — A Bill for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy.

Received from Senate, 250  
 Introduced, First Reading, Referred to Committee on Agriculture,  
 275  
 Reported Back: Amended, 1569  
 Amendments adopted, 1581  
 Final Passage: Passed, 1641  
 Returned to Senate: Amended, 1729  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2146.** — A Bill for an Act to create and enact a new section to chapter 20.1-03 and three new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to frog licenses and frog license fees; and to amend and reenact subsection 31 of section 20.1-03-12 and section 20.1-06-17 of the North Dakota Century Code, relating to resident frog license fees and regulations governing commercial frogging.

Received from Senate, 219  
 Introduced, First Reading, Referred to Committee on Natural  
 Resources, 254  
 Reported Back: Do pass, 783  
 Final Passage: Passed, 1247  
 Returned to Senate: Passed, 1315  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2147.** — A Bill for an Act to create and enact section 54-16-13 of the North Dakota Century Code, relating to Emergency Commission action on requests to increase appropriation authority for intergovernmental service fund agencies.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on State and  
 Federal Government, 597  
 Reported Back: Do pass, 1300  
 Final Passage: Passed, 1328  
 Returned to Senate: Passed, 1383

Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2148.** — A Bill for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the time during which appropriations remain available.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 408  
 Reported Back: Do pass, 1300  
 Final Passage: Passed, 1328  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2150.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a severance tax on coal, to provide an exemption for coal used for space heating purposes.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 1201  
 Reported Back: Do not pass, 1427  
 Final Passage: Lost, 1449  
 Reconsidered action by which House Bill failed to pass, motion prevailed, 1506  
 Final Passage: Lost, 1552  
 Motion to reconsider ruled out of order, 1583  
 Reconsideration allowed awaiting legal opinion on "out of order" ruling by Speaker, 1603  
 Final Passage: Passed, 1637  
 Reconsidered action by which House Bill was passed, motion prevailed, 1637  
 Reconsider committee report — motion prevailed, 1637  
 Rereferred to Committee on Finance and Taxation, 1638  
 Reported Back: Amend, 1751  
 Amendments not adopted, 1776  
 Re-referred to Committee on State and Federal Government, 1794  
 Reported Back: Amend and do not pass, 1878  
 Motion to lay amendments on table failed, 1888  
 Committee report recommendation error, 1973  
 Final Passage: Passed, 2083  
 Returned to Senate, Amended, 2136  
 Senate concurs, 2177  
 Received from Senate, 2253  
 Signed by Speaker, 2274  
 Sent to Senate, signed by Speaker 2274

**Senate Bill No. 2151.** — A Bill for an Act to establish a legislative committee on administrative rules with authority to review proposed and existing administrative rules.



Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 439  
 Reported Back: Do pass, 1428  
 Final Passage: Passed, 1455  
 Returned to Senate: Passed, 1537  
 Received from Senate, 1620  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker 1620  
 Received from Senate — passed over Governor's Veto, 2136  
 Placed on calendar, 2140  
 Placed at foot of calendar, 2140  
 Placed on second reading and final passage for purpose of reconsideration of vetoed measure, 2327  
 Final Passage: Passed over Governor's Veto, 2327  
 Returned to Senate, 2332  
 Received from Senate — President signed certification over Governor's Veto, 2371  
 Speaker signed certification over Governor's Veto, 2372  
 Returned to Senate, 2372

**Senate Bill No. 2152.** — A Bill for an Act to amend and reenact sections 43-26-01, 43-26-04, 43-26-05, 43-26-06, 43-26-07, 43-26-08, 43-26-09, 43-26-10, 43-26-11, 43-26-12, and 43-26-13 of the North Dakota Century Code, relating to the examination, registration, and practice of physical therapy and physical therapist assistants; and to repeal sections 43-26-02 and 43-26-03 of the North Dakota Century Code, relating to the duties of the state board of medical examiners and the state physical therapy examining committee.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 408  
 Reported Back: Do pass, 1377  
 Final Passage: Passed, 1394  
 Returned to Senate: Passed, 1444  
 Received from Senate, 1546  
 Signed by Speaker, 1556  
 Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2153.** — A Bill for an Act to amend and reenact subsection 2 of section 43-23-08 and subsection 1 of section 43-23-11.1 of the North Dakota Century Code, relating to license standards and grounds for suspension or revocation of licenses of real estate brokers and salesmen.

Received from Senate, 294  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 359  
 Reported Back: Amended, 1465  
 Amendments adopted, 1483  
 Final Passage: Passed, 1559  
 Returned to Senate: Amended, 1619  
 Senate does not concur, 1795  
 Conference Committee: House, 1851 Senate, 1795

Conference Committee Report: House adopts, 2142 Senate adopts, 2136

Conference Committee amendments adopted, 2239

Final Passage: Passed, 2263

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker 2379

**Senate Bill No. 2154.** — A Bill for an Act to authorize the reimbursement of the federal government for the state's twenty-five percent share of the Individual and Family Grant Program that was conducted in North Dakota following the spring flood of 1978; and provide for an appropriation.

Received from Senate, 366

Introduced, First Reading, Referred to Committee on Appropriations, 408

Reported Back: Do pass, 1377

Final Passage: Passed, 1395

Returned to Senate: Passed, 1444

Received from Senate, 1546

Signed by Speaker, 1556

Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2155.** — A Bill for an Act to amend and reenact section 4-35-21 of the North Dakota Century Code, relating to reports of pesticide accidents or loss.

Received from Senate, 366

Introduced, First Reading, Referred to Committee on Agriculture, 409

Reported Back: Do pass, 989

Final Passage: Passed, 1248

Returned to Senate: Passed, 1315

Received from Senate, 1393

Signed by Speaker, 1405

Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2156.** — A Bill for an Act to authorize the industrial commission or its designee to make natural gas well status determinations and findings pursuant to the Natural Gas Policy Act of 1978 and to make oil well status determinations and findings pursuant to any future federal legislation or rules; and declaring an emergency.

Received from Senate, 713

Introduced, First Reading, Referred to Committee on Natural Resources, 784

Reported Back: Amended, 1345

Amendments adopted, 1352

Final Passage: Passed and emergency clause carried, 1396

Returned to Senate: Amended, 1395

Senate concurs, 1547

Received from Senate, 1620

Signed by Speaker, 1620

Sent to Senate, signed by Speaker 1620

**Senate Bill No. 2158.** — A Bill for an Act to amend and reenact section 50-09-07 of the North Dakota Century Code, relating to county social service board investigations of applicants for aid to dependent children.

Received from Senate, 174  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 202  
 Reported Back: Do pass, 1143  
 Final Passage: Passed, 1248  
 Returned to Senate: Passed, 1315  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2159.** — A Bill for an Act to amend and reenact subsection 1 of section 27-20-13, subsection 2 of section 27-20-37, and section 50-25.1-08 of the North Dakota Century Code, relating to informal adjustment of minors, to taking minors into custody, to the modification or vacation of orders of the juvenile court, and to the appointment of guardians ad litem.

Received from Senate, 571  
 Introduced, First Reading, Referred to Committee on Judiciary, 634  
 Reported Back: Amended, 1465-1467  
 Amendments adopted, 1483  
 Final Passage: Passed, 1560  
 Returned to Senate: Amended, 1519  
 Senate does not concur, 1744  
 Conference Committee: House, 1774 Senate, 1744  
 Conference Committee Report: House adopts, 2215 Senate adopts, 2159  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed 2247  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2160.** — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an adjustment to taxable income for individuals and fiduciaries with respect to unemployment compensation benefits.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 1201  
 Re-referred to Committee on Industry, Business and Labor, 1267  
 Reported Back: Amended, 1467  
 Motion that amendments be laid on table failed, 1483  
 Amendments adopted, 1483  
 Final Passage: Lost, 1560  
 Reconsidered action by which House failed to pass — motion prevailed, 1581  
 Final Passage: Passed, 1581  
 Returned to Senate: Amended, 1672

Senate concurs, 1927  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2163.** — A Bill for an Act to amend and reenact subsection 3 of section 54-44.2-02 of the North Dakota Century Code, relating to the powers and duties of the office of central data processing.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 301  
 Reported Back: Do pass, 1300  
 Final Passage: Passed, 1329  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2164.** — A Bill for an Act to amend and reenact section 15-61-05 of the North Dakota Century Code, relating to disposition of surplus property.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 302  
 Reported Back: Do pass, 1300  
 Final Passage: Passed, 1329  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1452

**Senate Bill No. 2165.** — A Bill for an Act to amend and reenact subsections 8, 9, and 11 of section 54-44-04; and to repeal section 54-14-03 and subsection 10 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of accounts and purchases and the office of the budget.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 597  
 Reported Back: Do pass, 1301  
 Final Passage: Passed, 1330  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2168.** — A Bill for an Act to limit the establishment of radioactive waste material repositories in North Dakota.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Natural

**Resources, 467**

Reported Back: Do pass, 989  
 Final Passage: Passed, 1249  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2172.** — A Bill for an Act to amend and reenact subsection 2 of section 6-01-03 of the North Dakota Century Code, relating to the makeup of the state credit union board.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 409  
 Reported Back: Do pass, 1402  
 Final Passage: Passed, 1418  
 Returned to Senate: Passed, 2172  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2173.** — A Bill for an Act to amend and reenact sections 54-45-02 and 54-45-03 of the North Dakota Century Code, relating to the duties of the department of civil air patrol and to the expenditure of funds by the civil air patrol for secretarial or administrative personnel.

Received from Senate, 294  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 359  
 Reported Back: Do pass, 1428  
 Final Passage: Passed, 1456  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2174.** — A Bill for an Act to amend and reenact section 6-06-08 of the North Dakota Century Code, relating to the supervision of credit unions by the state credit union board, examinations, and fees.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 302  
 Reported Back: Do pass, 895  
 Final Passage: Passed, 1249  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2175.** — A Bill for an Act to provide for fees for applications presented to the state banking board; and to amend and

reenact sections 6-02-06 and 6-03-15 of the North Dakota Century Code, relating to fees for applications presented to the state banking board.

Received from Senate, 250  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 275  
 Reported Back: Amended, 1467-1468  
 Amendments adopted, 1484  
 Final Passage: Passed, 1561  
 Returned to Senate: Amended, 1619  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2176.** — A Bill for an Act to amend and reenact section 6-06-11 of the North Dakota Century Code, relating to annual meetings, election of directors and committees of credit unions.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 302  
 Reported Back: Do pass, 896  
 Final Passage: Passed, 1316  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2177.** — A Bill for an Act to amend and reenact section 6-05-28 of the North Dakota Century Code, relating to the examination of annuity, deposit, surety, and trust companies, fees therefore, and the commissioner's authority over such companies.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 409  
 Reported Back: Do pass, 1143  
 Final Passage: Passed, 1250  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1393  
 Signed by Speaker, 1405  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2178.** — A Bill for an Act to create and enact a new section to chapter 7-02 of the North Dakota Century Code, relating to savings and loan association account insurance; to amend and reenact section 7-01-07 of the North Dakota Century Code, relating to insurance requirement and certificates of authority of state savings and loan associations; and providing a penalty.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 302  
 Reported Back: Do pass, 1301

Final Passage: Passed, 1330  
Returned to Senate: Passed, 1383  
Received from Senate, 1443  
Signed by Speaker, 1452  
Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2179.** — A Bill for an Act to amend and reenact section 7-01-04 of the North Dakota Century Code, relating to capital of savings and loan associations.

Received from Senate, 389  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 439  
Reported Back: Do pass, 1143  
Final Passage: Passed, 1251  
Returned to Senate: Passed, 1316  
Received from Senate, 1393  
Signed by Speaker, 1406  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2180.** — A Bill for an Act to amend and reenact section 13-05-04 of the North Dakota Century Code, relating to the annual license fee for collection agencies.

Received from Senate, 713  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 784  
Reported Back: Do pass, 1428  
Final Passage: Passed, 1457  
Returned to Senate: Passed, 1485  
Received from Senate, 1606  
Signed by Speaker, 1607  
Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2181.** — A Bill for an Act to amend and reenact section 6-03-70 of the North Dakota Century Code, relating to submission of reports to the commissioner.

Received from Senate, 389  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 439  
Reported Back: Do pass, 1144  
Final Passage: Passed, 2181  
Returned to Senate: Passed, 1316  
Received from Senate, 1393  
Signed by Speaker, 1406  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2182.** — A Bill for an Act to amend and reenact section 6-03-59 of the North Dakota Century Code, relating to loan limitation.

Received from Senate, 415  
Introduced, First Reading, Referred to Committee on Industry,

**Business and Labor, 467**

Reported Back: Do pass, 1144  
 Final Passage: Passed, 1252  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1393  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2183.** — A Bill for an Act to amend and reenact section 6-03-27 of the North Dakota Century Code, relating to list of shareholders and requirement of notification of change in control.

Received from Senate, 571  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 634

Reported Back: Do pass, 1144  
 Final Passage: Passed, 1252  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2184.** — A Bill for an Act to create and enact a new section to chapter 13-05 of the North Dakota Century Code, relating to biennial report of collection agencies; and to amend and reenact sections 6-01-10, 7-05-03, 13-03-10, and 13-03.1-10 of the North Dakota Century Code, relating to the biennial reports of the state banking board, state credit union board, and department of banking and financial institutions.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 597

Reported Back: Amended, 1144-1145  
 Amendments adopted, 1216  
 Final Passage: Passed, 1253  
 Returned to Senate: Amended, 1316  
 Senate concurs, 1399  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2185.** — A Bill for an Act to amend and reenact section 6-01-18 of the North Dakota Century Code, relating to reports and examinations of institutions insured in federal deposit insurance corporation.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 467

Reported Back: Do pass, 1230  
 Final Passage: Passed, 1254  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406



**Senate Bill No. 2186.** — A Bill for an Act to create the political subdivision liability fund, to provide for limitations on payments from such fund, providing an appropriation and declaring an emergency.

Received from Senate, 866  
Introduced, First Reading, Referred to Committee on Judiciary, 947  
Reported Back: Do pass and re-refer to Committee on Appropriations, 1611  
Reported Back: Amended, 1702  
Amendments adopted, 1719  
Final Passage: Passed, and emergency clause carried, 1793  
Returned to Senate: Amended, 1794  
Senate concurs, 1927  
Received from Senate, 2032  
Signed by Speaker, 2038  
Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2187.** — A Bill for an Act to amend and reenact section 6-01-09 of the North Dakota Century Code, relating to the supervision and examination of banks.

Received from Senate, 2187  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 467  
Reported Back: Do pass, 1145  
Final Passage: Passed, 1254  
Returned to Senate: Passed, 1316  
Received from Senate, 1394  
Signed by Speaker, 1406  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2189.** — A Bill for an Act to create a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program, combining the funds of the trusts created by the forty-fourth and forty-fifth legislative assemblies under the coal severance tax legislation and administered by the state land department.

Received from Senate, 753  
Introduced, First Reading, Referred to Committee on Finance and Taxation, 819  
Reported Back: Do not pass, 1428  
Final Passage: Lost, 1450  
Returned to Senate: Failed to pass, 1537

**Senate Bill No. 2191.** — A Bill for an Act to amend and reenact section 43-07-10 of the North Dakota Century Code, relating to the renewal of licenses for contractors.

Received from Senate, 571  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 634  
Reported Back: Do pass, 1301  
Final Passage: Passed, 1331

Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2194.** — A Bill for an Act to create and enact a new section to chapter 26-03 of the North Dakota Century Code, relating to the coordination of benefits by insurance companies, hospital service corporations, or medical service corporations.

Received from Senate, 294  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 359  
 Reported Back: Do pass, 859  
 Final Passage: Passed, 1255  
 Returned to Senate: Passed, 1260  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2196.** — A Bill for an Act to create and enact three new subdivisions to subsection 26 of section 57-39.2-04 and three new subdivisions to subsection 12 of section 57-40.2-04 of the North Dakota Century Code, relating to exemptions from sales and use tax for sales of equipment used to modify motor vehicles, real property, and motorized implements of husbandry for use by physically disabled individuals; and to create and enact a new subsection to 57-40.3-04 of the North Dakota Century Code, relating to an exemption from the motor vehicle excise tax for certain sales to handicapped individuals.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 468  
 Reported Back: Amended, 1611-1612  
 Amendments adopted, 1621  
 Final Passage: Passed, 1689  
 Returned to Senate: Amended, 1782  
 Senate concurs, 1870  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2197.** — A Bill for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code relating to the definition of making loans; to amend and reenact sections 6-03-13.1, 6-03-17 and 6-03-69 of the North Dakota Century Code, relating to bank separate facilities; paying and receiving stations and report of examining committee.

Received from Senate, 608  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 667  
 Reported Back: Do pass, 1145  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 1256

Re- Referred to Committee on Industry, Business and Labor, 1256

Reported Back: Amend 1752-1753

Amendments adopted 1776

Final Passage: Lost, 1870

Returned to Senate: Failed to pass, 1968

**Senate Bill No. 2198.** — A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for the examination of banks.

Received from Senate, 415

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 468

Reported Back: Amended, 1146

Amendments adopted, 1216

Final Passage: Passed, 1256

Returned to Senate: Amended, 1315

Senate does not concur, 1399

Conference Committee: House 1419 Senate 1399

Reconsidered action by which Senate refused to concur in House Amendment now concurs, conference committee discharged 1464

Received from Senate, 1546

Signed by Speaker, 1556

Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2199.** — A Bill for an Act to amend and reenact subsection 1 of section 6-01-03 of the North Dakota Century Code, relating to the makeup of the banking board and regular meetings thereof.

Received from Senate, 608

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 667

Reported Back: Do pass, 1146

Final Passage: Passed, 1257

Returned to Senate: Passed, 1316

Received from Senate, 1394

Signed by Speaker, 1406

Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2200.** — A Bill for an Act to amend and reenact sections 6-09-29, 6-10-06, and 7-05-01 of the North Dakota Century Code, relating to fees for the examination of the Bank of North Dakota, agents for deposits, and savings and loan associations.

Received from Senate, 415

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 468

Reported Back: Do pass, 1429

Final Passage: Passed, 1457

Returned to Senate: Passed, 1485

Received from Senate, 1606

Signed by Speaker, 1607

Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2201.** — A Bill for an Act to amend and reenact section 52-09-03 of the North Dakota Century Code, relating to the administration of the old-age and survivors insurance system and to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old-age and survivor insurance system.

Received from Senate, 918  
Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 994  
Reported Back: Do pass, 1429  
Final Passage: Passed, 1458  
Returned to Senate: Passed, 1485  
Received from Senate, 1606  
Signed by Speaker, 1607  
Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2202.** — A Bill for an Act to create and enact a new subsection to section 52-04-06 of the North Dakota Century Code, relating to variations in unemployment compensation rates.

Received from Senate, 954  
Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 1046  
Reported Back: Do pass, 1468  
Final Passage: Passed, 1502  
Returned to Senate: Passed, 1605  
Received from Senate, 1680  
Signed by Speaker, 1687  
Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2204.** — A Bill for an Act to amend and reenact subsection 3 of section 52-06-01 of the North Dakota Century Code, relating to eligibility for unemployment compensation benefits.

Received from Senate, 954  
Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 1046  
Reported Back: Do pass, 1468  
Final Passage: Passed, 1503  
Returned to Senate: Passed, 1605  
Received from Senate, 1680  
Signed by Speaker, 1687  
Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2206.** — A Bill for an Act to provide for the licensure and regulation of those persons engaged in the business of finding lenders for persons or businesses desirous of obtaining funds and to provide a penalty.

Received from Senate, 571  
Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 634  
Reported Back: Do pass, 1146

Reconsidered action by which House accepted Committee Report — motion prevailed, 1258

Re-referred to Committee on Industry, Business and Labor, 1258

Reported Back: Amend 1702-1703

Amendments adopted, 1719

Final Passage: Passed, 1793

Returned to Senate: Amended, 1794

Senate concurs, 1927

Received from Senate, 2032

Signed by Speaker, 2038

Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2207.** — A Bill for an Act to provide for the removal of harvested hay on the rights of way of the state highway system and providing for the forfeiture of the hay upon failure to remove.

Received from Senate, 366

Introduced, First Reading, Referred to Committee on Transportation, 409

Reported Back: Do pass, 1146

Final Passage: Passed 1259

Reconsidered action by which House passed Senate Bill — Motion prevailed, 1281

Reconsidered action by which House accepted Committee Report, 1281

Re-referred to Committee on Transportation, 1281

Reported Back: Amend 1378

Amendments adopted 1385

Final Passage: Passed, 1418

Returned to Senate: Amended, 1485

Senate concurs, 1547

Received from Senate, 1620

Signed by Speaker, 1620

Sent to Senate, signed by Speaker 1620

**Senate Bill No. 2208.** — A Bill for an Act to amend and reenact subsection 1 of section 54-44.1-06 of the North Dakota Century Code, relating to the preparation of budget data.

