

SEVENTEENTH DAY

Bismarck, January 28, 1981

The House convened at 1:30 p. m., with Speaker Peterson presiding.

Prayer was offered by Reverend F. V. Tannehill, McCabe United Methodist Church, Bismarck, North Dakota.

Roll was called and all members were present except Rep. Vander Vorst.

A quorum was declared 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. 2024

Senate Bill No. 2039

Senate Bill No. 2201

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. 1017

House Bill No. 1082

House Bill No. 1087

House Bill No. 1093

House Bill No. 1094

House Bill No. 1120

House Bill No. 1139

House Bill No. 1158

House Bill No. 1228

House Concurrent Resolution No. 3002

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3021

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

Senate Concurrent Resolution No. 4025

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. 1054 and subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

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 and Sixteenth days and recommends that the same be corrected as follows:

On page 372, line 52, delete the words "and Murphy" and insert the following: ", Murphy and Mattson"

On page 379, line 10, after the word "present," insert the word "except"

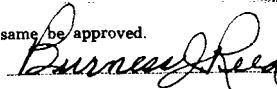
On page 381, line 21, after the word "Pass" and before the period, insert the following: ", which motion prevailed"

On page 383, after line 34, replace the Committee Report on House Bill No. 1233 with the corrected Committee Report on House Bill No. 1233.

On page 393, line 65, delete the numeral "94" and insert in lieu thereof the following: "ayes, 94:"

On page 395, after the first comma, delete the following: "as amended,"

And when so corrected recommends that the same ^{be} approved.

 Chairman

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

RECOGNITION

Speaker Peterson 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.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

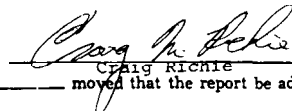
Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 1078
House Bill No. 1099
House Bill No. 1138
House Bill No. 1154
House Bill No. 1171
House Bill No. 1198
House Bill No. 1230
House Bill No. 1255

and find the same correctly

} Engrossed

Representative L. Hanson moved that the report be adopted, which motion prevailed, and the report was adopted.

 Chairman

MOTIONS

Rep. A. Hausauer moved that House Bill No. 1532 be returned to the House from the Committee on Finance and Taxation and that House Bill No. 1532 be rereferred to the Committee on Political Subdivisions, which motion prevailed.

Speaker Peterson announced that House Bill No. 1532 was rereferred to the Committee on Political Subdivisions.

Rep. A. Hausauer moved that House Bill No. 1540 be returned to the House from the Committee on Finance and Taxation and that House Bill No. 1540 be rereferred to the Committee on Agriculture, which motion prevailed.

Speaker Peterson announced that House Bill No. 1540 was rereferred to the Committee on Agriculture.

Rep. Conmy moved that House Bill No. 1595 be returned to the House from the Committee on Judiciary and that House Bill No. 1595 be rereferred to the Committee on Transportation, which motion prevailed.

Speaker Peterson announced that House Bill No. 1595 was rereferred to the Committee on Transportation.

Rep. Timm moved that House Bill No. 1443 be returned to the House from the Committee on Transportation and that House Bill No. 1443 be rereferred to the Committee on Industry, Business and Labor, which motion prevailed.

Speaker Peterson announced that House Bill No. 1443 was rereferred to the Committee on Industry, Business and Labor.

Rep. Rued moved that House Bill No. 1523 be returned to the House from the Committee on Industry, Business and Labor and that House Bill No. 1523 be rereferred to the Committee on Transportation, which motion prevailed.

Speaker Peterson announced that House Bill No. 1523 was rereferred to the Committee on Transportation.

Rep. Martinson moved that House Bill No. 1597 be returned to the House from the Committee on State and Federal Government and that House Bill No. 1597 be rereferred to the Committee on Social Services and Veterans Affairs, which motion prevailed.

Speaker Peterson announced that House Bill No. 1597 was rereferred to the Committee on Social Services and Veterans Affairs.

Rep. Swiontek moved that House Bill No. 1278 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. 1278, which request was granted.

Rep. Crabtree moved that House Bill No. 1602 be returned to the House from the Committee on Industry, Business and Labor for the purpose of withdrawal, which motion prevailed.

Rep. Crabtree requested permission to withdraw House Bill No. 1602, which request was granted.

Rep. Hoffner moved that House Bill No. 1273 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. Hoffner requested permission to withdraw House Bill No. 1273, which request was granted.

