

FOURTH DAY

Bismarck, January 9, 1981

The House convened at 12:30 p.m., with Speaker Peterson presiding.

Prayer was offered by Reverend Ray Van Beek, Reformed Church, Schofield, Wisconsin, brother-in-law to Rep. Wilbur Vander Vorst.

The roll was called and all members were present except Reps. Gorder and Dick.

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 recommends that the same be corrected as follows:

On page 145, line 32, after the word "Rued" insert the words "and Timm".

On page 145, line 53, after the word "Koski" delete the comma.

And when so corrected recommends that the same be approved.

Burness Reed Chairman

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

SECOND READING OF HOUSE BILLS

House Bill No. 1063. — A Bill for an Act to amend and reenact section 32-12.1-04 of the North Dakota Century Code, relating to political subdivisions defending actions brought against employees and to the personal liability and indemnification of employees, and providing that an action for injuries proximately caused by the alleged negligence, wrongful act, or omission of an employee within the scope of employment or office shall be brought against a political subdivision.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 98 nays, 0; absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•			•			•			•			•					
ANDERSON, C. H.			HOFFNER			METZ			THOMPSON								

• ANDERSON, R. #36	• HORGAN	• MEYER	• TIMM
• BACKES	• HOUWMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIC
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBERG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTONSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

MOTIONS

Rep. Murphy moved that House Bill 1144 be laid over for one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1147. — A Bill for an Act to amend and reenact section 20.1-02-16 of the North Dakota Century Code, relating to rewards upon conviction of game and fish violators.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 81 yeas, 17; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL				1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER		•	• TIMM		
• BACKES		•	• HOUWMANN		•	• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY		•	• VIC		
• BLACK			• JACOBSEN, R.			• MUSHIK		•	• WAGNER		
• BOYUM		•	• JACOBSON, I.			• NAGEL		•	• WALD		
• BROKAW		•	• KELLY			• NICHOLAS			• WENTZ		
• CONMY		•	• KENT		•	• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY		•	• OLSEN			• ZIMBLEMAN		
• DICK	•		• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBERG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12		•	• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER		•			
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCHE		•	• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL		•			
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTONSON			• SOLBERG					
• HEDSTROM			• MEIERS		•	• SORUM		•			
• HEIGAARD			• MELBY		•	• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

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:

SCR 4019

Senate Concurrent Resolution No. 4019

LEO LEIDHOLM, Secretary

Rep. Strinden moved that the Rules be suspended and Senate Concurrent Resolution No. 4019 which has been printed in the Senate Journal on page 119, not be referred to committee, be placed on the thirteenth order and read in its entirety from the Desk, and then be placed on the fourteenth order for second reading and final passage, which motion prevailed.

FIRST READING OF
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4019. — A concurrent resolution authorizing the Speaker of the House and the majority and minority Senate and House leaders, or their designees, to attend the presidential inauguration, excusing their absence, and authorizing expenditure of moneys from the legislative appropriation necessary to cover their expenses.

Was read for the first time.

SECOND READING OF
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4019. — A concurrent resolution authorizing the Speaker of the House and the majority and minority Senate and House leaders, or their designees, to attend the presidential inauguration, excusing their absence, and authorizing expenditure of moneys from the legislative appropriation necessary to cover their expenses.

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, 99 nays, 0; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #38			• NORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FIEBORG			• KUCHARA			• POWERDY, E. #24					
• GATES			• LANG			• POWERDY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #19			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					

• HEIGAARD HILL	• MELBY MERTENS	• STRINDEN SWIONTEK
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So the Senate Concurrent Resolution was declared adopted.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on TRANSPORTATION
to whom was referred HOUSE

Bill No. 1131, 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. TIMM Chairman

HOUSE Bill No. 1131 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. 1140, 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.

Rep. Nicholas Chairman

HOUSE Bill No. 1140 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. 3003, 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. Haugland Chairman

HOUSE CONCURRENT RESOLUTION No. 3003 was placed on the 11th
order of business on the calendar for the succeeding legislative day.

MOTIONS

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 that the House
stand adjourned until 1:30 p.m., January 12, 1981, which motion
prevailed.

FIRST READING OF HOUSE BILLS

Rep. Conmy introduced:

House Bill No. 1225. — A Bill for an Act to create and enact chapters
16.1-04, 16.1-09, 16.1-10, 16.1-12, 16.1-14, 16.1-15 and 16.1-16, and sections