Received from Senate, 1002

Introduction, First Reading, Referred to Committee on Industry, Business and Labor, 1110

Reported Back: Do pass, 1301

Final Passage: Passed, 1332

Returned to Senate: Passed, 1383

Received from Senate, 1443

Signed by Speaker, 1452

Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2211.** — A Bill for an Act to amend and reenact section 43-09-14 of the North Dakota Century Code, relating to the surety bond of a master and class B electrician.

Received from Senate, 571

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 634

Reported Back: Do pass, 1302  
 Final Passage: Passed, 1332  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2212.** — A Bill for an Act to amend and reenact section 16-11-07 of the North Dakota Century Code, relating to the ballot order of measures to be submitted to electors; or, in the alternative, to amend and reenact section 16.1-06-09 of the North Dakota Century Code, as created by section 4 of House Bill No. 1138, as approved by the forty-sixth legislative assembly, relating to the ballot order of measures to be submitted to the electors.

Received from Senate, 642  
 Introduced, First Reading, Referred to Committee on Judiciary, 706  
 Reported Back: Do pass, 1230  
 Final Passage: Passed, 1260  
 Returned to Senate: Passed, 316  
 Received from Senate, 1394  
 Signed by Speaker, 1407  
 Sent to Senate, signed by Speaker 1407

**Senate Bill No. 2214.** — A Bill for an Act placing jurisdiction over storage or disposal of nuclear and other wastes in the industrial commission, providing for permits for such storage or disposal, providing exemptions, providing for administrative regulations; and providing penalties.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on Natural Resources, 598  
 Reported Back: Amended, 1522  
 Amendments adopted, 1544  
 Final Passage: Passed 1596  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1744  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2215.** — A Bill for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to permitting nonpublic school teachers to participate in the teachers' fund for retirement; and to amend subsection 3 of section 15-39.1-10 of the North Dakota Century Code, relating to the eligibility of nonpublic school teachers to participate in the teachers' fund for retirement.

Received from Senate, 753  
 Introduced, First Reading, Referred to Committee on Education, 819  
 Reported Back: Do pass, 1346  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 1353  
 Re-referred to Committee on Education, 1353

Reported Back: Do pass 1429  
 Final Passage: Passed 1458  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2217.** — A Bill for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to an offset of social security benefits.

Received from Senate, 1002  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1110  
 Reported Back: Do pass, 1468  
 Final Passage: Passed, 1503  
 Returned to Senate: Passed, 605  
 Received from Senate, 1680  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2218.** — A Bill for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century Code, relating to the collection of fees for the issuance of permits or registration certificates for air contaminant sources by the state department of health; to amend and reenact section 23-25-04.1 of the North Dakota Century Code, relating to the issuance of permits or registration certificates for air contaminant sources.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Natural Resources, 784  
 Reported Back: Amended, 1569-1570  
 Amendments adopted, 1581  
 Final Passage: Lost, 1642  
 Reconsidered action by which House Bill failed to pass — motion prevailed, 1680  
 Motion to re-refer to Committee on Natural Resources — motion failed, 1680  
 Final Passage: Passed 1680  
 Returned to Senate: Amended, 1782  
 Senate concurs, 1870  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2219.** — A Bill for an Act to amend and reenact section 65-05-01, subsection 4 of section 65-05-16, and section 65-05-17 of the North Dakota Century Code, relating to filing claims for compensation and an increase in death benefits; and to declare an emergency.

Received from Senate, 1002  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1111

Reported Back: Amended, 1522-1523  
 Amendments adopted, 1544  
 Final Passage: Passed and emergency clause carried, 1597  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2220.** — A Bill for an Act to create and enact a new section to chapter 23-20.1 of the North Dakota Century Code, relating to the collection of fees for the issuance of licenses and registration certificates for sources of ionizing radiation by the state department of health.

Received from Senate, 790  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 860  
 Reported Back: Do not pass, 1378  
 Final Passage: Lost, 1388  
 Returned to Senate: Failed to pass, 1444

**Senate Bill No. 2221.** — A Bill for an Act to repeal chapter 47-23 of the North Dakota Century Code, relating to the use of the North Dakota trademark and to the approval, by the state laboratories Department, for the use of the trademark.

Received from Senate, 571  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 634  
 Reported Back: Do pass, 1302  
 Final Passage: Passed, 1333  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2222.** — A Bill for an Act to provide for the leasing of certain lands managed and controlled by the state board of higher education.

Received from Senate, 269  
 Introduced, First Reading, Referred to Committee on Education, 302  
 Reported Back: Do pass, 1429  
 Final Passage: Passed, 1459  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2223.** — A Bill for an Act to amend and reenact section 6-01-07 of the North Dakota Century Code, relating to records of state banking board, state credit union board and commissioner of banking and financial institutions.



Received from Senate, 451  
Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 497  
Reported Back: Do pass, 896  
Final Passage: Passed, 1260  
Returned to Senate: Passed, 1316  
Received from Senate, 1394  
Signed by Speaker, 1406  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2224.** — A Bill for an Act to create and enact section 6-01-07.1 of the North Dakota Century Code, relating to confidentiality of records.

Received from Senate, 451  
Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 497  
Reported Back: Do pass, 896  
Final Passage: Passed, 1261  
Returned to Senate: Passed, 1316  
Received from Senate, 1394  
Signed by Speaker, 1406  
Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2225.** — A Bill for an Act to amend and reenact sections 37-11-01 and 37-11-02 and to repeal sections 37-11-04, 37-11-06 and 37-11-07 of the North Dakota Century Code, relating to compensation for disability or death of members of the North Dakota National Guard.

Received from Senate, 366  
Introduced, First Reading, Referred to Committee on Social Services  
and Veterans Affairs, 409  
Reported Back: Do pass, 1524  
Final Passage: Passed, 1562  
Returned to Senate: Passed, 1619  
Received from Senate, 1736  
Signed by Speaker, 1743  
Sent to Senate, signed by Speaker 1743

**Senate Bill No. 2226.** — A Bill for an Act to repeal chapter 197 of the 1969 Session Laws of North Dakota relating to the adoption of the quarter system of institutions of higher education in the state.

Received from Senate, 713  
Introduced, First Reading, Referred to Committee on Education, 784  
Reported Back: Do not pass, 1612  
Final Passage: Lost, 1638  
Returned to Senate: Failed to pass, 1728

**Senate Bill No. 2227.** — A Bill for an Act to authorize the state board of higher education to sell and convey certain land owned by the state of North Dakota, proceeds to go to the general fund.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Education,  
1111

Reported Back: Amended, 1753-1754

Amendments adopted, 1776

Final Passage: Passed, 1909

Returned to Senate: Amended, 1925

Senate concurs, 2098

Received from Senate, 2145

Signed by Speaker, 2152

Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2229.** — A Bill for an Act to amend and reenact subsections 1 and 2 of section 52-06-04 of the North Dakota Century Code, relating to unemployment compensation weekly benefit amount and qualifying wages; and to amend and reenact section 52-06-05 of the North Dakota Century Code, relating to maximum potential unemployment compensation benefits.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 1111

Reported Back: Amended, 1469

Amendments adopted, 1484

Final Passage: Passed, 1597

Returned to Senate: Amended, 1672

Senate concurs, 1795

Received from Senate, 1858

Signed by Speaker, 1865

Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2230.** — A Bill for an Act to amend and reenact section 49-03.1-02 of the North Dakota Century Code, relating to the definition of public utility.

Received from Senate, 538

Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 598

Reported Back: Amended, 1270

Amendments adopted, 1275

Final Passage: Passed, 1333

Returned to Senate: Amended, 1440

Senate concurs, 1463

Received from Senate, 1497

Signed by Speaker, 1537

Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2231.** — A Bill for an Act to amend and reenact subsections 6 and 26 of section 52-01-01, section 52-02-01 and section 52-07.1-02 of the North Dakota Century Code, relating to the North Dakota Unemployment Compensation Law, and to amend and reenact section 52-08-02 and section 52-08-03 of the North Dakota Century Code, relating to the North Dakota state employment service.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1111

Reported Back: Do pass, 1430

Final Passage: Passed, 1459

Returned to Senate: Passed, 1485

Received from Senate, 1606

Signed by Speaker, 1607

Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2232.** — A Bill for an Act to amend and reenact subsection 4 of section 52-01-01 and subsection 1 of section 52-06-02 of the North Dakota Century Code, and to repeal subsection 10 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits.

Received from Senate, 954

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1046

Reported Back: Do pass, 1469

Final Passage: Passed, 1504

Returned to Senate: Passed, 1605

Received from Senate, 1681

Signed by Speaker, 1687

Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2233.** — A Bill for an Act to create and enact section 49-22-08.1 of the North Dakota Century Code, relating to applications for route permits and the designation of transmission facility routes; to amend and reenact section 49-22-02, subsections 1, 5, 10, 11, and 12 of section 49-22-03, sections 49-22-05.1, 49-22-07, 49-22-07.2, 49-22-08, 49-22-09, 49-22-13, 49-22-14.1, 49-22-16, and 49-22-18, subsections 3 and 4 of section 49-22-21, and section 49-22-22 of the North Dakota Century Code, relating to the statement of policy; definitions; the inventory of exclusion and avoidance areas; criteria; certificates of site compatibility and route permits; the waiver of procedures and time schedules; applications for certificates; the designation of sites and corridors; factors to be considered in evaluating applications and the designation of sites, corridors, and routes; public hearings; cooperation with state and federal agencies; the effect of issuance of certificates or permits; local land-use, zoning, or building rules, regulations, or ordinances; state agency rules; rules and regulations; penalties; and application fees; to repeal sections 49-22-10, 49-22-11, 49-22-12.1, and 49-22-15 of the North Dakota Century Code, relating to the designation of sites and corridors, the approval of specific routes, emergency certification, and public participation.

Received from Senate, 1117

Introduced, First Reading, Referred to Committee on Natural Resources, 1201

Reported Back: Amended, 1754-1755

Amendments adopted, 1776

Final Passage: Passed, 1871

Returned to Senate: Amended, 1890

Senate does not concur, 2008

Conference Committee: House, 2011 Senate, 2008  
 Conference Committee Report: House adopts, 2217 Senate adopts,  
 2165

Conference Committee amendments adopted 2217  
 Received from Senate, 2379  
 Signed by Speaker, 2379  
 Sent to Senate, signed by Speaker 2379

**Senate Bill No. 2234.** — A Bill for an Act to amend and reenact sections 16-10-12 and 16-10-16 of the North Dakota Century Code, if House Bill No. 1138 is not approved by the forty-sixth legislative assembly, relating to compensation for election officials.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Judiciary, 468  
 Reported Back: Do not pass, 1430  
 Final Passage: Lost, 1451  
 Returned to Senate: Failed to pass, 1537

**Senate Bill No. 2235.** — A Bill for an Act to amend and reenact sections 24-08-01 and 24-08-03 of the North Dakota Century Code, relating to authority of the board of county commissioners to construct, rebuild or repair a bridge under its own supervision.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Transportation, 409  
 Reported Back: Amended, 1524  
 Amendments adopted, 1544  
 Final Passage: Passed, 1598  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1744  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2237.** — A Bill for an Act to amend and reenact section 57-06-01 of the North Dakota Century Code, relating to the exemption of one-way paging and communication systems from property taxation under chapter 57-06.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 409  
 Reported Back: Do not pass, 1612  
 Reconsidered action by which House accepted committee report — motion prevailed, 1680  
 Re-referred to Committee on Finance and Taxation, 1680  
 Reported Back: Amended, 1807  
 Amendments adopted, 1835  
 Final Passage: Passed, 1910  
 Returned to Senate: Amended, 1925  
 Senate concurs, 2008  
 Received from Senate, 2081  
 Signed by Speaker, 2095  
 Sent to Senate, signed by Speaker 2096

**Senate Bill No. 2240.** — A Bill for an Act to amend and reenact section 49-02-01 of the North Dakota Century Code, relating to public service commission jurisdiction over utilities.

Received from Senate, 538  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 598  
Reported Back: Do pass, 1656  
Final Passage: Passed, 1689  
Returned to Senate: Passed, 1782  
Received from Senate, 1858  
Signed by Speaker, 1865  
Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2241.** — A Bill for an Act to create and enact three new sections to chapter 54-52 and a new subsection to section 54-52-01 of the North Dakota Century Code, relating to the definition of "penitentiary employee", and assessments, contributions, length of service, and normal retirement age for penitentiary employees.

Received from Senate, 642  
Introduced, First Reading, Referred to Committee on State and Federal Government, 706  
Reported Back: Do pass and re-refer to Committee on Appropriations, 1470  
Reported Back: Do not pass, 1755  
Final Passage: Lost, 1784  
Returned to Senate: Failed to pass, 1890

**Senate Bill No. 2242.** — A Bill for an Act to amend and reenact section 15-20.2-04 of the North Dakota Century Code, relating to multi-district center boards, appointment of members, terms, compensation and vacancies.

Received from Senate, 415  
Introduced, First Reading, Referred to Committee on Education, 468  
Reported Back: Do pass, 1302  
Final Passage: Passed, 1334  
Returned to Senate: Passed, 1383  
Received from Senate, 1443  
Signed by Speaker, 1452  
Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2243.** — A Bill for an Act to create and enact a new section to chapter 55-02 of the North Dakota Century Code, to provide protection of archeological, historical or paleontological sites by limiting access to and release of information from files held by the state historical society of North Dakota.

Received from Senate, 389  
Introduced, First Reading, Referred to Committee on State and Federal Government, 440  
Reported Back: Amended, 1480  
Final Passage: Passed, 1460

Returned to Senate: Passed, 1485  
 Received from Senate, 1606  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2244.** — A Bill for an Act to create and enact a new section to chapters 39-18, 39-22, and 39-22.1 of the North Dakota Century Code, relating to the disposition of mobile home dealer fees, motor vehicle dealer fees, and semitrailer dealer fees.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Transportation, 409  
 Reported Back: Do pass, 1378  
 Final Passage: Passed, 1396  
 Returned to Senate: Passed, 1444  
 Received from Senate, 1546  
 Signed by Speaker, 1556  
 Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2245.** — A Bill for an Act to create and enact two new subsections to section 39-01-01 of the North Dakota Century Code, relating to definitions of lienholder, and salvage certificate of title; and to amend and reenact subsections 29 and 37 of section 39-01-01 of the North Dakota Century Code, relating to definitions of manufacturer and owner.

Received from Senate, 501  
 Introduced, First Reading, Referred to Committee on Transportation, 564  
 Reported Back: Amended, 1524-1525  
 Amendments adopted, 1544  
 Final Passage: Passed 1599  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1744  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2246.** — A Bill for an Act to amend and reenact sections 39-05-03 and 39-05-17 of the North Dakota Century Code, relating to the department's refusal to license a vehicle until application for a title certificate is made and transfer of title to a vehicle.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on Transportation, 598  
 Reported Back: Do pass 1346  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 1353  
 Re-referred to Committee on Transportation, 1354  
 Reported Back: Amend 1525  
 Amendments adopted 1544  
 Final Passage: Passed 1599

Returned to Senate: Amended, 1672  
 Senate concurs, 1744  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2247.** — A Bill for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to the registration dates for snowmobiles.

Received from Senate, 366  
 Introduced, First Reading, Referred to Committee on Transportation, 409  
 Reported Back: Do pass 1346  
 Final Passage: Passed, 1366  
 Returned to Senate: Passed, 1412  
 Received from Senate, 1497  
 Signed by Speaker, 1537  
 Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2248.** — A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 and subsection 1 of section 39-04-23 of the North Dakota Century Code, relating to farm truck registration and change of registration to a higher gross weight.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on Transportation, 598  
 Reported Back: Do pass, 1346  
 Final Passage: Passed, 1366  
 Returned to Senate: Passed, 1412  
 Received from Senate, 1497  
 Signed by Speaker, 1537  
 Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2249.** — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to licensing of wholesale motor vehicle dealers; and providing a penalty.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Transportation, 902  
 Reported Back: Amended, 1656  
 Amendments adopted, 1677  
 Final Passage: Passed, 1737  
 Returned to Senate: Amended, 1824  
 Senate does not concur, 1927  
 Conference Committee: House, 1834 Senate, 1927  
 Conference Committee Report: House adopts, 2120 Senate adopts, 2105  
 Conference Committee amendments adopted, 2140  
 Final Passage: Passed, 2264  
 Received from Senate: 2379  
 Signed by Speaker, 2379  
 Sent to Senate, signed by Speaker 2379

**Senate Bill No. 2250.** — A Bill for an Act to create and enact a new section to chapter 49-19 of the North Dakota Century Code, relating to common carrier pipelines and the necessity to secure a certificate of public convenience and necessity from the public service commission.

Received from Senate, 542  
 Introduced, First Reading, Referred to Committee on Transportation, 706  
 Reported Back: Do not pass, 1755  
 Final Passage: Lost, 1785  
 Returned to Senate: Failed to pass, 1890

**Senate Bill No. 2251.** — A Bill for an Act to provide for mandatory health insurance coverage for newborn children under an insured's family policy.

Received from Senate, 808  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 867  
 Reported Back: Do pass, 860  
 Final Passage: Passed, 1261  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2252.** — A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of the school board; and to create and enact eleven new sections to the North Dakota Century Code, relating to the regulation of boarding home care for special education students; and providing a penalty.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 902  
 Reported Back: Amended, 1807-1808  
 Amendments adopted, 1835  
 Final Passage: Passed, 1910  
 Returned to Senate: Amended, 2016  
 Senate concurs, 2122  
 Received from Senate, 2177  
 Signed by Speaker, 2198  
 Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2253.** — A Bill for an Act to create and enact five new sections to chapter 14-09 of the North Dakota Century Code, relating to wage assignment and orders for withholding and transmitting earnings for child support enforcement purposes; procedures for dissolving, revoking or modifying such assignments or orders; duties and liabilities of employers under such assignments and orders; and the creation of a lien on property to aid in the enforcement of child support obligations.



Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Social Services  
 and Veterans Affairs, 440  
 Reported Back: Without recommendation, 1755  
 Floor amendment, request granted, 2036  
 Amendments adopted, 2036  
 Final Passage: Lost, 2036  
 Reconsidered action by which House Bill failed to pass — motion  
 prevailed on verification vote, 2052  
 Final Passage: Passed, 2069  
 Returned to Senate: Amended, 2033  
 Senate concurs, 2122  
 Received from Senate, 2177  
 Signed by Speaker, 2198  
 Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2254.** — A Bill for an Act to create and enact Chapter  
 61-02.1 of the North Dakota Century Code, relating to the establishment  
 of a special fund for water use fees.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Natural  
 Resources, 784  
 Reported Back: Amended, 1755-1756  
 Amendments adopted, 1776  
 Final Passage: Passed, 1872  
 Returned to Senate: Amended, 1896  
 Senate concurs, 2008  
 Received from Senate, 2104  
 Signed by Speaker, 2112  
 Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2255.** — A Bill for an Act to amend and reenact  
 section 58-03-11 of the North Dakota Century Code, relating to the  
 zoning regulations and restrictions of organized townships.

Received from Senate, 316  
 Introduced, First Reading, Referred to Committee on Political  
 Subdivisions, 384  
 Reported Back: Do pass, 946  
 Final Passage: Passed, 1262  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1392  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2256.** — A Bill for an Act to amend and reenact  
 section 57-01-02.1 of the North Dakota Century Code, relating to sales  
 and use tax collection agreements with home rule cities.