SIXTH ORDER OF BUSINESS

Rep. Martinson moved that the amendments to House Bill No. 1046 as recommended by the Committee on State and Federal Government as printed on pages 381 and 382 of the House Journal be adopted, which

motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1124 as recommended by the Committee on Judiciary as printed on pages 382 and 383 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1233 as recommended by the Committee on Political Subdivisions as printed on pages 383 and 384 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1233 Do Not Pass, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1406 as recommended by the Committee on Education as printed on page 386 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1406 be rereferred to the Committee on Appropriations, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1064, 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 15, line 24, delete the word "sixty-day" and insert in lieu thereof "thirty-day"

On page 15, line 30, delete the word "sixty" and insert in lieu thereof "thirty"

On page 16, line 5, delete the word and hyphen "EXCEPTIONS -"

On page 16, delete all of lines 6 and 7

On page 16, line 8, delete "32-09.1-03."

And renumber the lines accordingly

And when so amended, recommends the same do pass

Chairman

HOUSE Bill No. 1064 Rep. Conmy 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. 1065, 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 insert in lieu thereof the following: "for an Act to amend and reenact subsection 1 of section 14-15-05, subsection 1 of section 14-15-06, and subsection 1 of section 14-15-11 of the North Dakota Century Code, relating to consent required for adoption."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 14-15-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Unless consent is not required under section 14-15-06, a petition to adopt a minor may be granted only if written consent to a particular adoption has been executed by:
 - a. The mother of the minor whether by birth or adoption;
 - b. The father of the minor, if ~~the father was married to the mother at the time the minor was conceived or at any time thereafter,~~ the:
 - (1) The minor is his child by adoption, or he has otherwise legitimated the minor according to the laws of the place in which the adoption proceeding is brought; or
 - (2) He is presumed to be the natural father of the minor under subsection 1 of section 14-17-04, provided the nonexistence of the father and child relationship between them has not been judicially determined;
 - c. Any person lawfully entitled to custody of the minor or empowered to consent;
 - d. The court having jurisdiction to determine custody of the minor, if the legal guardian or custodian of the person of the minor is not empowered to consent to the adoption;
 - e. The minor, if more than ten years of age, unless the court in the best interest of the minor dispenses with the minor's consent; and
 - f. The spouse of the minor to be adopted.

SECTION 2. AMENDMENT. Subsection 1 of section 14-15-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Consent to adoption is not required of:
 - a. A parent who has deserted a child without affording means of identification, or who has abandoned a child;
 - b. A parent of a child in the custody of another, if the parent for a period of at least one year has failed significantly without justifiable cause (i) to communicate with the child or (ii) to provide for the care and support of the child as required by law or judicial decree;
 - c. The father of a minor if the father's consent is not required by section 14-15-05(1) (b);
 - d. A parent who has relinquished his right to consent under section 14-15-19;
 - e. A parent whose parental rights have been terminated by order of court under section 14-15-19;

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- f. A parent judicially declared incompetent or mentally defective if the court dispenses with the parent's consent;
- g. Any parent of the individual to be adopted, if the individual is an adult;
- h. Any legal guardian or lawful custodian of the individual to be adopted, other than a parent, who has failed to respond in writing to a request for consent for a period of sixty days or who, after examination of his written reasons for withholding consent, is found by the court to be withholding his consent unreasonably; ~~or~~
- i. The spouse of the individual to be adopted, if the failure of the spouse to consent to the adoption is excused by the court by reason of prolonged unexplained absence, unavailability, incapacity, or circumstances constituting an unreasonable withholding of consent; or
- j. A parent of the minor, if the failure of the parent to consent is excused by the court in the best interest of the child by reason of the parent's prolonged unexplained absence, unavailability, incapacity, or significant failure, without justifiable cause, to establish a substantial relationship with the minor or to manifest a significant parental interest in the minor, or by reason of inability of the court to identify the parent.

SECTION 3. AMENDMENT. Subsection 1 of section 14-15-11 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. After the filing of a petition to adopt a minor, the court shall fix a time and place for hearing the petition. At least twenty days before the date of hearing, notice of the filing of the petition and of the time and place of hearing shall be given by the petitioner to (a) the social service board; (b) any agency or person whose consent to the adoption is required by this Act ~~chapter~~ but who has not consented; (c) a person whose consent is dispensed with upon any ground mentioned in subdivisions a, b, f, h, and i, and j of subsection 1 of section 14-15-06 but who has not consented; and (d) any person identified by the court as a natural parent or a possible natural parent of the minor, upon making inquiry to the extent necessary and appropriate, as in proceedings under section 27-20-45 and section 14-17-24, unless the person has relinquished parental rights or his parental rights have been previously terminated by a court. The notice to the social service board shall be accompanied by a copy of the petition."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.