16.1-01-02, 16.1-01-03, 16.1-01-04, 16.1-01-05, 16.1-01-06, 16.1-01-07, 16.1-01-08, 16.1-01-09, 16.1-01-10, 16.1-01-11, 16.1-01-12, 16.1-05-01, 16.1-05-02, 16.1-05-03, 16.1-05-04, 16.1-06-01, 16.1-06-02, 16.1-06-03, 16.1-06-04, 16.1-06-06, 16.1-06-08, 16.1-06-09, 16.1-06-10, 16.1-06-11, 16.1-06-12, 16.1-06-13, 16.1-06-14, 16.1-06-15, 16.1-06-16, 16.1-06-17, 16.1-06-18, 16.1-06-19, 16.1-06-20, 16.1-06-21, 16.1-06-22, 16.1-06-23, 16.1-06-24, 16.1-06-25, 16.1-07-01, 16.1-07-02, 16.1-07-03, 16.1-07-04, 16.1-07-05, 16.1-07-06, 16.1-07-07, 16.1-07-09, 16.1-07-10, 16.1-07-11, 16.1-07-12, 16.1-07-13, 16.1-07-14, 16.1-11-06, 16.1-11-08, 16.1-11-09, 16.1-11-10, 16.1-11-11, 16.1-11-12, 16.1-11-13, 16.1-11-14, 16.1-11-15, 16.1-11-16, 16.1-11-17, 16.1-11-18, 16.1-11-19, 16.1-11-20, 16.1-11-21, 16.1-11-22, 16.1-11-24, 16.1-11-25, 16.1-11-26, 16.1-11-27, 16.1-11-28, 16.1-11-29, 16.1-11-31, 16.1-11-32, 16.1-11-33, 16.1-11-35, 16.1-11-36, 16.1-11-37, 16.1-11-38, 16.1-11-39, 16.1-11-40, 16.1-13-01, 16.1-13-02, 16.1-13-03, 16.1-13-04, 16.1-13-05, 16.1-13-06, 16.1-13-07, 16.1-13-09, 16.1-13-10, 16.1-13-11, 16.1-13-12, 16.1-13-13, 16.1-13-14, 16.1-13-15, 16.1-13-16, 16.1-13-17, 16.1-13-18, 16.1-13-19, 16.1-13-20, 16.1-13-21, 16.1-13-22, 16.1-13-23, 16.1-13-24, 16.1-13-25, 16.1-13-26, 16.1-13-27, 16.1-13-28, 16.1-13-29, 16.1-13-30, 16.1-13-31, 16.1-13-32, and 16.1-13-33, 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, 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, 16-13, 16-14, 16-15, 16-16, 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, 16-11-01, 16-11-02, 16-11-03, 16-11-04, 16-11-05.1, 16-11-07, 16-11-09, 16-11-10, 16-11-11, 16-11-12, 16-11-13, 16-11-14, 16-11-15, 16-11-16, 16-12-01, 16-12-02, 16-12-03, 16-12-04, 16-12-05, 16-12-06, 16-12-07, 16-12-08, 16-12-09, 16-12-10, 16-12-11, 16-12-12, 16-12-13, 16-12-16, 16-18-01, 16-18-02, 16-18-03, 16-18-04, 16-18-05, 16-18-06, 16-18-07, 16-18-08, 16-18-11, 16-18-12, 16-18-14, 16-18-15, 16-18-16, 16-18-17, 16-18-20, 16-20-01, 16-20-01.1, 16-20-16, 16-20-17, 16-20-17.1, 16-20-17.2, 16-20-17.3, 16-20-18, 16-20-19, 16-20-22, 16-20-23, and 16-20-24 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, presidential electors, absent voters' ballots, corrupt practices, voting machines, electronic voting machines, and the disclosure of financial interest.

Was read the first time and referred to the committee on Judiciary.

Rep. Eagles and Sen. Cussons introduced:

House Bill No. 1226. — A Bill for an Act to amend and reenact sections 43-28-02, 43-28-03, 43-28-04, and 43-28-05 of the North Dakota Century Code, relating to the state board of dental examiners and providing for one member of the board to be a dental hygienist.

Was read the first time and referred to the committee on State and Federal Government.

Reps. Hoffner, Reed, Black and Gates introduced:

House Bill No. 1227. — A Bill for an Act to amend and reenact subsection 7 of section 15-40.1-08 of the North Dakota Century Code,

relating to payment of foundation aid for kindergarten.

Was read the first time and referred to the committee on Education.
Reps. Hoffner, Reiten, Richard and Sen. Leibhan introduced:

House Bill No. 1228. — A Bill for an Act to amend and reenact section 15-38-07 of the North Dakota Century Code, relating to required subjects in the public and private schools.

Was read the first time and referred to the committee on Education.
Rep. Gerl introduced:

House Bill No. 1229. — A Bill for an Act to provide preference for use of American made products in state contracts, and to set out exceptions.

Was read the first time and referred to the committee on Industry, Business and Labor.

Rep. Gerl introduced:

House Bill No. 1230. — A Bill for an Act to provide that employers must grant time off for employees to vote at any special, primary, or general election.

Was read the first time and referred to the committee on Political Subdivisions.

Reps. Hoffner, Heigaard and G. Pomeroy introduced:

House Bill No. 1231. — A Bill for an Act to amend and reenact section 16-01-11 of the North Dakota Century Code, relating to initiative, referendum, and recall petitions.

Was read the first time and referred to the committee on Judiciary.

Reps. Berg and Meyer introduced:

House Bill No. 1232. — A Bill for an Act to create and enact a new section to chapter 26-41, relating to notice of security requirements by basic no-fault insurers to the motor vehicle registrar.

Was read the first time and referred to the committee on Industry, Business and Labor.

Reps. Koski, Vig, Mushik and Reed introduced:

House Bill No. 1233. — A Bill for an Act to create and enact section 23-10-11.1 of the North Dakota Century Code, relating to the establishment of a mobile home park appeals board, board authority to reverse park ejection decisions, and further appeals to district court.

Was read the first time and referred to the committee on Political Subdivisions.

Rep. Matchie introduced:

House Bill No. 1234. — A Bill for an Act to provide for the establishment of school safety patrols and to relieve school authorities of liability in the operation of school safety patrols.

Was read the first time and referred to the committee on Education.

Rep. Conmy introduced:

House Bill No. 1235. — A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to absent voters' ballots.

Was read the first time and referred to the committee on Judiciary.

The House stood adjourned pursuant to Rep. Strinden's motion.

ROY GILBREATH, Chief Clerk