Received from Senate, 918  
 Introduced, First Reading, Referred to Committee on Finance and  
 taxation, 994  
 Reported Back: Amended, 1430-1431

Amendments adopted, 1438  
 Final Passage: Passed and emergency clause carried, 1505  
 Returned to Senate: Amended, 1537  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2258.** — A Bill for an Act to create and enact a new section to chapter 57-58 of the North Dakota Century Code, relating to personal property replacement money; to amend and reenact subsection 2 of section 57-02-08.1, sections 57-05-01, 57-13-03, 57-34-02 and 57-34-03 of the North Dakota Century Code, relating to a minimum amount of refund for senior citizens, the assessment date of railroad property, the annual meeting place of the state board of equalization, reports of telephone companies, and the computation of telephone company tax by the tax commissioner.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 440  
 Reported Back: Do pass, 1270  
 Final Passage: Passed, 1282  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2259.** — A Bill for an Act to create and enact a new subsection to section 25-09-05, a new section to chapter 57-35, a new section to chapter 57-35.1, and a new section to chapter 57-35.2 of the North Dakota Century Code, relating to confidentiality of tax information; and to amend and reenact subsection 4 of section 50-09-08, subsection 2 of section 57-37.1-22, and subsection 3 of section 57-38-57 of the North Dakota Century Code, relating to confidentiality of tax information.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 440  
 Reported Back: Do pass, 1147  
 Final Passage: Passed, 1262  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2260.** — A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to the deduction of taxes paid to foreign countries; and providing for an effective date.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 440

Reported Back: Amended, 1270  
 Amendments adopted, 1275  
 Final Passage: Passed, 1334  
 Returned to Senate: Amended, 1383  
 Senate concurs, 1463  
 Received from Senate, 1497  
 Signed by Speaker, 1537  
 Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2262.** — A Bill for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to the application of refunds and credits; and providing an effective date.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 468  
 Reported Back: Do pass 1271  
 Final Passage: Passed, 1283  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2263.** — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 14-15-09 of the North Dakota Century Code, relating to the social service board or a county social service board being named as a respondent in an adoption proceeding; and to amend and reenact subsections 2, 5, and 6 of section 14-15-11 and subsection 3 of section 14-15-13 of the North Dakota Century Code, relating to investigations for adoptions, and disposition of adoption petition.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 440  
 Reported Back: Amended, 1402-1403  
 Amendments adopted: 1441  
 Final Passage: Passed, 1461  
 Returned to Senate: Amended, 1485  
 Senate does not concur, 1744  
 Conference Committee: House, 1774 Senate, 1744  
 Conference Committee Report: House adopts, 2217 Senate adopts, 2165  
 Conference Committee amendments adopted 2217  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2264.** — A Bill for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to restrictions and conditions on loans to and purchases from directors, officers, and employees of state banking associations and officers and employees of banking department.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Industry,

**Business and Labor, 1047**

Reported Back: Do pass, 1431  
 Final Passage: Passed, 1461  
 Returned to Senate: Passed, 1485  
 Received from Senate, 1607  
 Signed by Speaker, 1607  
 Sent to Senate, signed by Speaker 1607

**Senate Bill No. 2265.** — A Bill for an Act to amend and reenact subsections 2 and 3 of section 52-04-03 of the North Dakota Century Code, relating to wages subject to unemployment compensation contributions; to amend and reenact section 52-04-05 of the North Dakota Century Code, relating to standard rate of unemployment compensation contributions; to amend and reenact section 52-04-06 of the North Dakota Century Code, relating to variations in standard rate of unemployment compensation contributions; to provide an effective date; and declaring an emergency.

Received from Senate, 1002  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 1111  
 Reported Back: Do pass, 1470  
 Final Passage: Passed and emergency clause carried, 1505  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2267.** — A Bill for an Act to create and enact a new section to chapter 51-04 of the North Dakota Century Code, relating to optional licensing of transient merchants by the attorney general; and to amend and reenact subsection 1 of section 51-04-01 of the North Dakota Century Code, relating to the definition of transient merchants; to amend and reenact section 51-04-02 of the North Dakota Century Code, relating to the application for a transient merchants license; to amend and reenact section 51-04-03 of the North Dakota Century Code, relating to license fees and issuance of a bond; to amend and reenact section 51-04-05 of the North Dakota Century Code, relating to the failure of a transient merchant's affidavit for certain sales; to amend and reenact section 51-04-07 of the North Dakota Century Code, relating to service of process; and to amend and reenact section 51-04-08 of the North Dakota Century Code, relating to certain excepted sales from the transient merchants law.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Industry,  
 Business and Labor, 745  
 Reported Back: Amended, 1526  
 Amendments adopted, 1544  
 Final Passage: Passed, 1600  
 Returned to Senate: Amended, 1672  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2268.** — A Bill for an Act to create and enact a new section to chapter 24-12 and to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code, relating to the payments of rewards in matters concerning highway vandalism and to provide for signing of highway construction projects.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Transportation, 441  
 Reported Back: Do pass, 1379  
 Final Passage: Passed, 1397  
 Returned to Senate: Passed, 1444  
 Received from Senate, 1546  
 Signed by Speaker, 1556  
 Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2269.** — A Bill for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, relating to accreditation standards; and to amend and reenact subsection 1 of section 15-34.1-03, and sections 15-38-07, 15-41-24 and 15-41-25 of the North Dakota Century Code, relating to the requirements for the minimum curriculum of all schools and the approval of private schools.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on Education, 468  
 Reported Back: Amended, 1703-1704  
 Amendments adopted, 1719  
 Final Passage: Passed, 1873  
 Returned to Senate: Amended, 1890  
 Senate concurs, 2098  
 Received from Senate, 2177  
 Signed by Speaker, 2198  
 Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2272.** — A Bill for an Act to create and enact three new sections to chapter 39-21 of the North Dakota Century Code, relating to additional lighting equipment on vehicles, vehicular hazard warning signals, and the duration of the department's approval of equipment; to create and enact two new sections to chapter 39-27 of the North Dakota Century Code, relating to lights and brakes on motor-driven cycles; to amend and reenact sections 39-21-01, 39-21-03, subsection 2 of section 39-21-04, sections 39-21-05, 39-21-06, subsection 1 of section 39-21-10, subsection 1 of section 39-21-11, sections 39-21-13, 39-21-14, 39-21-15, 39-21-16, subsections 1 and 4 of section 39-21-17, sections 39-21-19, 39-21-20, subsection 2 of section 39-21-21, subsection 1 of section 39-21-25, sections 39-21-29, 39-21-30, 39-21-31, 39-21-35, 39-21-36, 39-21-39, 39-21-41, 39-21-41.1, 39-21-42, 39-21-43, 39-21-44, 39-21-45, 39-21-46, and 39-21-50 of the North Dakota Century Code, relating to when lamps are required, head lamps on motor vehicles, location of tail lamps, reflectors on new motor vehicles, stop lamps and turn signals on new motor vehicles, location of reflectors, visibility of reflectors, lamp on projecting loads, lamps on parked vehicles, lamps and reflectors on farm equipment, lamps on vehicles not covered by other sections, spot

lamps, auxiliary driving lamps, signal lamps and devices, multiple beam road lighting equipment, use of multiple beam road lighting equipment, the required number of head lamps; selling or using lamps and related equipment, department approval of equipment, revocation of approval of equipment, hydraulic brake fluid specifications, horns and warning devices, windshields on vehicles, safety glazing material, safety belt requirements, when vehicles must carry flares, display of warning devices, vehicles transporting explosives, air conditioning equipment, scope and effect of regulations, and the slow-moving vehicle emblem; and to repeal sections 39-21-23 and 39-21-34 of the North Dakota Century Code, relating to headlights and brakes on motor-driven cycles.

Received from Senate, 538

Introduced, First Reading, Referred to Committee on Transportation, 598

Reported Back: Amended, 1527

Amendments adopted, 1544

Final Passage: Passed, 1600

Returned to Senate: Amended, 1672

Senate concurs, 1744

Received from Senate, 1858

Signed by Speaker, 1865

Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2273.** — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to normal and postponed retirement under the public employees retirement system.

Received from Senate, 713

Introduced, First Reading, Referred to Committee on State and Federal Government, 785

Reported Back: Do pass, 1470

Final Passage: Passed, 1602

Returned to Senate: Passed, 1672

Received from Senate, 1783

Signed by Speaker, 1825

Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2276.** — A Bill for an Act to create and enact a new section to any legislation enacted by the forty-sixth legislative assembly providing for a coal development impact aid program to provide qualifications for the director of the coal development impact office and to require confirmation by the senate; to amend and reenact section 14 of chapter 560 of the 1977 Session Laws of North Dakota, relating to the coal development impact office and providing for qualifications for the director and confirmation by the senate; setting forth grant guidelines; and declaring an emergency.

Received from Senate, 790

Introduced, First Reading, Referred to Committee on State and Federal Government, 860

Reported Back: Amended, 1808

Reconsidered action by which House accepted committee report — motion prevailed, 1887

Re-referred to Committee on Appropriations, 1887

Reported Back: Amended, 1957-1958

Amendments adopted, 1975

Final Passage: Lost, 2328

Returned to Senate: Failed to pass, 2332

**Senate Bill No. 2278.** — A Bill for an Act to provide for notification by the employment security bureau to base-period employers of actual or estimated charges against the base-period employers' accounts.

Received from Senate, 1002

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1111

Reported Back: Do pass, 1470

Final Passage: Passed, 1507

Returned to Senate: Passed, 1605

Received from Senate, 1681

Signed by Speaker, 1687

Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2280.** — A Bill for an Act to create and enact five new sections to chapter 10-06 of the North Dakota Century Code, authorizing small family-type corporations to engage in farming and ranching operations within specified limitations, providing for a definition of farming, requiring reports, and providing for enforcement; to amend and reenact section 10-06-01 of the North Dakota Century Code, prohibiting farming by corporations; to repeal sections 10-06-02, 10-06-03, 10-06-05, and 10-06-06 of the North Dakota Century Code, relating to disposal of lands acquired prior to July 29, 1932, disposal of lands acquired subsequent to July 29, 1932, title to farm lands acquired by corporation since July 29, 1932, and the sale of the lands of noncomplying corporations; and providing a penalty.

Received from Senate, 1054

Introduced, First Reading, Referred to Committee on Agriculture, 1151

Reported Back: Without recommendation, 1756

Final Passage: Passed, 2052

Returned to Senate: Passed, 2099

Received from Senate, 2145

Signed by Speaker, 2152

Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2283.** — A Bill for an Act to create and enact section 27-20-51.1 of the North Dakota Century Code, relating to the release of the name and age of a child involved in a juvenile court proceeding and the nature of the allegations against him under certain conditions; and to amend and reenact sections 27-20-51 of the North Dakota Century Code, relating to the inspection of a juvenile's court files and records under the Uniform Juvenile Court Act.

Received from Senate, 1117

Introduced, First Reading, Referred to Committee on Judiciary, 1202

Reported Back: Do not pass, 1471  
 Final Passage: Lost, 1494  
 Returned to Senate: Failed to pass, 1605

**Senate Bill No. 2284.** — A Bill for an Act to provide an appropriation to the Grafton state school to idemnify Mrs. Ray Holt, Mrs. Myrtle McDonald, Mr. Tim Holt, Nygard's Auto, Inc., and Wally's Fairway Foods, all of Grafton, North Dakota, for property and other losses suffered due to the acts of residents of Grafton state school.

Received from Senate, 415  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 468  
 Reported Back: Do pass, 1431  
 Reconsidered action by which House accepted committee report — motion prevailed, 1507  
 Re-referred to Committee on State and Federal Government, 1507  
 Reported Back: Amended, 1704  
 Amendments adopted, 1719  
 Final Passage: Passed, 1874  
 Returned to Senate: Amended, 1890  
 Senate concurs, 2008  
 Received from Senate, 2104  
 Signed by Speaker, 2112  
 Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2285.** — A Bill for an Act to amend and reenact section 15-39.1-09, section 15-39.1-10, and section 15-39.1-11 of the North Dakota Century Code, relating to assessments for teachers, age for eligibility for benefits, calculation of benefits, and to vested rights in retirement benefits in the teachers' fund for retirement.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on Education, 599  
 Reported Back: Amended, 1431-1432  
 Amendments adopted, 1438  
 Re-referred to Committee on Education, 1507  
 Reported Back: Amended, 1613  
 Amendments adopted, 1621  
 Final Passage: Passed, 1690  
 Returned to Senate: Amended, 1782  
 Senate concurs, 1871  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2286.** — A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to the fees charged and collected by the sheriff on behalf of the county.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 1202  
 Reported Back: Amended, 1527



Amendments adopted, 1544  
 Final Passage: Passed, 1642  
 Returned to Senate: Amended, 1729  
 Senate does not concur, 1795  
 Conference Committee: House, 1890 Senate, 1795  
 Conference Committee Report: House adopts, 2142 Senate adopts,  
 2137  
 Conference Committee amendments adopted, 2239  
 Final Passage: Passed, 2264  
 Received from Senate, 2375  
 Signed by Speaker, 2375  
 Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2287.** — A Bill for an Act to amend and reenact section 49-18-02 of the North Dakota Century Code, relating to excepting motor carriers transporting nonliquid fertilizers from regulation by the public service commission.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on Transportation, 527  
 Senate requests return of bill, 1129  
 Returned to Senate, 1138

**Senate Bill No. 2289.** — A Bill for an Act to amend and reenact section 15-45-01 of the North Dakota Century Code, to allow the electors of a school district to petition the school board to place the question of establishing a kindergarten on the ballot at the next annual or special school election.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Education, 902  
 Reported Back: Do pass, 1656  
 Final Passage: Lost, 1691  
 Returned to Senate: Failed to pass, 1782

**Senate Bill No. 2290.** — A Bill for an Act to amend and reenact section 36-21.1-09 of the North Dakota Century Code, relating to restrictions on giving away animals.

Received from Senate, 389  
 Introduced, First Reading, Referred to Committee on Agriculture,  
 441  
 Reported Back: Do pass, 989  
 Final Passage: Passed 1262  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2294.** — A Bill for an Act to amend and reenact subsection 1 of section 19-02.1-15 of the North Dakota Century Code, relating to drugs limited to dispensing on prescription.

Received from Senate, 501  
 Introduced, First Reading, Referred to Committee on Social Services  
 and Veterans Affairs, 564  
 Reported Back: Do pass, 1379,  
 Final Passage: Passed, 1379  
 Returned to Senate: Passed, 1444  
 Received from Senate, 1546  
 Signed by Speaker, 1556  
 Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2295.** — A Bill for an Act to amend and reenact subsection 5 of section 43-35-02, and sections 43-35-07 and 43-35-17 of the North Dakota Century Code, relating to certificates issued by the state board of water well contractors.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on State and  
 Federal Government, 527  
 Reported Back: Do pass, 1432  
 Final Passage: Passed, 1507  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2297.** — A Bill for an Act to provide for a mill levy or service charge by cities or park districts for the operation and maintenance of forestry activities.

Received from Senate, 451  
 Introduced, First Reading, Referred to Committee on State and  
 Federal Government, 497  
 Reported Back: Amended, 1471  
 Amendments adopted, 1484  
 Final Passage: Passed, 1562  
 Returned to Senate: Amended, 1619  
 Senate does not concur, 1694  
 Conference Committee: House, 1698 Senate, 1694  
 Conference Committee Report: House adopts, 2237 Senate adopts,  
 2215  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed 2247  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2299.** — A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, providing a property tax exemption for certain associations and corporations furnishing potable water.

Received from Senate, 538  
 Introduced, First Reading, Referred to Committee on Finance and  
 Taxation, 599  
 Reported Back: Do pass, 1471

Final Passage: Passed, 1508  
Returned to Senate: Passed, 1605  
Received from Senate, 1681  
Signed by Speaker, 1687  
Sent to Senate, signed by Speaker 1687

**Senate Bill No. 2300.** — A Bill for an Act to amend and reenact section 35-27-02 of the North Dakota Century Code, relating to the claiming of a mechanic's lien by a contractor who contracts with an agent of the owner of real estate.

Received from Senate, 954  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1047  
Reported Back: Do pass, 1613  
Final Passage: Passed, 1643  
Returned to Senate: Passed, 1728  
Received from Senate, 1783  
Signed by Speaker, 1825  
Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2301.** — A Bill for an Act relating to cutting, rerouting, or diverting telephone lines to prevent telephone communications by a person holding hostages with persons other than law enforcement officers; and to provide for telephone company security employee assistance to law enforcement officers and a defense to legal actions for providing such assistance.

Received from Senate, 571  
Introduced, First Reading, Referred to Committee on Judiciary, 634  
Reported Back: Do not pass, 1472  
Final Passage: Lost, 1495  
Returned to Senate: Failed to pass, 1605

**Senate Bill No. 2302.** — A Bill for an Act to prohibit duplication of keys marked with "Do Not Duplicate", "Do Not Copy", or words of similar intent; and providing a penalty.

Received from Senate, 1054  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1151  
Reported Back: Do pass, 1527  
Final Passage: Passed, 1563  
Returned to Senate: Passed, 1619  
Received from Senate, 1736  
Signed by Speaker, 1743  
Sent to Senate, signed by Speaker 1743

**Senate Bill No. 2304.** — A Bill for an Act to amend and reenact section 30.1-14-01.1 of the North Dakota Century Code, relating to forms to be provided by a county court and county courts with increased jurisdiction to an applicant for informal probate or informal appointment proceedings under the Uniform Probate Code.

Received from Senate, 571  
 Introduced, First Reading, Referred to Committee on Judiciary, 535  
 Reported Back: Without recommendation, 1302  
 Reconsidered action by which House accepted Committee Report, 1309  
 Re-referred to Committee on Judiciary, 1309  
 Reported Back: Amend 1432  
 Amendments adopted 1438  
 Final Passage: Passed, 1508  
 Returned to Senate: Amended, 1537  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2305.** — A Bill for an Act to direct the adjutant general to compile and publish a record of men and women in military service during the Vietnam conflict; and to provide an appropriation.

Received from Senate, 753  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 1379  
 Reported Back: Do pass, 1656  
 Final Passage: Passed, 1691  
 Returned to Senate: Passed, 1782  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2306.** — A Bill for an Act to provide for the inspection and grading of agricultural commodities by the North Dakota seed commission; to repeal section 4-25-05 of the North Dakota Century Code, relating to seed sales regulation by the North Dakota seed commission; and providing an appropriation.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Agriculture, 903  
 Reported Back: Do pass and re-refer to Committee on Appropriations, 1570  
 Reported Back: Do pass, 1704  
 Final Passage: Passed, 1738  
 Returned to Senate: Passed, 1824  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2309.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to a credit for contributions to nonprofit private institutions of secondary and postsecondary education; and providing an effective date.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Finance and

## Taxation, 1202

- Reported Back: Amended, 1705-1706
- Amendments adopted, 1719
- Final Passage: Passed, 1874
- Returned to Senate: Amended, 1890
- Senate does not concur, 2008
- Conference Committee: House, 2009 Senate, 2008
- Conference Committee Report: House adopts, 2217 Senate adopts, 2165
- Received from Senate, 2375
- Signed by Speaker, 2375
- Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2310.** — A Bill for an Act to create the west river water supply district in order to coordinate and facilitate the development and implementation of a plan for the supplementation of the water resources of Dickinson and other North Dakota counties and governmental entities with water from the Missouri River; and providing and appropriation.

- Received from Senate, 1187
- Introduced, First Reading, Referred to Committee on Appropriations, 1231
- Reported Back: Do pass, 1808
- Re-referred to Committee on Finance and Taxation, motion prevailed, 1830
- Reported Back: Amended, 2053-2058
- Amendments adopted, 2064
- Final Passage: Passed, 2070
- Returned to Senate: Amended, 2083
- Senate does not concur, 2104
- Conference Committee: House, 2108 Senate, 2104
- Conference Committee Report: House adopts, 2253 Senate adopts, 2215
- Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2258
- Final Passage: Passed, 2258
- Received from Senate, 2379
- Signed by Speaker, 2379
- Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2311.** — A Bill for an Act to amend and reenact section 57-38-01.7 of the North Dakota Century Code to allow an income tax credit for contributions to the North Dakota independent college fund.

- Received from Senate, 790
- Introduced, First Reading, Referred to Committee on Finance and Taxation, 861
- Reported Back: Do not pass, 1706
- Final Passage: Lost, 1731
- Returned to Senate: Failed to pass, 1824

**Senate Bill No. 2313.** — A Bill for an Act to amend and reenact subsection 8 of section 54-52-01 and section 54-52-05 of the North Dakota Century Code, relating to definition of terms and membership and assessments for the public employees retirement system.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 903  
 Reported Back: Amended, 1706-1707  
 Amendments adopted, 1719  
 Final Passage: Passed, 1911  
 Returned to Senate: Amended, 1925  
 Senate concurs, 2098  
 Received from Senate, 2145  
 Signed by Speaker, 2152  
 Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2315.** — A Bill for an Act to repeal chapter 19-05 of the North Dakota Century Code, relating to oleomargarine.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on Agriculture, 527  
 Reported Back: Do pass, 989  
 Final Passage: Passed, 1264  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2316.** — A Bill for an Act to create and enact a new section to title 12.1 of the North Dakota Century Code, relating to the manufacture, sale, or delivery of marijuana, hashish, and cocaine paraphernalia; to the definition of paraphernalia and other terms; and providing a penalty.