Rep. Conmy

Chairman

HOUSE Bill No. 1065 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION 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, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

Chairman

HOUSE Rep. A. Hausauer Bill No. 1254 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION to whom was referred HOUSE

Bill No. 1258, 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, delete ", in"

On page 1, line 14, delete "violation of this section,"

On page 1, line 18, after the word "paid" insert the words "by lending institutions"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do not pass.

Chairman

HOUSE Rep. A. Hausauer Bill No. 1258 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION to whom was referred HOUSE

Bill No. 1260, 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.

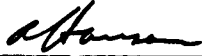
Chairman

HOUSE Rep. A. Hausauer Bill No. 1260 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION to whom was referred HOUSE

Bill No. 1276, 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.


 _____ 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 JUDICIARY
 to whom was referred HOUSE

Bill No. 1281, 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, delete the words "to create and enact a new section to title"
- On page 1, delete lines 2 and 3
- On page 1, line 4, delete the words "a search warrant or permission;"
- On page 1, line 7, delete the words "; and to provide a penalty"
- On page 1, line 26, overstrike the words "3. To enter and inspect" and delete the words ", with a search warrant or with"
- On page 1, line 27, delete the words "the owner's permission," and overstrike the words "any hotel, restaurant, cold"
- On page 1, overstrike line 28
- On page 2, overstrike lines 1 through 11
- On page 2, line 12, overstrike the words "shall not apply to" and delete the word "buildings," and overstrike the words "the dwelling house or"
- On page 2, line 13, overstrike the words and delete the comma "living quarters of any person, or" and overstrike the words "a sealed"
- On page 2, line 14, overstrike the words "railroad car" and delete the words ", unless permission is given by the"
- On page 2, line 15, delete the word "owner" and overstrike the period
- On page 2, overstrike lines 16 through 25
- On page 2, line 26, overstrike the words "6. To enter," and delete the words "with a search" and overstrike the word "warrant" and delete the words "or with the"
- On page 2, line 27, delete the words "owner's permission" and overstrike the words ", upon the premises of any dealer"
- On page 2, overstrike lines 28 through 30
- On page 2, line 31, overstrike the words "of green furs."
- On page 3, overstrike lines 1 through 5
- On page 3, delete lines 6 through 13 and insert in lieu thereof the words "3. To regulate dealers in green furs, propagation or possession of live protected wildlife, taxidermists, shooting preserves, guides and outfitters, commercial fishing operations, private fish hatcheries and commercial bait vendors. In the regulation of these licensed activities, the premises used to conduct the business and records required by law shall be open for inspection at reasonable hours by game and fish law enforcement officers."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

[Signature]

Chairman

HOUSE

Bill No. 1281

Rep. Conmy

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. 1287, 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.

[Signature]

Chairman

HOUSE

Bill No. 1287

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. 1288, 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.

[Signature]

Chairman

HOUSE

Bill No. 1288

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. 1293, 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, delete "40-22-24,"

On page 1, line 5, delete "opening of bids for municipal improvements,"

On page 2, delete lines 6 through 24

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

[Signature]

Chairman

HOUSE

Bill No. 1293

Rep. Martinson

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1308, 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 34, delete the word "shall" and insert in lieu thereof the words "may, in lieu of the tax authorized under subsections 1 through 3 of this section,"

On page 5, line 32, delete "city" and insert in lieu thereof "municipality"

And renumber the lines and pages accordingly.

And when so amended, recommends the same do pass

 Chairman
Rep. A. Hausauer

HOUSE Bill No. 1308 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. 1316, 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, delete "covered" and insert in lieu thereof "classified"

On page 1, line 28, delete "covered" and insert in lieu thereof "classified"

On page 2, line 10, delete "covered" and insert in lieu thereof "classified"

On page 2, line 13, delete "covered" and insert in lieu thereof "classified"

On page 2, line 24, delete "covered" and insert in lieu thereof "classified"

On page 2, line 29, delete "covered" and insert in lieu thereof "classified"

On page 2, line 34, delete "covered" and insert in lieu thereof "classified"

On page 3, line 10, delete "covered" and insert in lieu thereof "classified"

On page 3, line 17, remove the overstrike over the word "classified" and delete "covered"

And renumber the line, sections, and pages accordingly

And when so amended, recommends the same do pass.