Received from Senate, 1054  
 Introduced, First Reading, Referred to Committee on Judiciary, 1151  
 Reported Back: Amended, 1707  
 Amendments adopted, 1719  
 Final Passage: Passed, 1912  
 Returned to Senate: Amended, 1925  
 Senate concurs, 2098  
 Received from Senate, 2145  
 Signed by Speaker, 2152  
 Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2319.** — A Bill for an Act to amend and reenact section 18-11-07, subsection 2 of section 18-11-15, and section 18-11-18 of the North Dakota Century Code, relating to officers of an alternate firemen's relief association, service pensions for association members, and proportional decrease in benefits for association members.

Received from Senate, 451  
 Introduced, First Reading, Referred to Committee on State and

**Federal Government, 498**

Reported Back: Do pass, 1432

Final Passage: Passed, 1509

Returned to Senate: Passed, 605

Received from Senate, 1681

Signed by Speaker, 1687

Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2321.** — A Bill for an Act to amend and reenact section 15-53.1-27 of the North Dakota Century Code, relating to the continuance of elementary schools in reorganized districts.

Received from Senate, 389

Introduced, First Reading, Referred to Committee on Education, 441

Reported Back: Amended, 1472

Amendments adopted, 1484

Final Passage: Passed, 1563

Returned to Senate: Amended, 1619

Senate concurs, 1693

Received from Senate, 1783

Signed by Speaker, 1825

Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2322.** — A Bill for an Act to create and enact a new section to chapter 11-28.2 of the North Dakota Century Code, relating to the power of recreation service districts to make improvements and finance the cost thereof through levying special assessments and taxes, imposing service charges and issuing warrants; and to amend and reenact section 11-28.2-04 of the North Dakota Century Code, relating to powers of recreation service districts and levying of special assessments.

Received from Senate, 954

Introduced, First Reading, Referred to Committee on Political Subdivisions, 1047

Reported Back: Do pass, 1347

Final Passage: Passed, 1367

Returned to Senate: Passed, 1412

Received from Senate, 1497

Signed by Speaker, 1537

Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2324.** — A Bill for an Act to amend and reenact section 30.1-21-03 of the North Dakota Century Code, relating to the time for closing estates by sworn statement of the personal representative.

Received from Senate, 571

Introduced, First Reading, Referred to Committee on Judiciary, 635

Reported Back: Do not pass, 1271

Final Passage: Lost, 1292

Returned to Senate: Failed to pass, 1352

**Senate Bill No. 2326.** — A Bill for an Act to repeal section 40-45-17 of the North Dakota Century Code, relating to a reduction of police retirement benefits by the amount of benefits received from workmen's compensation.

Received from Senate, 1054  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1151  
 Reported Back: Do pass, 1472  
 Final Passage: Passed, 1510  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2327.** — A Bill for an Act to require the state board of higher education to purchase a working ranch unit for the Dickinson experiment station; to create a committee to select the working ranch unit; to authorize the state board of higher education to sell certain land presently used by the Dickinson experiment station; to authorize the board of university and school lands to invest permanent funds of the common schools in the working ranch unit; to provide an appropriation; and to declare an emergency.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Agriculture, 1202  
 Reported Back: Do pass, 1570  
 Re-referred to Committee on Appropriations, 1583  
 Reported Back: Do pass, 1707  
 Final Passage: Passed and emergency clause carried, 1739,  
 Returned to Senate: Passed, 1824  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2330.** — A Bill for an Act to allow low pressure natural gas pipelines to cross federal lands located in North Dakota.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 527  
 Reported Back: Do pass, 1472  
 Final Passage: Passed, 1510  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2331.** — A Bill for an Act to create and enact two new subsections to section 10-24-05 of the North Dakota Century Code, relating to the general powers of a nonprofit corporation, and providing that a nonprofit corporation shall have power to act as a trustee of a trust and be a remainderman beneficiary of a trust for which it acts as a trustee.



Received from Senate, 323  
 Introduced, First Reading, Referred to Committee on Judiciary, 323  
 Reported Back: Do pass, 1303  
 Final Passage: Passed, 1335  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2332.** — A Bill for an Act to amend and reenact sections 39-06-45, 39-06.1-05, subsection 1 of section 39-06.1-08, and subdivisions a and b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to penalties for permitting unauthorized persons to drive, offenses excepted from noncriminal disposition, definition of nonmoving violation, and points assigned for noncriminal disposition.

Received from Senate, 1054  
 Introduced, First Reading, Referred to Committee on Transportation, 1152  
 Reported Back: Do not pass, 1756  
 Final Passage: Lost, 1786  
 Returned to Senate: Failed to pass, 1890

**Senate Bill No. 2333.** — A Bill for an Act to create and enact a new section to chapter 8-08 of the North Dakota Century Code, relating to a limitation on actions by common carriers.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on Transportation, 527  
 Reported Back: Do pass, 1347  
 Final Passage: Passed, 1368  
 Returned to Senate: Passed, 1412  
 Received from Senate, 1497  
 Signed by Speaker, 1537  
 Sent to Senate, signed by Speaker 1538

**Senate Bill No. 2336.** — A Bill for an Act to amend and reenact section 47-18-01, subsection 4 of section 47-18-04, and section 47-18-14 of the North Dakota Century Code, relating to the value of a homestead exempt from execution, the value of a homestead subject to execution, and the disposition of the proceeds from the execution.

Received from Senate, 918  
 Introduced, First Reading, Referred to Committee on Judiciary, 994  
 Reported Back: Do pass, 1303  
 Final Passage: Passed, 1336  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2338.** — A Bill for an Act to amend and reenact section 57-54-08 of the North Dakota Century Code, to reduce the motor vehicle fuel tax on sales of gasohol; and declaring an emergency.

Received from Senate, 954  
Introduced, First Reading, Referred to Committee on Finance and Taxation, 1047  
Reported Back: Amended, 1473  
Amendments adopted, 1484  
Final Passage: Passed and emergency clause carried, 1564  
Returned to Senate: Amended, 1619  
Senate concurs, 1693  
Received from Senate, 1783  
Signed by Speaker, 1825  
Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2339.** — A Bill for an Act to create and enact a new subsection to section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits.

Received from Senate, 1054  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1152  
Reported Back: Amended, 1473  
Amendments adopted, 1484  
Final Passage: Passed, 1644  
Returned to Senate: Amended, 1729  
Senate concurs, 1795  
Received from Senate, 1858  
Signed by Speaker, 1865  
Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2340.** — A Bill for an Act to provide for presidential preference primary elections in presidential election years; and to amend and reenact sections 16-04-01, 16-04-11, and 16-04-20, relating to the primary election date, notice to county auditors of the offices to be filled at the primary, and filing petitions to obtain a separate column on the primary election ballot; or, in the alternative, to create and enact sections 16.1-11-01, 16.1-11-02, and 16.1-11-25 of the North Dakota Century Code, relating to the primary election date, notifying the county auditors of the offices to be filled at the primary, and filing petitions to obtain a separate column on the primary ballot; and to repeal sections 16-04-01, 16-04-11, and 16-04-20 of the North Dakota Century Code, as described above, if House Bill No. 1138 is approved by the forty-sixth legislative assembly.

Received from Senate, 866  
Introduced, First Reading, Referred to Committee on Judiciary, 947  
Reported Back: Amended, 1230-1231  
Amendments adopted, 1237  
Final Passage: Passed, 1368  
Returned to Senate: Amended, 1412  
Senate concurs, 1463  
Received from Senate, 1546  
Signed by Speaker, 1556

Sent to Senate, signed by Speaker 1556  
 Received from Senate — passed over Governor's Veto, 1649  
 Placed at head of calendar, 1768  
 Reconsideration of vetoed measure, 1768  
 Placed on second reading and final passage for purpose of reconsideration of a vetoed measure, 1768  
 Final passage: Passed over Governor's Veto, 1769  
 Returned to Senate — passed, 1783  
 Received from Senate — President signed certification over Governor's Veto, 1929  
 Speaker signed certification over Governor's Veto, 1968  
 Returned to Senate, 1968

**Senate Bill No. 2344.** — A Bill for an Act to amend and reenact sections 50-24-33 and 50-24.1-07 of the North Dakota Century Code, relating to recovery from estates of recipients of assistance to the aged, blind, or disabled.

Received from Senate, 571  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 635  
 Reported Back: Do pass, 1528  
 Final Passage: Passed, 1645  
 Returned to Senate: Passed, 1728  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2345.** — A Bill for an Act to repeal Chapter 43-22 of the North Dakota Century Code, relating to the registration, bonding, and activities of persons engaged in the business of buying leases, mineral rights, royalties, or other interests in oil or gas properties and certain other described minerals.

Received from Senate, 608  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 667  
 Reported Back: Do not pass, 1303  
 Final Passage: Lost, 1362  
 Returned to Senate: Failed to pass, 1412

**Senate Bill No. 2346.** — A Bill for an Act requiring open voting at all public meetings.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Judiciary, 1047  
 Reported Back: Do pass, 1303  
 Final Passage: Passed, 1337  
 Returned to Senate: Passed, 1383  
 Received from Senate, 1443  
 Signed by Speaker, 1452  
 Sent to Senate, signed by Speaker 1453

**Senate Bill No. 2349.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds

to construct a revenue-producing facility at Dickinson state college; to make an appropriation; to set a limitation and to provide an exception to it; and to declare an emergency.

Received from Senate, 538

Introduced, First Reading, Referred to Committee on Appropriations, 599

Reported Back: Do pass, 1474

Final Passage: Passed and emergency clause carried, 1565

Returned to Senate: Passed, 1619

Received from Senate, 1736

Signed by Speaker, 1743

Sent to Senate, signed by Speaker 1743

**Senate Bill No. 2350.** — A Bill for an Act to create and enact a new section to chapter 39-09 of the North Dakota Century Code, relating to limitations on the reduction of speed zone speed limits; and to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, as contained in sections 1 and 2 of House Bill No. 1449, as approved by the forty-sixth legislative assembly, relating to fines and points assessed against driver's licenses for violation of speed limits, and to the definition of moving violation, and removing certain violations related to motorcycles from that legislation; and to amend and reenact paragraph 11 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to points assessed against driving records for speeding violations.

Received from Senate, 642

Introduced, First Reading, Referred to Committee on Transportation, 706

Reported Back: Amended, 1756-1757

Rules suspended, amended committee report substituted for original committee report, 1836

Final Passage: Passed, 1912

Returned to Senate: Amended, 1925

Senate does not concur, 2008

Conference Committee: House, 2033 Senate, 2009

Conference Committee Report: House adopts, 2218 Senate adopts, 2165

Conference Committee amendments adopted 2241

Final Passage: Passed 2248

Received from Senate, 2375

Signed by Speaker, 2375

Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2352.** — A Bill for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to when the board of county commissioners shall advertise for rental contracts or agreements for use of road machinery or articles for the improvement of highways.

Received from Senate, 501

Introduced, First Reading, Referred to Committee on Political Subdivisions, 564

Reported Back: Do pass, 947

Final Passage: Passed, 1264  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2354.** — A Bill for an Act to amend and reenact section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs.

Received from Senate, 918  
 Introduced, First Reading, Referred to Committee on Judiciary, 994  
 Reported Back: Amended, 1304  
 Amendments adopted, 1309  
 Final Passage: Passed, 1370  
 Reconsidered action by which House passed — motion prevailed, 1384  
 Re-referred to Committee on Judiciary, 1384  
 Reported Back: Amended, 1474  
 Amendments adopted, 1484  
 Final Passage: 1564  
 Returned to Senate: Amended, 1620  
 Senate does not concur, 1744  
 Conference Committee: House, 1744 Senate, 1744  
 Conference Committee Report: House adopts, 2220 Senate adopts, 2165  
 Conference Committee amendments adopted, 2241  
 Final Passage: Lost, 2248  
 Returned to Senate, failed to pass, 2253

**Senate Bill No. 2355.** — A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to prohibiting labor organizations from using funds generated by dues in political campaigns; and providing a penalty.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Judiciary, 1047  
 Reported Back: Do not pass, 1708  
 Final Passage: Lost, 1732  
 Returned to Senate: Failed to pass, 1825

**Senate Bill No. 2356.** — A Bill for an Act to create and enact a new section to chapter 43-13 of the North Dakota Century Code, relating to the certification of optometrists to use ocular diagnostic pharmaceutical agents; to amend and reenact subsection 1 of section 43-13-01 and subsection 4 of section 43-15-01 of the North Dakota Century Code, relating to definitions; and providing an expiration date.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 1047  
 Reported Back: Amended, 1570-1571  
 Amendments adopted, 1581  
 Final Passage: Passed, 1645  
 Returned to Senate: Amended, 1729

Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2357.** — A Bill for an Act to create and enact a new subsection to section 39-01-01 and a new section to chapter 39-10.1 of the North Dakota Century Code, relating to a definition of "motorized bicycle" and required age for operation of a motorized bicycle; and to amend and reenact subsections 2 and 32 of section 39-01-01 of the North Dakota Century Code, relating to the definition of "bicycle" and "motor vehicle".

Received from Senate, 501  
 Introduced, First Reading, Referred to Committee on Transportation, 564

Reported Back: Amended, 1657  
 Amendments adopted, 1677  
 Final Passage: Passed, 1739  
 Returned to Senate: Amended, 1824  
 Senate concurs, 1927  
 Received from Senate, 2032  
 Signed by Speaker, 2038  
 Sent to Senate, signed by Speaker 2038

**Senate Bill No. 2358.** — A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code, relating to qualifications for voting in school district elections for school officers and for eligibility for school district offices; and declaring an emergency.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Judiciary, 1202  
 Reported Back: Do pass, 1474  
 Final Passage: Passed and emergency clause carried, 1511  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2359.** — A Bill for an Act to create and enact a new subsection to section 49-02-02 of the North Dakota Century Code, relating to cooperation with federal and state agencies dealing with federal energy laws.

Received from Senate, 527  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 527

Reported Back: Do pass, 1475  
 Final Passage: Passed, 1512  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2360.** — A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code relating to residency determination in child placement cases for school tuition purposes.

Received from Senate, 476

Introduced, First Reading, Referred to Committee on Education, 528

Reported Back: Do pass, 1475

Final Passage: Passed, 1512

Returned to Senate: Passed, 1605

Received from Senate, 1681

Signed by Speaker, 1687

Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2363.** — A Bill for an Act to create and enact subsection 12 of section 6-06-06 of the North Dakota Century Code, relating to authority of state credit unions to exercise federal powers; to amend and reenact section 6-06-04 of the North Dakota Century Code, relating to amendments to bylaws and certificate of organization; to amend and reenact subsection 7 of section 6-06-12 of the North Dakota Century Code, relating to loan limits.

Received from Senate, 866

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 948

Reported Back: Do pass, 1528

Final Passage: Passed, 1566

Returned to Senate: Passed, 1619

Received from Senate, 1736

Signed by Speaker, 1743

Sent to Senate, signed by Speaker 1743

**Senate Bill No. 2364.** — A Bill for an Act to amend and reenact subsection 4 of section 23-13-02.1, subsection 2 of section 23-13-02.3, sections 23-13-02.4 and 23-13-02.5, and subsection 1 of section 23-13-02.6 of the North Dakota Century Code, relating to the use of coin-operated and card-operated dispensing devices in self-service motor fuel dispensing facilities.

Received from Senate, 790

Introduced, First Reading, Referred to Committee on Transportation, 861

Reported Back: Do pass, 1757

Final Passage: Passed, 1913

Returned to Senate: Passed, 1940

Received from Senate, 2104

Signed by Speaker, 2112

Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2366.** — A Bill for an Act to eliminate requirements for a bid bond in certain bids submitted to the state and its political subdivisions by eliminating the requirement of a bid bond or certified check in bidding on vehicles if the bidder is already bonded.

Received from Senate, 501

Introduced, First Reading, Referred to Committee on Political Subdivisions, 564

Reported Back: Amended, 990

Amendments adopted, 1006

Final Passage: Passed, 1265

Returned to Senate: Amended, 1315

Senate concurs, 1390

Received from Senate, 1421

Signed by Speaker, 1444

Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2367.** — A Bill for an Act to authorize the state health officer of the state department of health to sell three tracts of land owned by the state of North Dakota and used by the state hospital.

Received from Senate, 1117

Introduced, First Reading, Referred to Committee on State and Federal Government, 1202

Reported Back: Amended, 1708

Amendments adopted, 1719

Final Passage: Passed, 1989

Returned to Senate: Amended, 2030

Senate does not concur, 2099

Conference Committee: House 2099 Senate 2099

Conference Committee Report: House adopts 2237 Senate adopts 2215

Conference Committee amendments adopted 2241

Final Passage: Passed, 2249

Received from Senate, 2372

Signed by Speaker, 2372

Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2371.** — A Bill for an Act to amend and reenact section 52-06-36 of the North Dakota Century Code, relating to the factors considered in determining suitability for work and good cause for voluntarily leaving with respect to unemployment compensation benefits.

Received from Senate, 1117

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1203

Reported Back: Do pass, 1709

Final Passage: Passed, 1740

Returned to Senate: Passed, 1824

Received from Senate, 1906

Signed by Speaker, 1925

Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2372.** — A Bill for an Act to authorize school districts to levy for replacement costs for school buses.

Received from Senate, 608

Introduced, First Reading, Referred to Committee on Education, 668

Reported Back: Do not pass, 1571

Final Passage: Lost, 1591

Returned to Senate: Failed to pass, 1672

**Senate Bill No. 2375.** — A Bill for an Act to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to the powers of the state game and fish commissioner, deputy commissioner, chief game wardens or district game wardens.

Received from Senate, 501

Introduced, First Reading, Referred to Committee on Natural Resources, 564

Reported Back: Amended, 1147

Amendments adopted, 1216

Final Passage: Passed, 1265

Returned to Senate: Amended, 1315

Senate concurs, 1390

Received from Senate, 1421

Signed by Speaker, 1444

Sent to Senate, signed by Speaker 1444

**Senate Bill No. 2377.** — A Bill for an Act to amend and reenact sections 15-62.2-01, 15-62.2-02, 15-62.2-03, and 15-62.2-04 of the North



Dakota Century Code, relating to the student financial assistance program and providing that the program be administered by the state board of higher education.

Received from Senate, 451  
 Introduced, First Reading, Referred to Committee on Education, 451  
 Reported Back: Amended, 1475  
 Amendments adopted, 1484  
 Final Passage: Passed, 1566  
 Returned to Senate: Amended, 1620  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2378.** — A Bill for an Act making an appropriation for defraying the expense of remodeling and renovating pioneer hall at Minot state college; and declaring an emergency.

Received from Senate, 753  
 Introduced, First Reading, Referred to Committee on Appropriations, 820  
 Reported Back: Amended, 1380  
 Amendments adopted, 1385  
 Final Passage: Passed and emergency clause carried, 1419  
 Returned to Senate: Amended, 1485  
 Senate concurs, 1578  
 Received from Senate, 1620  
 Signed by Speaker, 1620  
 Sent to Senate, signed by Speaker 1620

**Senate Bill No. 2379.** — A Bill for an Act to create and enact three new subsections to section 19-02.1-14.1 of the North Dakota Century Code, relating to the selecting and dispensing of generic name drug products, the liability of pharmacists, manufacturing standards and practices; and to amend and reenact subsections 1 and 2 of section 19-02.1-14.1 of the North Dakota Century Code, relating to definitions and the labeling of prescription drugs.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 1528  
 Reported Back: Do pass, 1528  
 Reconsidered action by which House accepted Committee Report — motion prevailed, 1644  
 Re-referred to Committee on Social Services and Veterans Affairs, 1644  
 Reported Back: Amended, 1809  
 Amendments adopted, 1837  
 Final Passage: Passed, 1989  
 Returned to Senate: Amended, 2030  
 Senate concurs, 2098  
 Received from Senate, 2145  
 Signed by Speaker, 2152  
 Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2380.** — A Bill for an Act to amend and reenact sections 61-16-08 and 61-21-03 of the North Dakota Century Code, relating to the eligibility, term of office, and compensation for appointed members to a water management district board, and the

appointment, term, removal, and compensation of the board of drainage commissioners.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Agriculture,  
 745  
 Reported Back: Amended, 1571-1572  
 Amendments adopted, 1581  
 Final Passage: Passed, 1646  
 Returned to Senate: Amended, 1729  
 Senate concurs, 1795  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2382.** — A Bill for an Act providing for additional fees for motor vehicles to supplement the county road and bridge funds and providing for distribution of the additional fees; providing an appropriation; providing an effective date; and providing an expiration date.

Received from Senate, 1054  
 Introduced, First Reading, Referred to Committee on Transportation, 1152  
 Reported Back: Amended, 1757-1758  
 Adoption of amendments divided: Division A: Amendments adopted, 1777 Division B: Amendments not adopted, 1778  
 Final Passage: Lost, 1990  
 Returned to Senate: Failed to pass, 2030

**Senate Bill No. 2383.** — A Bill for an Act to amend and reenact sections 25-15-01, 25-15-02, 25-15-03, 25-15-04, 25-15-05, 25-15-06, and 25-15-07 of the North Dakota Century Code, relating to vocational rehabilitation facilities for the handicapped.

Received from Senate, 918  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 994  
 Reported Back: Amended, 1403-1404  
 Amendments adopted, 1411  
 Final Passage: Passed, 1513  
 Returned to Senate: Amended, 1537  
 Senate does not concur, 1744  
 Conference Committee: House, 1774 Senate, 1744  
 Conference Committee Report: House adopts 2147, Senate adopts, 2137  
 Senate requests return, 2158  
 Messaged to Senate, 2159  
 Conference Committee Report: House adopts, 2238 Senate adopts, 2215  
 Conference Committee amendments adopted, 2241  
 Final Passage: Passed, 2249  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2384.** — A Bill for an Act to provide a new subsection to section 15-38.1-14 of the North Dakota Century Code, pertaining to executive sessions under the Teachers' Representation and Negotiation Act.

Received from Senate, 476  
 Introduced, First Reading, Referred to Committee on Education, 528  
 Reported Back: Do not pass, 1613  
 Speaker rules Senate Bill as messaged cannot be acted on by House, 1639  
 Senate requests return of Senate Bill — motion prevailed, 1643  
 Returned to Senate, 1649  
 Returned to House properly engrossed, 1681  
 Reconsidered action by which House accepted committee report — motion prevailed, 1682  
 Re-referred to Committee on Education, 1682  
 Reported Back: Without recommendation, 1810  
 Final Passage: Lost, 2077  
 Reconsidered action by which House failed to pass — motion prevailed on verification vote, 2121  
 Final Passage: Lost, 2265  
 Returned to Senate: Failed to pass, 2274

**Senate Bill No. 2385.** — A Bill for an Act to establish a state policy statement in the areas of abortion and childbirth, family planning, payment for abortions by health insurance contracts, and limiting abortions in government hospitals in North Dakota; providing a penalty; and declaring an emergency.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 745  
 Reported Back: Amended, 1810  
 Amendments not adopted, 1837  
 Final Passage: Passed including Divisions B, C and D, excluding Division A, 1996 and emergency clause carried 1996  
 Divided, 1990  
 Lost, Division A, 1994  
 Passed, Division B, 1995  
 Passed, Division C, 1995  
 Passed, Division D, 1996  
 Returned to Senate: Passed — excluding Division A but including Divisions B, C and D, 2051  
 House requests return, 2072  
 Returned to House, 2074  
 Returned to Senate: Amended, 2074  
 Senate concurs, 2122  
 Received from Senate, 2177  
 Signed by Speaker, 2198  
 Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2386.** — A Bill for an Act to amend and reenact section 4-10.3-08 of the North Dakota Century Code, requiring a handler of edible beans to record in the report to the council the individual and total amounts of edible beans received, sold, or shipped by the handler.

Received from Senate, 642  
 Introduced, First Reading, Referred to Committee on Agriculture,  
 706  
 Reported Back: Do pass, 996  
 Final Passage: Lost, 1266  
 Reconsidered action by which House failed to pass — motion  
 prevailed, 1275  
 Re-referred to Committee on Agriculture, 1275  
 Reported Back: Do pass, 1572  
 Final Passage: Passed, 1647  
 Received from Senate, 1783  
 Signed by Speaker, 1825  
 Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2390.** — A Bill for an Act to amend and reenact sections 15-10-18.2, 15-10-18.3, and 37-01-40 of the North Dakota Century Code; and to repeal chapter 37-20 of the North Dakota Century Code, relating to benefits for veterans and dependents.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Social Services  
 and Veterans Affairs, 635  
 Reported Back: Do pass, 1390  
 Final Passage: Passed, 1398  
 Returned to Senate: Passed, 1444  
 Received from Senate, 1546  
 Signed by Speaker, 1556  
 Sent to Senate, signed by Speaker 1556

**Senate Bill No. 2391.** — A Bill for an Act to create and enact a new section to chapter 39-24 of the North Dakota Century Code, relating to a snowmobile safety course for operators of snowmobiles between the ages of twelve and sixteen; to amend and reenact subsection 6 of section 39-24-09 of the North Dakota Century Code, relating to the possession of a valid driver's license or permit by operators of snowmobiles.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Transportation,  
 745  
 Reported Back: Amended, 1657  
 Amendments adopted, 1677  
 Final Passage: Lost 1740  
 Reconsidered action by which House Failed to pass — motion prevailed,  
 1767  
 Final Passage: Passed 1767  
 Returned to Senate, Amended, 1890  
 Senate Concurs: 2008  
 Received from Senate, 2081  
 Signed by Speaker 2095  
 Sent to Senate signed by Speaker 2096

**Senate Bill No. 2394.** — A Bill for an Act to create and enact a new subsection to section 27-20-51 of the North Dakota Century Code,

relating to the confidentiality of juvenile court records and files and the inspection of those files by certain school officials.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Judiciary, 1203  
 Reported Back: Do pass, 1475  
 Final Passage: Passed, 1513  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2395.** — A Bill for an Act to amend and reenact section 15-28-05 of the North Dakota Century Code, relating to the compensation for election officials at public school district elections.

Received from Senate, 571  
 Introduced, First Reading, Referred to Committee on Education, 635  
 Reported Back: Do not pass, 1614  
 Final Passage: Lost, 1630  
 Returned to Senate: Failed to pass, 1728

**Senate Bill No. 2396.** — A Bill for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to powers of boards of county commissioners.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 746  
 Reported Back: Do pass, 1148  
 Final Passage: Passed, 1267  
 Returned to Senate: Passed, 1316  
 Received from Senate, 1394  
 Signed by Speaker, 1406  
 Sent to Senate, signed by Speaker 1406

**Senate Bill No. 2398.** — A Bill for an Act to amend and reenact sections 61-21-11 and 61-21-15 of the North Dakota Century Code, relating to the bond required of petitioners wishing to construct a drain and allocation of costs when a petition to drain is denied.

Received from Senate, 1054  
 Introduced, First Reading, Referred to Committee on Agriculture, 1152  
 Reported Back: Do pass, 1572  
 Final Passage: Passed, 1647  
 Returned to Senate: Passed, 1729  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2404.** — A Bill for an Act to create and enact five new sections to chapter 51-13 of the North Dakota Century Code, relating to retail installment contract prohibited provisions, payments to last

known contract holders, statements of unpaid balance, authority to purchase contracts, and applicability; and to amend and reenact sections 51-13-01, 51-13-02, 51-13-03, and 51-13-06 of the North Dakota Century Code, relating to retail installment contract definitions, contents, finance charges, and refinancing.

Received from Senate 1117

Introduction, First Reading, Referred to Committee on Industry Business and Labor, 1203

Reported Back: Amend 1709

Reconsidered action by which House accepted Committee Report — motion prevailed, 1719

Re-referred to Committee on Industry, Business and Labor, 1719

Reported Back: Amend 1878

Amendments adopted, 1888

Final Passage: Passed 1997

Returned to Senate: Amended, 2030

Senate concurs, 2028

Received from Senate, 2177

Signed by Speaker, 2198

Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2405.** — A Bill for an Act to amend and reenact subsection 3 of section 41-02-33 of the North Dakota Century Code, relating to the applicability of implied warranties in the sale of cattle, hogs, sheep, and horses.

Received from Senate, 823

Introduced, First Reading, Referred to Committee on Agriculture, 903

Reported Back: Amended, 1528-1529

Amendments adopted, 1544

Final Passage: Lost, 1648

Returned to Senate: Amended,

Reconsidered action by which House Bill failed to pass — motion prevailed, 1680

Re-referred to Committee on Agriculture, 1680

Reported Back: Amended, 1759

Amendments adopted, 1778

Reconsidered action by which House adopted all amendments and accepted committee reports, motion prevailed, 1998

Re-referred to Committee on Agriculture, 1998

Reported Back: Amended, 2058-2059

Amendments adopted, 2065

Final Passage: Passed, 2071

Returned to Senate: Amended, 2083

Senate does not concur, 2104

Conference Committee: House, 2108 Senate, 2105

Conference Committee Report: House adopts, 2221 Senate adopts, 2186

Received from Senate, 2372

Signed by Speaker, 2372

Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2406.** — A Bill for an Act to amend and reenact sections 39-27-08 and 39-27-22 of the North Dakota Century Code, relating to requiring motorcycle mufflers to meet standards for noise control, and requiring the motor vehicle department to approve muffler requirements.

Received from Senate, 823  
 Introduction, First Reading, referred to Committee on Transportation,  
 903  
 Reported Back: Do pass 1658  
 Final Passage: Passed 1694  
 Returned to Senate: Passed, 1782  
 Received from Senate, 1858  
 Signed by Speaker 1865  
 Sent to Senate signed by Speaker 1866

**Senate Bill No. 2407.** — A Bill for an Act to amend and reenact section 50-03-01 of the North Dakota Century Code, relating to an additional county levy for the support of the poor.

Received from Senate, 674  
 Introduced, First Reading, Referred to Committee on Political  
 Subdivisions, 746  
 Reported Back: Amended, 1347  
 Amendments adopted, 1352  
 Final Passage: Lost, 1388  
 Returned to Senate: Failed to pass, 1444

**Senate Bill No. 2410.** — A Bill for an Act to create and enact section 4-30-38.1; and to amend and reenact sections 4-30-02, 4-30-12, 4-30-13, 4-30-14, 4-30-16, 4-30-17, 4-30-18, 4-30-19, 4-30-20, 4-30-27, 4-30-33, 4-30-36, 4-30-38, 4-30-39, 4-30-55, and 4-30-56; and to repeal chapter 19-06 and section 4-30-36.1 of the North Dakota Century Code, all relating to dairy products production and regulation.

Received from Senate, 866  
 Introduced, First Reading, Referred to Committee on Agriculture,  
 948  
 Reported Back: Do pass, 1572  
 Reconsidered action by which House accepted Committee Report —  
 motion prevailed, 1638  
 Re-referred to Committee on Agriculture, 1638  
 Reported Back: Amended, 1759-1760  
 Amendments adopted, 1778  
 Final Passage: Passed, 2009  
 Returned to Senate: Amended, 2031  
 Senate concurs, 2098  
 Received from Senate, 2177  
 Signed by Speaker, 2198  
 Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2411.** — A Bill for an Act to create and enact a new subsection to section 25-03.1-30 of the North Dakota Century Code, relating to modification of treatment orders and to the rights of patients; to amend and reenact sections 12-47-27, 12-47-28, 12-47-29, 25-03.1-04, 25-03.1-05, 25-03.1-06, 25-03.1-08, 25-03.1-09, 25-03.1-10, 25-03.1-11, 25-03.1-13, 25-03.1-14, 25-03.1-16, 25-03.1-19, 25-03.1-21, 25-03.1-22, 25-03.1-23,

25-03.1-24, 25-03.1-25, 25-03.1-26, 25-03.1-27, and 25-03.1-31, subsection 3 of section 25-03.1-34, section 25-03.1-41, and subsection 2 of section 25-03.1-42 of the North Dakota Century Code, and to amend and reenact in the alternative sections 25-03.1-02, 25-03.1-03, and 25-03.1-29 of the North Dakota Century Code, all sections relating to the transfer of penitentiary inmates to the state hospital or other treatment facility, delivery of the written order by the warden, recovery of the person transferred, definitions, jurisdiction, voluntary admission, discharge of voluntary patients, right to release on application, petition for involuntary treatment, review of petition for involuntary treatment, involuntary treatment, examination and report on involuntary treatment, right to counsel, duty of state's attorney, medication pending treatment order, involuntary treatment hearing, alternatives to hospitalization, involuntary treatment orders, petition for continuing treatment orders, right to treat, emergency detention or hospitalization, emergency procedure, notice and statement of rights, appeal, review of the current status of continuing treatment, transfer of patients, rights of patients, limitations and restrictions of patient's rights, and limitation of liability; and to repeal section 25-03.1-32 of the North Dakota Century Code, relating to a periodic hearing and petition for discharge.

Received from Senate 1162

Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 1231

Reported Back: Amended, 1760

Amendments adopted, 1778

Final Passage: Passed, 2009

Returned to Senate: Amended, 2031

Senate concurs, 2098

Received from Senate, 2177

Signed by Speaker, 2198

Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2412.** — A Bill for an Act to provide for the appointment of interpreters to assist deaf persons in judicial and administrative proceedings.

Received from Senate, 823

Introduced, First Reading, Referred to Committee on Judiciary, 903

Reported Back: Amended, 1271-1272

Amendments adopted, 1275

Final Passage: Passed, 1338

Returned to Senate: Amended, 1383

Senate does not concur, 1463

Conference Committee: House, 1485 Senate, 1463

Conference Committee Report: House adopts, 2221 Senate adopts, 2186

Conference Committee dissolved — new Conference Committee appointed, 2222

Conference Committee: House, adopts, 2222 Senate, 2262

Conference Committee Report: House adopts, 2322 Senate adopts, 2321

Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2322

Final Passage: Passed 2322



Received from Senate, 2372  
Signed by Speaker, 2372  
Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2413.** — A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code as amended by chapter 480 of the 1977 Session Laws of North Dakota, relating to salaries of elected state officials; and providing a contingent effective date.

Received from Senate, 1117  
Introduced, First Reading, Referred to Committee on Appropriations, 1203  
Reported Back: Do pass, 1879  
Final Passage: Passed, 2010  
Returned to Senate: Passed, 2031  
Received from Senate, 2104  
Signed by Speaker, 2112  
Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2414.** — A Bill for an Act to amend and reenact subsection 4 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officers.

Received from Senate, 674  
Introduced, First Reading, Referred to Committee on Political Subdivisions, 746  
Reported Back: Do pass, 1148  
Final Passage: Passed, 1284  
Returned to Senate: Passed, 1352  
Received from Senate, 1421  
Signed by Speaker, 1444  
Sent to Senate, signed by Speaker 1445

**Senate Bill No. 2415.** — A Bill for an Act to amend and reenact sections 7-02-04 and 13-04-01 of the North Dakota Century Code, relating to charges on installment savings and loan association and bank loans.

Received from Senate, 918  
Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 994  
Reported Back: Amended, 1709-1710  
Amendments adopted, 1719  
Final Passage: Passed, 2011  
Returned to Senate: Amended, 2031  
Senate concurs, 2098  
Received from Senate, 2145  
Signed by Speaker, 2152  
Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2417.** — A Bill for an Act relating to the removal of illegal dikes and dams by water management districts.

Received from Senate, 642

Introduced, First Reading, Referred to Committee on Agriculture,  
706

Reported Back: Without recommendation, 1573

Final Passage: Passed, 2079

Returned to Senate: Passed, 2137

Received from Senate, 2253

Signed by Speaker, 2274

Sent to Senate, signed by Speaker 2274

**Senate Bill No. 2418.** — A Bill for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to the definition of usury, its prohibition and the maximum contract rate.

Received from Senate, 1054

Introduced, First Reading, Referred to Committee on Industry,  
Business and Labor, 1152

Reported Back: Amended, 1710

Amendments adopted, 1720

Final Passage: Passed, 2012

Returned to Senate: Amended, 2031

Senate concurs, 2098

Received from Senate, 2145

Signed by Speaker, 2152

Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2421.** — A Bill for an Act to create and enact a new section to chapter 40-23; and to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to assessment and taxation of townhouse property.

Received from Senate, 642

Introduced, First Reading, Referred to Committee on Finance and  
Taxation, 706

Reported Back: Amended, 1404

Amendments adopted, 1411

Final Passage: Passed, 1514

Returned to Senate: Amended, 1537

Senate concurs, 1607

Received from Senate, 1681

Signed by Speaker, 1687

Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2422.** — A Bill for an Act to amend and reenact section 10-30-02 of the North Dakota Century Code, relating to purposes of a state development corporation.

Received from Senate, 538

Introduced, First Reading, Referred to Committee on State and  
Federal Government, 599

Reported Back: Do pass, 1476

Final Passage: Passed, 1514

Returned to Senate: Passed, 1605

Received from Senate, 1681

Signed by Speaker, 1687

Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2423.** — A Bill for an Act to create and enact a new section to chapter 49-05 of the North Dakota Century Code, relating to the effectiveness of suspended public utility rates under bond.

Received from Senate, 608  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 668  
 Reported Back: Amended, 1710-1711  
 Amendments adopted, 1720  
 Final Passage: Lost, 2012  
 Returned to Senate: Failed to pass, 2099

**Senate Bill No. 2424.** — A Bill for an Act to create and enact a new section to chapter 20.1-06 of the North Dakota Century Code, relating to the conducting of fishing tournaments.

Received from Senate, 753  
 Introduced, First Reading, Referred to Committee on Natural Resources, 820  
 Reported Back: Amended, 1529  
 Amendments adopted, 1544  
 Final Passage: Lost, 1592  
 Returned to Senate: Failed to Pass, 1672

**Senate Bill No. 2428.** — A Bill for an Act to amend and reenact section 16-11-06 of the North Dakota Century Code, relating to the arrangement of names on ballots; or, in the alternative, to amend and reenact section 16.1-06-07 of the North Dakota Century Code as created by section 4 of House Bill No. 1138 as approved by the forty-sixth legislative assembly, relating to the arrangement of names on ballots; and providing an effective date.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Judiciary, 1203  
 Reported Back: Do pass, 1711  
 Final Passage: Lost, 1733  
 Returned to Senate: Failed to pass, 1824

**Senate Bill No. 2430.** — A Bill for an Act to create and enact a new subsection to section 40-02-01 of the North Dakota Century Code, relating to the requisites for incorporation as a city; to provide an expiration date; and declaring an emergency.

Received from Senate, 918  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 994  
 Reported Back: Amended, 1348  
 Amendments adopted, 1352  
 Final Passage: Lost, 1399  
 Reconsidered action by which House Bill failed to pass, motion failed, 1399  
 Reconsidered action by which House Bill failed to pass, motion prevailed, 1416  
 Reconsidered action by which House adopted amendments, 1416

Reconsidered action by which House accepted committee reports, 1416

Re-referred to Committee on Political Subdivisions, 1416

Reported Back: Amended, 1530

Amendments adopted, 1544

Re-referred to Committee on Political Subdivisions, 1694

Reported Back: Amended, 1761

Amendments adopted, 1778

Returned to Senate: Amended, 2031

Senate does not concur, 2098

Conference Committee: House, 2099 Senate, 2098

Conference Committee Report: Senate does not adopt, 2214

Conference Committee: House, 2214 Senate, 2214

Conference Committee Report: House adopts, 2304 Senate adopts, 2298

Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2305

Final Passage: Passed and emergency clause carried, 2305

Received from Senate, 2375

Signed by Speaker, 2375

Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2432.** — A Bill for an Act to amend and reenact section 57-55-01 of the North Dakota Century Code, relating to the definition of mobile home for the purpose of taxation.

Received from Senate, 823

Introduced, First Reading, Referred to Committee on Finance and Taxation, 903

Reported Back: Amended, 1476

Amendments adopted, 1484

Final Passage: Passed, 1567

Returned to Senate: Amended, 1620

Senate does not concur, 1795

Conference Committee: House, 1851 Senate, 1795

Conference Committee Report: House adopts, 2092 Senate adopts, 2074

Conference Committee amendments adopted, 2104

Final Passage: Passed 2153

Received from Senate, 2253

Signed by Speaker, 2274

Sent to Senate, signed by Speaker 2274

**Senate Bill No. 2433.** — A Bill for an Act to create and enact a new section to chapter 12.1-26 of the North Dakota Century Code, relating to the carrying of loaded firearms in motor vehicles and providing a penalty.