Chairman
Rep. Martinson

HOUSE Bill No. 1316 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION 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.

[Signature]

Chairman

Rep. A. Hausauer

HOUSE Bill No. 1319 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. 1333, 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.

[Signature]

Chairman

Rep. Martinson

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. 1334, 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.

[Signature]

Chairman

Rep. Rued

HOUSE Bill No. 1334 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. 1342, 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.

[Signature]

Chairman

VERNON E. WAGNER

HOUSE Bill No. 1342 was placed on the 11th order of business on the calendar for the succeeding legislative day.

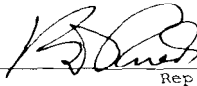
Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1345, 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
 Rep. Rued
HOUSE Bill No. 1345 was placed on the 11th
 order of business on the calendar for the succeeding legislative day.

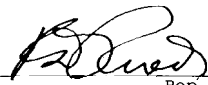
Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1359, 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.


 _____ Chairman
 Rep. Rued
HOUSE Bill No. 1359 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. 1368, 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:

On page 1, line 12, delete the colon

On page 1, delete lines 13 through 15

On page 1, line 16, delete the words "the rental or lease agreement,"

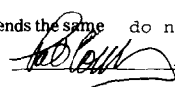
On page 1, line 21, delete the period and insert in lieu thereof
 "provided that:"

On page 1, after line 21, insert the following:

1. Notice of the resulting criminal liability accompanies the written demand for return of the property; and
2. At least ten days have elapsed following the return date specified in the rental or lease agreement."

And renumber the lines accordingly

And when so amended, recommends the same do not pass.


 _____ Chairman
 Rep. Conmy
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 INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1380, 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, delete "28-23" and insert in lieu thereof "28-22"

On page 1, line 8, delete "28-23" and insert in lieu thereof "28-22"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

 Chairman

HOUSE Bill No. 1380 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. 1383, 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 Bill No. 1383 Rep. Conmy 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. 1390, 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 13, after the word "government" insert the words "except the social service board of North Dakota"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman

HOUSE Bill No. 1390 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. 1405, 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. Rued Chairman

HOUSE Bill No. 1405 was placed on the 11th order of business on the calendar for the succeeding legislative day.

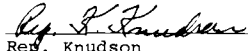
Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE

Bill No. 1417, 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. Knudson Chairman

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 INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1430, 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. Rued Chairman

HOUSE Bill No. 1430 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. 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.



Rep. Rued Chairman

HOUSE Bill No. 1470 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. 1490, 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.

Vernon E. Wagner Chairman

HOUSE Bill No. VERNON E. WAGNER 1490 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. 3015 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. J. Knudson Chairman

HOUSE CONCURRENT RESOLUTION No. 3015 was placed on the 11th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Koland moved that the House reconsider its action whereby House Bill No. 1280 was passed, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1280. — A Bill for an Act to amend and reenact section 12.1-23-05 of the North Dakota Century Code, relating to the gradation of theft offenses.

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, 39; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						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. #34		•	• HORGAN		•	• MEYER		•	• TIMM		•
• BACKES		•	• HOUMANN		•	• MOORE		•	• UNHEIM		•
• BERG		•	• HUGHES		•	• MOUM		•	• VANDER WORT		•
• 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		•			
• FREBORG		•	• 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		•			
• GUNSCH		•	• MARSDEN		•	• RICHARD		•			
• HANSON, L. #48		•	• MARTIN		•	• RICHIE		•			
• HANSON, C. #3		•	• MARTINSON		•	• RIEHL		•			
• HAUGLAND		•	• MATCHE		•	• RIED		•			
• HAUSAUER, A. #49		•	• MATHENY		•	• SCHINDLER		•			
• HAUSAUER, R. #25		•	• MATTSON		•	• SOLBERG		•			
• HEDSTROM		•	• MEIERS		•	• SORUM		•			
• HEIGAARD		•	• MELBY		•	• STRINDEK		•			
• HILL		•	• MERTENS		•	• SWONTEK		•			

So the bill passed and the title was agreed to.