Received from Senate, 1117

Introduced, First Reading, Referred to Committee on Judiciary, 1203

Reported Back: Amended, 1614

Amendments adopted, 1621

Reconsidered action which House adopted amendments — motion prevailed, 1639

Amendments not adopted, 1639

Final Passage: Passed, 1694  
 Returned to Senate: Passed, 1782  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2436.** — A Bill for an Act to amend and reenact sections 2-07-09.1, 11-11-28, 15-34.2-07, 39-03-08.3, 40-22-20, 40-28-07, 40-29-07, 40-31-03, 40-54-01, 48-02-04, and 61-19-08 of the North Dakota Century Code, relating to submission of bidders' bonds in envelopes separate from bids.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 785  
 Reported Back: Do pass, 1148  
 Final Passage: Passed, 1284  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1445

**Senate Bill No. 2438.** — A Bill for an Act to provide an additional fee for motorcycle safety education to be deposited in a motorcycle education fund, to establish standards for motorcycle safety courses, to reimburse public schools and approved organizations for programs, to promote safety in the use and operation of motorcycles; to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to motorcycle education requirements for motorcycle operators' permits and licenses for applicants under sixteen years of age; providing an effective date; and providing appropriations.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Transportation, 1047  
 Reported Back: Amended and re-referred to Committee on Appropriations, 1575  
 Amendments adopted and re-referred to Committee on Appropriations, 1581,  
 Reported Back: Amended, 1879-1882  
 Amendments adopted, 1888  
 Final Passage: Passed, 2013  
 Returned to Senate: Amended, 2031  
 Senate does not concur, 2098  
 Conference Committee: House, 2100 Senate, 2098  
 Conference Committee Report: House adopts, 2307 Senate adopts, 2298  
 Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2309  
 Final Passage: Passed, 2309  
 Received from Senate, 2379  
 Signed by Speaker, 2379  
 Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2439.** — A Bill for an Act to set forth legislative intent covering any appropriation for school textbooks, to provide that a portion of oil and gas bonus payments received by the board of university and school lands be apportioned and distributed to the public schools, to provide that a portion of foundation program per-pupil payment increases be contingent on other fund distributions, and to provide for the contingent transfer of unused Vietnam bonus funds for the foundation program; to amend and reenact section 4 of chapter 476 of the 1975 Session Laws of North Dakota, relating to legislative intent concerning the Vietnam bonus sinking fund; to amend and reenact sections 15-40.1-06, 15-40.1-16, and 54-17.1-12 of the North Dakota Century Code, relating to the level of educational support per pupil for the 1979-81 biennium, aid for school bus transportation, and Vietnam bonus funds; and to declare an emergency.

Received from Senate, 1187

Introduced, First Reading, Referred to Committee on Education, 1232

Reported Back: Majority to amend and re-refer to Committee on Appropriations, 1811-1815

Minority to amend and Re-refer to Committee and Appropriations 1815-1819

Reconsidered action by which House accepted committee reports, motion prevailed, 1886

Re-referred to Committee on Education, 1886

Reported Back: Majority to amend and re-refer to Committee on Appropriations, 1914-1918

Minority to amend and re-refer to Committee on Appropriations, 1918-1923

Amendments of Majority adopted — roll call vote, 1923

Re-referred to Committee on Appropriations, 1924

Reported Back: Divided Majority to do pass, 1958 Minority to amend, 1958

Amendments not adopted, 1964

Final Passage: Passed and emergency clause carried, 2014

Returned to Senate: Passed, 2031

House requests return, 2083

Returned to House, 2096

Returned to Senate amended, 2096

Senate does not concur, 2145

Conference Committee: House, 2147 Senate, 2145

Conference Committee Report: House adopts, 2330 Senate adopts, 2330

Final Passage: Passed and emergency clause carried, 2332,

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2443.** — A Bill for an Act relating to recordation of mineral interests, escheat of nonrecorded mineral interests, and the sale and redemption of such interests; and providing an effective date.

Received from Senate, 1054

Introduced, First Reading, Referred to Committee on Agriculture, 1152

Reported Back: Amended, 1761-1763  
 Amendments adopted, 1837  
 Final Passage: Lost, 2015  
 Returned to Senate: Failed to pass, 2099

**Senate Bill No. 2444.** — A Bill for an Act to require a final court decision if the constitutionality or propriety of a proposed public school program containing a religious theme, content, songs or alleged obscene material is challenged in court, and providing a declaration of legislative intent.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Judiciary, 1203  
 Reported Back: Amended, 1658  
 Amendments adopted, 1677  
 Final Passage: Lost, 1733  
 Returned to Senate: Failed to pass, 1824

**Senate Bill No. 2445.** — A Bill for an Act to amend and reenact section 26-27-01 of the North Dakota Century Code, relating to participation by doctors of podiatric medicine in nonprofit medical service corporations.

Received from Senate, 866  
 Introduced, First Reading, Referred to Committee on Social Services and Veterans Affairs, 948  
 Senate Requests Return of Bill, 1212  
 Return to Senate — motion prevailed, 1237

**Senate Bill No. 2446.** — A Bill for an Act to create and enact a new section to chapter 26-01 of the North Dakota Century Code, relating to the regulation of the solicitation of life insurance contracts.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1048  
 Reported Back: Do pass, 1711  
 Final Passage: Passed, 1741  
 Returned to Senate: Passed, 1824  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2449.** — A Bill for an Act to create and enact a new section to chapter 57-15 and a new subsection to section 58-03-07 of the North Dakota Century Code, relating to a township tax levy for airport purpose and to the powers of townships concerning airports; and declaring an emergency.

Received from Senate, 918  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 994  
 Reported Back: Do pass, 1530  
 Final Passage: Lost, 1568

Reconsidered action by which House failed to pass, motion prevailed, 1582

Final Passage: Passed and emergency clause carried, 1583

Returned to Senate: Passed, 1672

Received from Senate, 1783

Signed by Speaker, 1825

Sent to Senate, signed by Speaker 1825

**Senate Bill No. 2450.** — A Bill for an Act to provide for parimutuel horse racing conducted by nonprofit charitable, fraternal, religious, and veterans' organizations, civic and service clubs, and other public-spirited organizations; definitions; the creation of a racing commission; appointment of a director of racing; racing commission powers and duties; issuance of licenses; license authorization and fees; allotment of racing days to applicants; bets and certificates; bet payoff formulas; payments to school districts; audits and investigations; reasons and procedure for license refusal, suspension and revocation; and the attorney general to represent the commission in hearings; and providing a penalty.

Received from Senate, 1054

Introduced, First Reading, Referred to Committee on State and Federal Government, 1152

Reported Back: Amended and re-refer to Committee on Appropriations, 1670

Amendments adopted and re-referred to Committee on Appropriations, 1670

Reported Back: Do pass, 1820

Final Passage: Passed, 2028

Returned to Senate: Amended, 2051

Senate does not concur, 2099

Conference Committee: House, 2099 Senate, 2099

Conference Committee Report: House adopts, 2142 Senate adopts, 2137

Conference Committee amendments adopted, 2239

Final Passage: Passed, 2266

Reconsidered action by which House Bill passed, motion prevailed, 2266

Final Passage: Passed, 2328

Vote by which Senate Bill was passed was lost be reconsidered and the motion to reconsider be laid on the table, which motion failed, 2329

Received from Senate, 2379

Signed by Speaker, 2379

Sent to Senate, signed by Speaker 2380

**Senate Bill No. 2451.** — A Bill for an Act to amend and reenact subsection 16 of section 20.1-03-12 of the North Dakota Century Code, relating to the license fee required of a nonresident fur buyer.

Received from Senate, 538

Introduced, First Reading, Referred to Committee on State and Federal Government, 599

Reported Back: Do pass, 1658

Final Passage: Passed, 1695

Returned to Senate: Passed, 1782



Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2452.** — A Bill for an Act to amend and reenact section 15-18-07 of the North Dakota Century Code, relating to state aid for junior colleges or educational centers.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Education, 1203  
 Reported Back: Amended and re-refer to Committee on Appropriations, 1433  
 Amendments adopted and re-referred to Committee on Appropriations, 1439  
 Reported Back: Without recommendation, 1963  
 Reconsidered action by which House accepted committee report — motion prevailed, 1989  
 Re-referred to Committee on Appropriations, 1989  
 Reported Back: Do Pass, 2059  
 Final Passage: Passed, 2078  
 Returned to Senate: Amended, 2083  
 Senate concurs, 2122  
 Received from Senate, 2145  
 Signed by Speaker, 2152  
 Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2453.** — A Bill for an Act to amend and reenact section 61-04-14 of the North Dakota Century Code, relating to extending time for application to beneficial use.

Received from Senate, 713  
 Introduced, First Reading, Referred to Committee on Natural Resources, 785  
 Reported Back: Do pass, 1148  
 Final Passage: Passed, 1285  
 Returned to Senate: Passed, 1352  
 Received from Senate, 1421  
 Signed by Speaker, 1444  
 Sent to Senate, signed by Speaker 1445

**Senate Bill No. 2454.** — A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to the printing fees for legal publications.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Judiciary, 1048  
 Reported Back: Do pass, 1711  
 Final Passage: Passed, 1741  
 Returned to Senate: Passed, 1824  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2455.** — A Bill for an Act to amend and reenact sections 57-35-04, 57-35.1-01, and 57-35.2-02 of the North Dakota Century Code, relating to taxation of banks, trust companies, and savings and loan associations, and exempting from the basis of taxation interest or income on bonds issued under the Municipal Industrial Development Act; and to provide an effective date.

Received from Senate, 954  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 1048  
 Reported Back: Amended, 1763  
 Amendments adopted, 1779  
 Final Passage: Passed, 2029  
 Returned to Senate: Amended, 2051  
 Senate does not concur, 2059  
 Conference Committee: House, 2079 Senate, 2073  
 Conference Committee Report: House adopts, 2079 Senate adopts, 2186  
 Conference Committee amendments adopted 2222  
 Received from Senate, 2369  
 Signed by Speaker, 2369  
 Sent to Senate, signed by Speaker 2369

**Senate Bill No. 2460.** — A Bill for an Act to establish the office of federal aid coordinator and to provide for the powers and duties of that office and the assumption of the responsibilities of the division of economic opportunity, the state planning division, the office of energy management, and the special projects coordinator; to amend and reenact subsection 3 of section 20.1-02-17.1, and sections 20.1-02-18.1, 23-11-30, 23-18.2-27, 54-01-05.4, 54-01.1-08, 54-40.1-01, subsection 2 of section 54-40.1-02, and subsection 6 of section 54-40.1-04 of the North Dakota Century Code, relating to various responsibilities of the federal aid coordinator office; and to repeal sections 54-07-06, 54-34.1-01, 54-34.1-02, 54-34.1-03, 54-34.1-04, 54-34.1-05, 54-34.1-08, 54-34.1-09, and 54-34.1-15 of the North Dakota Century Code, relating to the division of economic opportunity and the state planning division; to require the legislative council to review the effect of consolidation of offices into the office of federal aid coordinator; and to provide an appropriation for the federal aid coordinator office and the natural resources council.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 1204  
 Reported Back: Amended and re-refer to Committee on Appropriations, 1659-1660  
 Amendments adopted and re-referred to Committee on Appropriations, 1677  
 Reported Back: Amended, 1938-1940  
 Amendments adopted, 1947  
 Final Passage: Passed, 2032  
 Returned to Senate: Passed, 2051  
 Senate does not concur, 2105  
 Conference Committee: House, 2136 Senate, 2105  
 Conference Committee Report: House adopts, 2268 Senate adopts, 2262  
 Conference Committee amendments adopted 2268

second reading and final passage, 2271  
 Final Passage: Passed, 2271  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2461.** — A Bill for an Act to authorize a school district mill levy for unemployment compensation benefits.

Received from Senate, 790  
 Introduced, First Reading, Referred to Committee on Education, 861  
 Reported Back: Amended, 1476-1477  
 Amendments adopted, 1484  
 Final Passage: Passed, 2083  
 Returned to Senate: Passed, 2051  
 Senate concurs, 2098  
 Received from Senate, 2177  
 Signed by Speaker, 2198  
 Sent to Senate, signed by Speaker 2198

**Senate Bill No. 2462.** — A Bill for an Act to create and enact a new section to chapter 57-15, relating to the authorization of a one-half mill levy by counties to establish and maintain youth programs.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 903  
 Reported Back: Amended, 1530-1531  
 Amendments adopted, 1544  
 Final Passage: Lost, 1696  
 Returned to Senate: Failed to pass, 1782

**Senate Bill No. 2463.** — A Bill for an Act to create and enact a new subsection to section 43-32-30 of the North Dakota Century Code, relating to the exemption from licensure as a psychologist of persons practicing as school psychologists.

Received from Senate, 790  
 Introduced, First Reading, Referred to Committee on Education, 861  
 Reported Back: Do not pass, 1763  
 Final Passage: Passed, 1786  
 Reconsidered action by which House passed Senate Bill — motion prevailed on verification vote, 1852  
 Re-referred to Committee on Education, 1852  
 Reported Back: Amended, 1940-1941  
 Final Passage: Passed, 2033  
 Senate does not concur, 2105  
 Conference Committee: House, 2110 Senate, 2105  
 Conference Committee Report: House adopts, 2223 Senate adopts, 2186  
 Conference Committee amendments adopted 2223  
 Received from Senate, 2372  
 Signed by Speaker, 2372  
 Sent to Senate, signed by Speaker 2373

**Senate Bill No. 2464.** — A Bill for an Act to create and enact a new section to chapter 15-03 of the North Dakota Century Code, relating to the execution of instruments under the board of university and school lands loan pool account.

Received from Senate, 790  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 861  
 Reported Back: Do pass, 1477  
 Final Passage: Passed, 1515  
 Returned to Senate: Passed, 1605  
 Received from Senate, 1681  
 Signed by Speaker, 1687  
 Sent to Senate, signed by Speaker 1688

**Senate Bill No. 2465.** — A Bill for an Act to amend and reenact sections 15-18-03 and 15-18-04.2 of the North Dakota Century Code, relating to mill levies for junior colleges and off-campus educational centers.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 1204  
 Reported Back: Amended, 1614  
 Amendments adopted, 1621  
 Final Passage: Passed, 1696  
 Returned to Senate: Amended, 1782  
 Senate concurs, 1870  
 Received from Senate, 1906  
 Signed by Speaker, 1925  
 Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2468.** — A Bill for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collecting the personal property of a decedent by affidavit under the Uniform Probate Code.

Received from Senate, 955  
 Introduced, First Reading, Referred to Committee on Judiciary, 1048  
 Reported Back: Do not pass, 1433  
 Final Passage: Lost, 1451  
 Returned to Senate: Failed to pass, 1537

**Senate Bill No. 2469.** — A Bill for an Act to create and enact subsection 6.1 to section 6-01-02 of the North Dakota Century Code, relating to definition of corporate central credit unions; to amend and reenact section 6-06-19 of the North Dakota Century Code, relating to exemption of North Dakota central credit union from borrowing limitations; to amend and reenact section 6-06-21 of the North Dakota Century Code, relating to reserving requirements of corporate central credit unions.

Received from Senate, 1117  
 Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 1204

Reported Back: Do pass, 1615  
 Final Passage: Passed, 1697  
 Returned to Senate: Passed, 1782  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2473.** — A Bill for an Act to amend and reenact subsection 4 of section 43-19.1-02, sections 43-19.1-03 and 43-19.1-04, subsection 5 of section 43-19.1-29 and section 43-19.1-30 of the North Dakota Century Code, relating to the registration and regulation of the practice of engineering and land surveying.

Received from Senate, 608  
 Introduced, First Reading, Referred to Committee on State and Federal Government, 668  
 Reported Back: Amended, 1712  
 Amendments adopted, 1720  
 Final Passage: Lost, 1787  
 Returned to Senate: Failed to pass, 1890

**Senate Bill No. 2475.** — A Bill for an Act to create and enact section 63-01.1-10.1; to amend and reenact subsections 4 and 5 of section 63-01.1-02 and sections 63-01.1-03, 63-01.1-04, 63-01.1-05, 63-01.1-06, subsection 2 of section 63-01.1-12, section 63-01.1-13 and subsection 1 of section 63-01.1-15 of the North Dakota Century Code; and to repeal section 63-01.1-07 of the North Dakota Century Code, all relating to the definition and control of noxious weeds.

Received from Senate, 955  
 Introduced, First Reading, Referred to Committee on Agriculture, 1048  
 Reported Back: Do pass, 1575  
 Final Passage: Passed, 1697  
 Returned to Senate: Passed, 1782  
 Received from Senate, 1858  
 Signed by Speaker, 1865  
 Sent to Senate, signed by Speaker 1866

**Senate Bill No. 2478.** — A Bill for an Act making an appropriation to the state historical society to renovate the museum at the Pembina state historic site.

Received from Senate, 823  
 Introduced, First Reading, Referred to Committee on Appropriations, 903  
 Reported Back: Do pass, 1477  
 Final Passage: Passed, 1742  
 Returned to Senate: Passed, 1824

Received from Senate, 1906

Signed by Speaker, 1925

Sent to Senate, signed by Speaker 1925

**Senate Bill No. 2479.** — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code as contained in section 1 of Senate Bill No. 2100, as approved by the forty-sixth legislative assembly, relating to state preemption of local laws regulating obscenity except when local ordinances are specifically authorized; and declaring an emergency.

Received from Senate 955

Introduced, First Reading, Referred to Committee on Judiciary, 1048

Reported Back: Do not pass, 1477

Final Passage: Lost, 1495

**Senate Bill No. 2480.** — A Bill for an Act to provide for the transfer of the functions of the state laboratories department to the state laboratories division of the state department of health for a temporary period and to provide for an ongoing study of the state laboratories division during that temporary period; to create and enact section 19-01-01.1, a new section to chapter 23-09, a new section to chapter 23-10, and a new subsection to section 54-12-01 of the North Dakota Century Code, relating to the definition of the state laboratories department and related terms, the inspection of hotels, restaurants, boardinghouses, and mobile home parks, and the placement of a consumer affairs office in the office of the attorney general; to amend and reenact sections 4-30-18, 19-01-01, 19-01-02, 19-01-05, 19-01-13, 19-01-17, 19-01-18, subsection 1 of section 19-02.1-01, subsection 7 of section 19-10-01, subsection 1 of section 19-21-01, and subsection 2 of section 23-10-01 of the North Dakota Century Code, relating to the abolishment of the state laboratories department and the state laboratories commission and the transfer of functions to the state department of health; and to repeal sections 19-01-02.1, 19-01-03, 19-01-04, 19-01-06, 19-01-07, 19-01-08, and 23-09-02 of the North Dakota Century Code, relating to the director and assistant director of the state laboratories department, and the offices, fees, and expenses of the department.

Received from Senate, 1783

Introduced, First Reading, Referred to Committee on State and Federal Government, 1794

Reported Back: Do not pass but be re-referred to Committee on Appropriations, 1882

Reported Back: Do not pass, 1963

Final Passage: Lost, 2003

Returned to Senate: Failed to pass, 2099

**Senate Bill No. 2483.** — A Bill for an Act to create and enact section 54-40-02.1 of the North Dakota Century Code, relating to the joint

construction and use of a public building by a city and a county; and to amend and reenact section 54-40-03 of the North Dakota Century Code, relating to the disbursement of funds under an agreement for the joint exercise of governmental powers.

Received from Senate, 1891  
 Introduced, First Reading, Referred to Committee on Political Subdivisions, 1904  
 Reported Back: Do pass, 1964  
 Final Passage: Passed, 2034  
 Returned to Senate: Passed, 2051  
 Received from Senate, 2104  
 Signed by Speaker, 2112  
 Sent to Senate, signed by Speaker 2113

**Senate Bill No. 2484.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to itemizing of deductions; to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to the definition of the United States Internal Revenue Code of 1954, as amended, for North Dakota income tax purposes; providing an effective date; and declaring an emergency.

Received from Senate, 1720  
 Introduced, First Reading, Referred to Committee on Finance and Taxation, 1721  
 Reported Back: Amended, 1820-1821  
 Amendments adopted, 1837  
 Final Passage: Passed and emergency clause carried, 2035,  
 Returned to Senate: Amended, 2051  
 Senate does not concur, 2073  
 Conference Committee: House, 2079 Senate, 2073  
 Conference Committee Report: House adopts, 2312 Senate adopts,  
 2267  
 Conference Committee amendments adopted 2311  
 Received from Senate, 2375  
 Signed by Speaker, 2375  
 Sent to Senate, signed by Speaker 2375

**Senate Bill No. 2485.** — A Bill for an Act to create and enact chapter 61-24.1 of the North Dakota Century Code, creating the Garrison diversion mitigation and enhancement lands commission and setting forth the powers and duties thereof.

Received from Senate, 1830  
 Introduced, First Reading, Referred to Committee on Natural Resources, 1831  
 Reported Back: Do pass, 1941  
 Final Passage: Passed, 2035  
 Returned to Senate: 2099  
 Received from Senate, 2145  
 Signed by Speaker, 2152  
 Sent to Senate, signed by Speaker 2152

**Senate Bill No. 2486.** — A Bill for an Act to amend and reenact sections 61-02-04, 61-02-07, and 61-02-13 of the North Dakota Century Code, relating to membership of the state water commission, employment of staff, and compensation and expenses of the commission and staff; and declaring an emergency.

Received from Senate, 2015  
 Introduced, First Reading, Referred to Committee on Natural Resources, 2015  
 Reported Back: Majority to amend, 2094 Minority to amend, 2094  
 Amendments of Majority not adopted, 2133  
 Amendments of Minority not adopted, 2133  
 Motion that amendments of Minority be laid on table — motion failed, 2133  
 Placed on calendar without recommendation, 2134  
 Floor amendment, 2166  
 Rules suspended, amended engrossed Senate Bill placed on calendar for second reading and final passage, 2166  
 Final Passage: Lost, 2166  
 Returned to Senate: Failed to pass, 2172

**Senate Bill No. 2487.** — Capital Construction Fund. A Bill for an Act for a conditional transfer of funds to a state capital construction fund, providing for budget section approval, and providing an appropriation for the construction, remodeling, and equipping of, or additions to, buildings of state agencies, departments, and institutions.

Received from Senate, 2075  
 Introduced, First Reading, Referred to Committee on Appropriations, 2079  
 Reported Back: Amended, 2121  
 Motion that amendments be laid on the table — failed, 2135  
 Amendments adopted, 2135  
 Final passage: Divided:  
 Division A — passed, 2168  
 Division B — passed, 2169  
 Division C — passed, 2169  
 Division D — passed, 2170  
 Division E — passed, 2170  
 Division F — passed, 2171  
 Division G — passed, 2171  
 Final passage:  
 Including Divisions A, B, C, D, E, F and G, as amended, 2172  
 Returned to Senate: Amended, 2193  
 Senate does not concur, 2198  
 Conference Committee: House, 2197 Senate, 2198  
 Conference Committee Report: House adopts, 2323 Senate adopts, 2321  
 Conference Committee amendments adopted. 2323  
 Rules suspended, Conference Committee amendments adopted, second reading and final passage, 2324  
 Final Passage: Passed, 2324  
 Received from Senate, 2379  
 Signed by Speaker, 2379  
 Sent to Senate, signed by Speaker 2380



**Senate Bill No. 2488** — A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, as amended by Senate Bill No. 2219 as approved by the Forty-sixth Legislative Assembly, relating to widows' death benefits under workmen's compensation.

Received from Senate, 2193

Introduced, First Reading, Referred to Committee on Industry, Business and Labor, 2193

Reported Back: Do pass, 2200

Final Passage: Passed, 2329

Returned to Senate: Passed, 2333

Received from Senate, 2375

Signed by Speaker, 2375

Sent to Senate, signed by Speaker 2375

## Senate Concurrent Resolutions

**Senate Concurrent Resolution No. 4001.** — A concurrent resolution directing a Legislative Council study of the feasibility and benefits of reorganizing the executive branch of state government.

Received from Senate, 250  
Introduction, First reading, Referred to Committee on State and Federal Government, 262  
Reported Back: Do Pass, 1149  
Final Passage: Adopted, 1288  
Returned to Senate: Passed, 1352  
Received from Senate, signed by President, 1421  
Signed by Speaker, 1444  
Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4004.** — A concurrent resolution to amend section 182 of the Constitution of the State of North Dakota, relating to the security of bonds issued or guaranteed by the state.

Received from Senate, 1117  
Introduction, First reading, Referred to Committee on Constitutional Revision, 1204  
Reported Back: Do Pass, 1304  
Final Passage: Adopted, 1339  
Returned to Senate: Passed, 1383  
Received from Senate, signed by President, 1443  
Signed by Speaker, 1452  
Returned to Senate, signed by Speaker, 1453

**Senate Concurrent Resolution No. 4005.** — A concurrent resolution to recreate a special Garrison Diversion Legislative Overview Committee to review matters concerning Garrison diversion through the upcoming interim and the next legislative session and to represent legislative interests in the Garrison Diversion Project.

Received from Senate, 250  
Introduction, First reading, Referred to Committee on State and Federal Government, 262  
Reported Back: Do Pass, 1434  
Final Passage: Adopted, 1925  
Returned to Senate: Passed, 2016  
Received from Senate, signed by President, 2104  
Signed by Speaker, 2112  
Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4006.** — A concurrent resolution for the amendment of section 173 of the Constitution of the State of North Dakota, relating to the election of certain county officials; for the repeal of subsection 6 of section 69 of the Constitution of the State of North Dakota, relating to the jurisdiction of police magistrates, constables, and justices of the peace; and providing an effective date.

Received from Senate, 1539  
 Introduction, First reading, Referred to Committee on Constitutional  
 Revision, 1616  
 Reported Back: Do Pass, 1764  
 Final Passage: Adopted, 1926  
 Returned to Senate: Passed, 2016  
 Received from Senate, signed by President, 2104  
 Signed by Speaker, 2112  
 Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4009.** — A concurrent resolution for the amendment of section 161 of the Constitution of the State of North Dakota, relating to the leasing of lands granted to the state for educational and charitable purposes; and providing an effective date.

Received from Senate, 1440  
 Introduction, First reading, Referred to Committee on Constitutional  
 Revision, 1486  
 Reported Back: Do Pass, 1531  
 Final Passage: Adopted, 2275  
 Reconsider action by which House Concurrent Resolution was  
 adopted — motion prevailed on verification vote, 2302  
 Final Passage: Lost, 2302  
 Vote by which bill lost reconsidered and motion to reconsider be laid  
 on table, 2303  
 Failed to pass, 2361

**Senate Concurrent Resolution No. 4010.** — A concurrent resolution urging the United States Congress not to pass any legislation mandating conversion to the metric system in the United States.

Received from Senate, 790  
 Introduction, First reading, Referred to Committee on Industry,  
 Business and Labor, 861  
 Reported Back: Do Not Pass, 1712  
 Final Passage: Adopted, 1734  
 Returned to Senate: Passed, 1824  
 Received from Senate, signed by President, 1906  
 Signed by Speaker, 1925  
 Returned to Senate, signed by Speaker, 1925

**Senate Concurrent Resolution No. 4012.** — A concurrent resolution directing the Legislative Council to study and review possible implementation of Section 404 of the Federal Water Pollution Control Act by the State of North Dakota through its State Water Commission as provided in the Clean Water Act of 1977.

Received from Senate, 538  
 Introduction, First reading, Referred to Committee on Natural  
 Resources, 599  
 Reported Back: Do Pass, 1348  
 Final Passage: Adopted, 1356  
 Returned to Senate: Passed, 1385

Received from Senate, signed by President, 1497  
 Signed by Speaker, 1537  
 Returned to Senate, signed by Speaker, 1538

**Senate Concurrent Resolution No. 4013.** — A concurrent resolution urging Congress to formulate a single, rational policy for regulating nuclear materials and development.

Received from Senate, 451  
 Introduction, First reading, Referred to Committee on State and Federal Government, 498  
 Reported Back: Do Pass, 1149  
 Final Passage: Adopted, 1289  
 Returned to Senate: Passed, 1352  
 Received from Senate, signed by President, 1421  
 Signed by Speaker, 1444  
 Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4014.** — A concurrent resolution urging the Secretary of Interior to proceed with the design, planning and construction of the Garrison Diversion Project.

Received from Senate, 316  
 Introduction, First reading, Referred to Committee on Agriculture, 384  
 Reported Back: Do Pass, 1149  
 Final Passage: Adopted, 1210  
 Returned to Senate: Passed, 1227  
 Received from Senate, signed by President, 1286  
 Signed by Speaker, 1304  
 Returned to Senate, signed by Speaker, 1305

**Senate Concurrent Resolution No. 4015.** — A concurrent resolution requesting the Congress of the United States to propose an amendment to the Constitution of the United States for ratification by the states to provide protection of the right to life of all human beings.

Received from Senate, 571  
 Introduction, First reading, Referred to Committee on Social Services and Veterans Affairs, 635  
 Reported Back: Amended, 1821  
 Amendments adopted, 1837  
 Final Passage: Adopted, 1927  
 Returned to Senate: Amended, 2016  
 Senate: Does not concur, 2122  
 Conference Committee: House, 2122 Senate, 2122  
 Conference Committee Report: Senate does not adopt 2267  
 Conference Committee: Senate, 2267 House, 2268  
 Conference Committee Report: Senate does not adopt, 2348  
 Conference Committee: Senate, 2348 House, 2348  
 Reconsidered action whereby Senate did not concur — now concurs, and adopts resolution, 2364

Received from Senate, signed by President, 2379  
 Signed by Speaker, 2379  
 Returned to Senate, signed by Speaker, 2380

**Senate Concurrent Resoluciton 4016.** — A concurrent resolution directing the Legislative Council to study and review the possibility of barge traffic on the Missouri River above Sioux City, Iowa, with emphasis on alternative means and economic and logistical effects of such navigation, and routes to be taken by extension of the Missouri River Navigation Project from its present head at Sioux City, Iowa.

Received from Senate, 823  
 Introduction, First reading, Referred to Committee on Agriculture, 904  
 Reported Back: Do Pass, 1575  
 Final Passage: Adopted, 1588  
 Returned to Senate: Passed, 1672  
 Received from Senate, signed by President, 1783  
 Signed by Speaker, 1825  
 Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4017.** — A concurrent resolution designating Henry R. Martinson of Fargo and Lydia O. Jackson of Grafton as Poets Laureate of North Dakota.

Received from Senate, 208  
 Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 228  
 Final Passage: Adopted, 228  
 Returned to Senate: Passed, 234  
 Received from Senate, signed by President, 250  
 Signed by Speaker, 250  
 Returned to Senate, signed by Speaker, 251

**Senate Concurrent Resolution No. 4018.** — A concurrent resolution urging Congress to amend Public Law 94-565 to provide that in lieu of tax payments be allocated among all local units of government in proportion to the tax loss suffered by the various local units, or to authorize the states to provide for the allocation of the in lieu of tax payments.

Received from Senate, 955  
 Introduction, First reading, Referred to Committee on Political Subdivisions, 1048  
 Reported Back: Do Pass, 1531  
 Final Passage: Adopted, 1552  
 Returned to Senate: Passed, 1619  
 Received from Senate, signed by President, 1736  
 Signed by Speaker, 1743  
 Returned to Senate, signed by Speaker, 1743

**Senate Concurrent Resolution No. 4019.** — A concurrent resolution directing a Legislative Council study of the North Dakota state penitentiary, state farm, and the "sunny farm" in Mandan as integral parts of a total corrections master plan for the state.

Received from Senate, 823  
Introduction, First reading, Referred to Committee on Judiciary, 904  
Reported Back: Do Pass, 1304  
Final Passage: Adopted, 1339  
Returned to Senate: Passed, 1383  
Received from Senate, signed by President, 1443  
Signed by Speaker, 1452  
Returned to Senate, signed by Speaker, 1453

**Senate Concurrent Resolution No. 4020.** — A concurrent resolution of greetings to the participants of the 14th International Rare Earth Conference to be held at North Dakota State University, Fargo, North Dakota, on June 25-28, 1979.

Received from Senate, 250  
Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 262  
Final Passage: Adopted, 262  
Returned to Senate: Passed, 269  
Received from Senate, signed by President, 316  
Signed by Speaker, 316  
Returned to Senate, signed by Speaker, 316

**Senate Concurrent Resolution No. 4021.** — A concurrent resolution urging Congress to exempt North Dakota lignite from provisions of any Federal coal severance tax enacted for the purpose of alleviating impacts created by increased coal train traffic.

Received from Senate, 955  
Introduction, First reading, Referred to Committee on Transportation, 1048  
Reported Back: Do Pass, 1575  
Final Passage: Adopted, 1928  
Returned to Senate: Passed, 2016  
Received from Senate, signed by President, 2104  
Signed by Speaker, 2112  
Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4022.** — A concurrent resolution urging the President of the United States and the Congress to grant the state of North Dakota a two-year delay in complying with the regulations being promulgated by the Department of the Interior pursuant to the Surface Mining Reclamation and Control Act of 1977.

Received from Senate, 476  
Introduction, First reading, Referred to Committee on Natural Resources, 528

Reported Back: Do Pass, 563  
 Final Passage: Adopted, 618  
 Returned to Senate: Passed, 674  
 Received from Senate, signed by President, 718  
 Signed by Speaker, 719  
 Returned to Senate, signed by Speaker, 719

**Senate Concurrent Resolution No. 4023.** — A concurrent resolution urging the Secretary of Agriculture to delete the Twin Buttes area from any legislation to increase the National Wilderness System, and to manage the area and all other areas of the Little Missouri National Grasslands for multiple uses pursuant to the Badlands and Rolling Prairies management plans.

Received from Senate, 642  
 Introduction, First reading, Referred to Committee on Natural Resources, 707  
 Reported Back: Do Pass, 744  
 Final Passage: Adopted, 771  
 Returned to Senate: Passed, 826  
 Received from Senate, signed by President, 959  
 Signed by Speaker, 962  
 Returned to Senate, signed by Speaker, 962

**Senate Concurrent Resolution No. 4024.** — A concurrent resolution urging Governor Arthur A. Link to designate the week of October 7-13, 1979, as Fire Prevention Week, and October 7, 1979, as Firefighters' Memorial Sunday.

Received from Senate, 366  
 Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 398  
 Final Passage: Adopted, 398  
 Returned to Senate: Passed, 407  
 Received from Senate, signed by President, 451  
 Signed by Speaker, 451  
 Returned to Senate, signed by Speaker, 453

**Senate Concurrent Resolution No. 4025** — A concurrent resolution directing the legislative council to study the alternative methods available for the assessment of railroad operating property by the state board of equalization.

Received from Senate, 1117  
 Introduction, First reading, Referred to Committee on Finance and Taxation, 1204  
 Reported Back: Do Pass, 1478  
 Final Passage: Adopted, 1491  
 Returned to Senate: Passed, 1605  
 Received from Senate, signed by President, 1681  
 Signed by Speaker, 1687  
 Returned to Senate, signed by Speaker, 1688

**Senate Concurrent Resolution No. 4026.** — A concurrent resolution urging state agencies, departments, boards, and commissions to furnish the Employment Security Bureau with information relating to employment opportunities.

Received from Senate, 713  
 Introduction, First reading, Referred to Committee on State and Federal Government, 785  
 Reported Back: Do Pass, 1149  
 Final Passage: Adopted, 1289  
 Returned to Senate: Passed, 1352  
 Received from Senate, signed by President, 1421  
 Signed by Speaker, 1444  
 Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4028.** — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Received from Senate, 713  
 Introduction, First reading, Referred to Committee on State and Federal Government, 785  
 Reported Back: Do Pass, 1434  
 Final Passage: Lost, 2275  
 Reconsidered action whereby Senate Concurrent Resolution failed to pass, motion failed, 2340  
 Returned to Senate: Failed to Pass

**Senate Concurrent Resolution No. 4029.** — A concurrent resolution urging the Congress of the United States and the trustee in bankruptcy of the Milwaukee Road railroad to maintain Lines West as a viable and operating railroad line.

Received from Senate, 955  
 Introduction, First reading, Referred to Committee on Transportation, 1049  
 Reported Back: Amended, 1576  
 Amendments Adopted, 1581  
 Final Passage: Adopted, 1928  
 Returned to Senate: Amended, 2016  
 Senate concurs, 2105  
 Received from Senate, signed by President, 2145  
 Signed by Speaker, 2152  
 Returned to Senate, signed by Speaker, 2152

**Senate Concurrent Resolution No. 4030.** — A concurrent resolution urging Congress to discontinue government assistance to striking employees.

Received from Senate, 1117  
 Introduction, First reading, Referred to Committee on State and



**Federal Government, 1204**

Reported Back: Do Pass, 1660

Final Passage: Adopted, 1974

Reconsidered action by which House failed to pass, 1974

Returned to Senate: Passed, 2030

Final Passage: Lost, 1928

Received from Senate, signed by President, 2104

Signed by Speaker, 2112

Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4031.** — A concurrent resolution urging a congressional investigation of the United States Postal Service, and directing that the resolution be delivered by courier to appropriate persons in Washington so as to avoid the risk of delay or loss in the United States mail.

Received from Senate, 790

Introduction, First reading, Referred to Committee on State and Federal Government, 861

Reported Back: Do not pass, 1149

Final Passage: Lost, 1292

Returned to Senate: Failed to pass, 1352

**Senate Concurrent Resolution No. 4032.** — A concurrent resolution urging the Congress of the United States to review and amend the federal statute relating to the earned income exemption in the aid to families with dependent children program.

Received from Senate, 823

Introduction, First reading, Referred to Committee on State and Federal Government, 904

Reported Back: Do Pass, 1150

Final Passage: Adopted, 1289

Returned to Senate: Passed, 1352

Received from Senate, signed by President, 1421

Signed by Speaker, 1444

Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4033.** — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to prohibit federal estate taxes.

Received from Senate, 1117

Introduction, First reading, Referred to Committee on State and Federal Government, 1204

Reported Back: Do Pass, 1661

Final Passage: Adopted, 1929

Returned to Senate: Passed, 2016

Received from Senate, signed by President, 2104

Signed by Speaker, 2112

Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4034.** — A concurrent resolution urging the governor to request an emergency condition designation for North Dakota from the Environmental Protection Agency to control or eliminate blackbird depredation of sunflowers and other crops.

Received from Senate, 1117  
Introduction, First reading, Referred to Committee on Agriculture, 1205  
Reported Back: Do Pass, 1576  
Final Passage: Adopted, 1588  
Returned to Senate: Passed, 1672  
Received from Senate, signed by President, 1783  
Signed by Speaker, 1825  
Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4035.** — A concurrent resolution directing the Legislative Council to conduct a study of the Administrative Agencies Practice Act.

Received from Senate, 823  
Introduction, First reading, Referred to Committee on State and Federal Government, 904  
Reported Back: Do Pass, 1150  
Final Passage: Adopted, 1289  
Returned to Senate: Passed, 1352  
Received from Senate, signed by President, 1421  
Signed by Speaker, 1444  
Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4036.** — A concurrent resolution directing the Legislative Council to study land use policies for state-owned land and uniformity of transfer requirements for state-owned land.

Received from Senate, 823  
Introduction, First reading, Referred to Committee on State and Federal Government, 904  
Reported Back: Do Pass, 1150  
Final Passage: Adopted, 1290  
Returned to Senate: Passed, 1352  
Received from Senate, signed by President, 1421  
Signed by Speaker, 1444  
Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4038.** — A concurrent resolution urging Congress to recognize the contribution of a spouse as homemaker for estate tax and social security purposes.

Received from Senate, 823  
Introduction, First reading, Referred to Committee on Finance and Taxation, 904  
Reported Back: Do Pass, 1478  
Final Passage: Adopted, 1492  
Returned to Senate: Passed, 1605

Received from Senate, signed by President, 1681  
Signed by Speaker, 1687  
Returned to Senate, signed by Speaker, 1688

**Senate Concurrent Resolution No. 4039.** — A concurrent resolution opposing the Bureau of Alcohol, Tobacco, and Firearms' back door approach to a computerized firearms registration system.

Received from Senate, 823  
Introduction, First reading, Referred to Committee on State and Federal Government, 904  
Reported Back: Do Pass, 1150  
Final Passage: Adopted, 1290  
Returned to Senate: Passed, 1352  
Received from Senate, signed by President, 1421  
Signed by Speaker, 1444  
Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4040.** — A concurrent resolution directing the Legislative Council to study the taxation of real property with emphasis upon the role of the state board of equalization.

Received from Senate, 823  
Introduction, First reading, Referred to Committee on Finance and Taxation, 904  
Reported Back: Do Pass, 1478  
Final Passage: Adopted, 1492  
Returned to Senate: Passed, 1605  
Received from Senate, signed by President, 1681  
Signed by Speaker, 1687  
Returned to Senate, signed by Speaker, 1688

**Senate Concurrent Resolution No. 4041.** — A concurrent resolution to rescind North Dakota's ratification of the Equal Rights Amendment; and providing an effective date.

Received from Senate, 1054  
Introduction, First reading, Referred to Committee on Judiciary, 1152  
Reported Back: Amended and do not pass  
Vote by which Senate Concurrent Resolution was lost be reconsidered and the motion to reconsider be laid on the table, 1439  
Final Passage: Lost, 1439

**Senate Concurrent Resolution No. 4042.** — A concurrent resolution for the amendment of section 84 of the North Dakota Constitution, relating to the salaries of public officers.

Received from Senate, 1187  
Introduction, First reading, Referred to Committee on Constitutional Revision, 1232  
Reported Back: Do Pass, 1272  
Final Passage: Adopted, 1291  
Returned to Senate: Passed, 1352

Received from Senate, signed by President, 1421  
 Signed by Speaker, 1444  
 Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4045.** — A concurrent resolution directing the Legislative Council to study the potential for agricultural crop residue or waste known as biomass residue, as an energy source, with emphasis on the economic feasibility, the cost of production, evaluation of the technology, and the possibility of state and federal grants and tax incentives and relief, to further the development of agricultural crop residue powered systems.

Received from Senate, 1162  
 Introduction, First reading, Referred to Committee on Agriculture, 1232

Reported Back: Do Pass, 1576  
 Final Passage: Adopted, 1588  
 Returned to Senate: Passed, 1672  
 Received from Senate, signed by President, 1783  
 Signed by Speaker, 1825  
 Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4046.** — A concurrent resolution directing the legislative council to conduct an interim study to examine the effectiveness of the state's disaster mitigation, preparedness, response, and recovery programs and to determine the feasibility of future legislation to better enable the state and its political subdivisions to meet all types of disasters and emergencies.

Received from Senate, 823  
 Introduction, First reading, Referred to Committee on State and Federal Government, 904  
 Reported Back: Do Pass, 1151  
 Final Passage: Adopted, 1291  
 Returned to Senate: Passed, 1352  
 Received from Senate, signed by President, 1421  
 Signed by Speaker, 1444  
 Returned to Senate, signed by Speaker, 1445

**Senate Concurrent Resolution No. 4047.** — A concurrent resolution offering a panegyric pronouncement on the press; declaring Thursday, February 15, 1979, as North Dakota Editors Day at the Forty-sixth Legislative Assembly; and welcoming Mr. Walter Ridder, a distinguished journalist and former national columnist, to North Dakota.

Received from Senate, 476  
 Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 514  
 Final Passage: Adopted, 514  
 Returned to Senate: Passed, 537  
 Received from Senate, signed by President, 571  
 Signed by Speaker, 603  
 Returned to Senate, signed by Speaker, 607

**Senate Concurrent Resolution No. 4048.** — A concurrent resolution expressing sorrow on the death of Arlon G. Hazen, former Dean of the College of Agriculture at North Dakota State University.

Received from Senate, 501

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 584

Final Passage: Adopted, 584

Returned to Senate: Passed, 653

Received from Senate, signed by President, 674

Signed by Speaker, 676

Returned to Senate, signed by Speaker, 680

**Senate Concurrent Resolution No. 4049.** — A concurrent resolution directing a Legislative Council study of residential developments in rural areas near cities and the incorporation of cities.

Received from Senate, 1117

Introduction, First reading, Referred to Committee on Political Subdivisions, 1205

Reported Back: Do Pass, 1532

Final Passage: Adopted, 1552

Returned to Senate: Passed, 1619

Received from Senate, signed by President, 1736

Signed by Speaker, 1743

Returned to Senate, signed by Speaker, 1743

**Senate Concurrent Resolution No. 4050.** — A concurrent resolution directing a Legislative Council study of the use of special funds and cash accounts maintained in the state treasury and of the state's accounting system.

Received from Senate, 1117

Introduction, First reading, Referred to Committee on Appropriations, 1205

Reported Back: Do Pass, 1615

Final Passage: Adopted, 1930

Returned to Senate: Passed, 2016

Received from Senate, signed by President, 2104

Signed by Speaker, 2112

Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4051.** — A concurrent resolution to establish a procedure for calling the Forty-sixth Legislative Assembly back into regular session after July 1, 1979, should the remaining constitutional time allotted for the regular session be needed.

Received from Senate, 1162

Introduction, First reading, Referred to Committee on State and Federal Government, 1233

Reported Back: Do Pass, 1661

Final Passage: Lost, 2348

Returned to Senate: Failed to pass, 2353

**Senate Concurrent Resolution No. 4052.** — A concurrent resolution directing a Legislative Council study of state aid to nonpublic schools.

Received from Senate, 1187  
 Introduction, First reading, Referred to Committee on Education, 1233  
 Reported Back: Do not pass, 1661  
 Final Passage: Adopted, 1683  
 Returned to Senate: Passed, 1782  
 Received from Senate, signed by President, 1858  
 Signed by Speaker, 1865  
 Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4053.** — A concurrent resolution requesting the legislative council to study the laws relating to residence for poor relief purposes, North Dakota Century Code chapters 50-01 and 50-02, and to determine the adequacy of the provisions of these chapters.

Received from Senate, 1162  
 Introduction, First reading, Referred to Committee on Social Services and Veterans Affairs, 1233  
 Reported Back: Do Pass, 1577  
 Final Passage: Adopted, 1588  
 Returned to Senate: Passed, 1672  
 Received from Senate, signed by President, 1783  
 Signed by Speaker, 1825  
 Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4055.** — A concurrent resolution directing the Legislative Council to study and review motor vehicle registration and title registration.

Received from Senate, 1162  
 Introduction, First reading, Referred to Committee on Transportation, 1233  
 Reported Back: Do Pass, 1577  
 Final Passage: Adopted, 1588  
 Returned to Senate: Passed, 1672  
 Received from Senate, signed by President, 1783  
 Signed by Speaker, 1825  
 Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4056.** — A concurrent resolution expressing the support of the Forty-sixth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

Received from Senate, 1162  
 Introduction, First reading, Referred to Committee on State and Federal Government, 1233  
 Reported Back: Do Pass, 1661  
 Final Passage: Adopted, 1930  
 Returned to Senate: Passed, 2016  
 Received from Senate, signed by President, 2104  
 Signed by Speaker, 2112  
 Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4057.** — A concurrent resolution urging the United States Congress to permanently suspend the carryover basis rules enacted under the 1976 Tax Reform Act and to restore the stepped-up basis rules applicable to the basis of property acquired from a decedent dying after 1976 to apply the same basis rules which were applicable prior to the 1976 Tax Reform Act.

Received from Senate, 1162

Introduction, First reading, Referred to Committee on Finance and Taxation, 1233

Reported Back: Do Pass, 1478

Final Passage: Adopted, 1492

Returned to Senate: Passed, 1605

Received from Senate, signed by President, 1681

Signed by Speaker, 1687

Returned to Senate, signed by Speaker, 1688

**Senate Concurrent Resolution No. 4058.** — A concurrent resolution urging Congress to take appropriate steps to ensure continued AMTRAK service and to provide for a review of AMTRAK service schedules to make the schedules more compatible with the needs of a majority of passengers.

Received from Senate, 1323

Introduction, First reading, Referred to Committee on Transportation, 1380

Reported Back: Do Pass, 1764

Final Passage: Adopted, 1781

Returned to Senate: Passed, 1890

Received from Senate, signed by President, 2032

Signed by Speaker, 2038

Returned to Senate, signed by Speaker, 2038

**Senate Concurrent Resolution No. 4059.** — A concurrent resolution directing the Legislative Council to study state employees retirement.

Received from Senate, 1187

Introduction, First reading, Referred to Committee on State and Federal Government, 1233

Reported Back: Do Pass, 1661

Final Passage: Adopted, 1679

Returned to Senate: Passed, 1782

Received from Senate, signed by President, 1858

Signed by Speaker, 1865

Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4060.** — A concurrent resolution directing a Legislative Council study of the community placement program at the Grafton State School.

Received from Senate, 4060

Introduction, First reading, Referred to Committee on Education, 1233

Reported Back: Do Pass, 1662

Final Passage: Adopted, 1679

Returned to Senate: Passed, 1782  
 Received from Senate, signed by President, 1858  
 Signed by Speaker, 1865  
 Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4061.** — A concurrent resolution to repeal section 39 of the Constitution of the State of North Dakota, relating to the appointment or election of members of the Legislative Assembly to other offices, the emoluments of which have been increased during those legislators' terms of office.

Received from Senate, 1623  
 Introduction, First reading, Referred to Joint Committee on Constitutional Revisions, 1676  
 Reported Back: Do Pass, 1764  
 Final Passage: Adopted, 1930  
 Returned to Senate: Passed, 2016  
 Received from Senate, signed by President, 2104  
 Signed by Speaker, 2112  
 Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4062.** A concurrent resolution urging the State Board of Higher Education and the state educational institutions under its control and administration to participate in programs sponsored by the National Science Foundation.

Received from Senate, 1187  
 Introduction, First reading, Referred to Committee on Education, 1233  
 Reported Back: Do Pass, 1615  
 Final Passage: Adopted, 1932  
 Returned to Senate: Passed, 2016  
 Received from Senate, signed by President, 2104  
 Signed by Speaker, 2102  
 Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4063.** — A concurrent resolution directing a Legislative Council study of the local delivery of programs by the Farmers Home Administration.

Received from Senate, 1440  
 Introduction, First reading, Referred to Committee on Agriculture, 1486  
 Reported Back: Do Pass, 1764  
 Final Passage: Adopted, 1932  
 Returned to Senate: Passed, 2016  
 Received from Senate, signed by President, 2104  
 Signed by Speaker, 2112  
 Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4064.** — A concurrent resolution directing the Legislative Council to conduct a performance review in the area of higher education during the 1979-81 biennium.



Received from Senate, 1187  
Introduction, First reading, Referred to Committee on Education,  
1234

Reported Back: Without Recommendation, 1712

Final Passage: Lost, 2276

Returned to Senate: Failed to pass, 2283

**Senate Concurrent Resolution No. 4065.** — A concurrent resolution directing the Legislative Council to study cost information systems at institutions of higher education.

Received from Senate, 1187  
Introduction, First reading, Referred to Committee on Education,  
1234

Reported Back: Do Pass, 1713

Final Passage: Adopted, 1730

Returned to Senate: Passed, 1824

Received from Senate, signed by President, 1906

Signed by Speaker, 1925

Returned to Senate, signed by Speaker, 1925

**Senate Concurrent Resolution No. 4066.** — A concurrent resolution for the amendment of section 186 of the Constitution of the State of North Dakota, relating to the expenditure of public moneys by appropriation only, exceptions, requiring itemized written statements for bills, claims, accounts, or demands against the state, limiting expenditures to state revenues and reserves, providing a ceiling for appropriations, providing for the filing and publishing of an accurate financial statement of the state's financial condition; and providing an effective date.

Received from Senate, 1783  
Introduction, First reading, Referred to Committee on Constitutional  
Revision, 1794

Reported Back: Do not pass, 1882

Final Passage: Lost, 2277

Returned to Senate: Failed to pass, 2283

**Senate Concurrent Resolution No. 4067.** — A concurrent resolution directing the Legislative Council to conduct an interim study to consider the adequacy and sufficiency of the state's surface mining and reclamation laws to enable the state to secure an approved state regulatory program under the Surface Mining Control and Reclamation Act of 1977.

Received from Senate, 1420  
Introduction, First reading, Referred to Committee on Natural  
Resources, 1438

Reported Back: Do Pass, 1577

Final Passage: Adopted, 1588

Returned to Senate: Passed, 1672

Received from Senate, signed by President, 1783

Signed by Speaker, 1825

Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4068.** — A concurrent resolution directing a Legislative Council study of reciprocity agreements for students enrolled in out-of-state vocational and professional education programs.

Received from Senate, 1187  
 Introduction, First reading, Referred to Committee on Education,  
 1234  
 Reported Back: Do Pass, 1713  
 Final Passage: Adopted, 1731  
 Returned to Senate: Passed, 1824  
 Received from Senate, signed by President, 1906  
 Signed by Speaker, 1925  
 Returned to Senate, signed by Speaker, 1925

**Senate Concurrent Resolution No. 4069.** — A concurrent resolution directing a legislative council study of the feasibility and benefits of revising chapter 32-09 of the North Dakota Century Code dealing with garnishment.

Received from Senate, 1603  
 Introduction, First reading, Referred to Committee on Judiciary,  
 1631  
 Reported Back: Do Pass, 1713  
 Final Passage: Adopted, 1731  
 Returned to Senate: Passed, 1824  
 Received from Senate, signed by President, 1906  
 Signed by Speaker, 1925  
 Returned to Senate, signed by Speaker, 1925

**Senate Concurrent Resolution No. 4070.** — A concurrent resolution directing the Legislative Council to conduct a study of crime prevention methods with respect to controlled substances.

Received from Senate, 1891  
 Introduction, First reading, Referred to Committee on Judiciary,  
 1904  
 Reported Back: Do not pass, 2083  
 Final Passage: Lost, 2277  
 Returned to Senate: Failed to pass, 2283

**Senate Concurrent Resolution No. 4071.** — A concurrent resolution directing the Legislative Council to study legislative rules.

Received from Senate, 1323  
 Introduction, First reading, Referred to Committee on State and  
 Federal Government, 1380  
 Reported Back: Do Pass, 1662  
 Final Passage: Adopted, 1679  
 Returned to Senate: Passed, 1782  
 Received from Senate, signed by President, 1858  
 Signed by Speaker, 1865  
 Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4072.** — A concurrent resolution directing the Legislative Council to conduct a study of general fund revenues and expenditures during the next biennium.

Received from Senate, 1891  
 Introduction, First reading, Referred to Committee on Appropriations, 1904  
 Reported Back: Do Pass, 1964  
 Final Passage: Adopted, 2278  
 Returned to Senate: Passed, 2283  
 Received from Senate, signed by President, 2369  
 Signed by Speaker, 2369  
 Returned to Senate, signed by Speaker, 2369

**Senate Concurrent Resolution No. 4074.** — A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees.

Received from Senate, 1323  
 Introduction, First reading, Referred to Committee on State and Federal Government, 1380  
 Reported Back: Do Pass, 1662  
 Final Passage: Adopted, 1679  
 Returned to Senate: Passed, 1782  
 Received from Senate, signed by President, 1858  
 Signed by Speaker, 1865  
 Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4075.** — A concurrent resolution directing the Legislative Council to study the organization and financing of special education.

Received from Senate, 1187  
 Introduction, First reading, Referred to Committee on Education, 1234  
 Reported Back: Do Pass, 1663  
 Final Passage: Adopted, 1679  
 Returned to Senate: Passed, 1782  
 Received from Senate, signed by President, 1858  
 Signed by Speaker, 1865  
 Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4076.** — A concurrent resolution directing the Legislative Council to study the procedures involved in family law and other related domestic relations matters.

Received from Senate, 1539  
 Introduction, First reading, Referred to Committee on Judiciary, 1616  
 Reported Back: Amended, 1663  
 Amendments adopted 1677  
 Final Passage: Adopted, 1932  
 Returned to Senate: Passed, 2016  
 Received from Senate, signed by President, 2104  
 Signed by Speaker, 2112  
 Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4078.** — A concurrent resolution directing the Legislative Council to study eminent domain procedures for condemnation of land acquired for public use, and relocation assistance.

Received from Senate, 1487  
Introduction, First reading, Referred to Committee on Judiciary, 1546  
Reported Back: Amended, 1615-1616  
Amendments Adopted, 1621  
Final Passage: Adopted, 1933  
Returned to Senate: Passed, 2016  
Received from Senate, signed by President, 2104  
Signed by Speaker, 2112  
Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4079.** — A concurrent resolution directing the Legislative Council to conduct a study of the legal methods for discovering and categorizing severed mineral interests and to develop a pilot project to identify mineral interests in a particular township.

Received from Senate, 1420  
Introduction, First reading, Referred to Committee on Natural Resources, 1438  
Reported Back: Do Pass, 1578  
Final Passage: Adopted, 1589  
Returned to Senate: Passed, 1672  
Received from Senate, signed by President, 1783  
Signed by Speaker, 1825  
Returned to Senate, signed by Speaker, 1825

**Senate Concurrent Resolution No. 4080.** — A concurrent resolution urging the United States Department of Agriculture, the United States Department of Commerce, the United States Department of Energy, the United States Department of Transportation, and the Small Business Administration to assist and encourage the manufacture and marketing of gasohol; and urging Congress to consider any requests for funds to support any related programs.

Received from Senate, 1440  
Introduction, First reading, Referred to Committee on Agriculture, 1487  
Reported Back: Do Pass, 1765  
Final Passage: Adopted, 1933  
Returned to Senate: Passed, 2016  
Received from Senate, signed by President, 2104  
Signed by Speaker, 2112  
Returned to Senate, signed by Speaker, 2113

**Senate Concurrent Resolution No. 4081.** — A concurrent resolution to proclaim the week of July 30, 1979, through August 5, 1979, as National High School Rodeo Week in the State of North Dakota.

Received from Senate, 1187

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1227

Final Passage: Adopted, 1227

Returned to Senate: Passed, 1279

Received from Senate, signed by President, 1370

Signed by Speaker, 1384

Returned to Senate, signed by Speaker, 1384

**Senate Concurrent Resolution No. 4082.** — A concurrent resolution recognizing the value of the legislative internship program and commending its participants.

Received from Senate, 1370

Rules suspended, introduced, 385

Amended, 1385

Placed on second reading and final passage, 1385

Final Passage: Adopted, 1385

Returned to Senate: Passed, 1396

Senate concurs, 1463

Received from Senate, signed by President, 1497

Signed by Speaker, 1537

Returned to Senate, signed by Speaker, 1538

**Senate Concurrent Resolution No. 4083.** — A concurrent resolution congratulating the University of North Dakota hockey team and its coach John Gasparini on the team's outstanding 1978-79 season.

Received from Senate, 1420

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1434

Final Passage: Adopted, 1434

Returned to Senate: Passed, 1435

Received from Senate, signed by President, 1497

Signed by Speaker, 1537

Returned to Senate, signed by Speaker, 1538

**Senate Concurrent Resolution No. 4084.** — A concurrent resolution congratulating Tony Huck of Valley City State College on winning the 1979 National Association of Intercollegiate Athletics national wrestling championship in the 190 pound division.

Received from Senate, 1623

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, 1676

Final Passage: Adopted, 1676

Returned to Senate: Passed, 1782

Received from Senate, signed by President, 1858

Signed by Speaker, 1865

Returned to Senate, signed by Speaker, 1866

**Senate Concurrent Resolution No. 4085.** — A concurrent resolution directing the Garrison Diversion Overview Committee to conduct a study of the Garrison Diversion Project and its present and potential effects on North Dakota, which study is to emphasize the problems

concerning the acquisition of fish and wildlife mitigation and enhancement acreage and the feasibility of constructing a pipeline to deliver municipal and industrial water to users.

Received from Senate, 1969

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, and laid over one legislative day, 1980

Final Passage: Adopted, 2278

Returned to Senate: Passed, 2283

Received from Senate, signed by President, 2375

Signed by Speaker, 2375

Returned to Senate, signed by Speaker, 2375

**Senate Concurrent Resolution No. 4086.** — A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

Received from Senate, 1969

Rules suspended, not referred to Committee, read in entirety, not printed as a bill, printed in Journal, placed on second reading and final passage, and be laid over one legislative day, 1981

Final Passage: Adopted, 2279

Returned to Senate: Passed, 2283

Received from Senate, signed by President, 2369

Signed by Speaker, 2369

Returned to Senate, signed by Speaker, 2370

**Senate Concurrent Resolution No. 4087.** — A concurrent resolution urging the President and the Congress of the United States to undertake the necessary actions to provide for the reimbursement of the states by the federal government for all costs incurred in implementing new or expanded federal programs.

Received from Senate, 2148

Introduction, First reading, Referred to Committee on State and Federal Government, 2148

Reported Back: Do Pass, 2165

Final Passage: Adopted, 2279

Returned to Senate: Passed, 2283

Received from Senate, signed by President, 2379

Signed by Speaker, 2379

Returned to Senate, signed by Speaker, 2380

**Senate Concurrent Resolution No. 4088.** — A concurrent resolution directing the Legislative Council to study the rights of children.

Received from Senate, 2148

Introduction, First reading, Referred to Committee on Judiciary, 2148

Reported Back: Amended, 2165

Final Passage: Adopted, 2189

Returned to Senate: Amended, 2283

Senate does not concur, 2298

- Conference Committee: House, 2300 Senate, 2 298  
Conference Committee Report: Senate adopts, 2345, House adopts,  
2348  
Rule suspended, conference committee amendments adopted, placed  
on second reading and final passage, 2346  
Final Passage: Adopted, 2346  
Received from Senate, signed by President, 2375  
Signed by Speaker, 2375  
Returned to Senate, signed by Speaker, 2375
- Senate Concurrent Resolution No. 4089.** — A concurrent resolution  
directing the Legislative Council to study the state's judicial system.
- Received from Senate, 2148  
Introduction, First reading, Referred to Committee on Judiciary,  
2148  
Reported Back: Do Pass, 2166  
Final Passage: Adopted, 2280  
Returned to Senate: Passed, 2283  
Received from Senate, signed by President, 2372  
Signed by Speaker, 2373  
Returned to Senate, signed by Speaker, 2373