House Bill No. 1078. -- A Bill for an Act to create and enact two new sections to chapter 11-33.1 of the North Dakota Century Code, relating to initiation of resolutions for improvements in rural subdivisions by

county commissioners; and to amend and reenact section 11-33.1-01 of the North Dakota Century Code, relating to petitions for improvements by residents of rural 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, 96; nays, 1; absent and not voting 3.

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			● 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					
● FREBORG			● KUCHERA			● POMEROY, E. #24					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #12			● REED					
● GOETZ			● LARSON, G. #29			● REITEN		●			
● GORDER			● LARSON, H. #1			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCHE			● MARDSEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHEWY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSOON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEGAARD			● MELBY			● STRINDEK					
● HILL			● WERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1099. — A Bill for an Act to create and enact a new section to chapter 61-02 and a new section to chapter 61-03 of the North Dakota Century Code, relating to appeals from decisions of the state water conservation commission and the state 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, 98; nays 0; 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			● 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					
● FREBORG			● KUCHERA			● POMEROY, E. #24					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #12			● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #1			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					

• GUNSCH	• MARS DEN	• RICHARD
• HANSON, L. #48	• MARTIN	• RICHIE
• HANSON, O. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1106. — A Bill for an Act to amend and reenact subsections 3 and 8 of section 61-04-01.1, sections 61-04-02 and 61-04-04.1 of the North Dakota Century Code, relating to definitions, permits for beneficial use of water, and water permit application 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, 65; nays, 30; absent and not voting 5.

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			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VEEST		
• 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			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, M. #1			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARS DEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

Rep. Strinden moved that House Bill No. 1255 be removed from the eleventh order and rereferred to the Committee on Appropriations, which motion prevailed.

Rep. Marsden moved that the House waive the reading of the title of House Bill No. 1138, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1138. — A Bill for an Act to amend and reenact sections 49-18-02, 49-18-06, 49-18-07, 49-18-08, 49-18-09, 49-18-11, 48-18-13, 49-18-14, 49-18-15, 49-18-20, 49-18-21, 49-18-32, 49-18-33, 49-18-41 and 49-18-47 of the North Dakota Century Code, relating to exempt transportation, motor carrier public policy, commission supervision of common motor carriers, notice of opportunity for hearing, regulation of contract motor carriers by the commission, temporary authority for contract motor

carriers, fees, and insurance; and to repeal sections 49-18-03, 49-18-04, and 49-18-10 of the North Dakota Century Code, relating to exempt transportation and commission supervision of common motor carriers.

Which has 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						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	•		• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER HORST		
• 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					
• 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					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #2			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #88			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1154. — A Bill for an Act to amend and reenact section 49-18-19 and 49-18-25 of the North Dakota Century Code, relating to regulation of contract motor carriers.

Which has 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, 11; absent and not voting 3.

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	•		• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER HORST		
• 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					
• 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					

● GUNSCH	● MARS DEN	● RICHARD
● HANSON, L. #48	● MARTIN	● RICHIE
● HANSON, O. #7	● MARTINSON	● RIEHL
● HAUGLAND	● MATCHIE	● RUED
● HAUSAUER, A. #49	● MATHENY	● SCHINDLER
● HAUSAUER, R. #25	● MATTSO N	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEIGAARD	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWIOT EK

So the bill passed and the title was agreed to.

House Bill No. 1171. — A Bill for an Act to amend and reenact section 23-06-30 of the North Dakota Century Code, relating to the duty of counties to maintain abandoned cemeteries.

Which has 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, 13; absent and not voting 2.

REGULAR SESSION			ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ		● THOMPSON
● ANDERSON, R. #24			● HORGAN			● MEYER		● TIMM
● BACKES	●		● HOUMANN			● MOORE		● UNHJEM
● BERG			● HUGHES			● MOUN		● 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		
● DITZ			● KNUDSON			● OLSON, D. #12		● MR SPEAKER
● DOTZENROD			● KOLAND	●		● OPEDAHL		
● DUBORD			● KOSKI			● PELTIER		
● EAGLES			● KRETSCHMAR			● PETERSON		
● FREBORG			● 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		
● GUNSCH			● MARS DEN			● RICHARD		
● HANSON, L. #48			● MARTIN			● RICHIE		
● HANSON, O. #7			● MARTINSON			● RIEHL		
● HAUGLAND			● MATCHIE			● RUED	●	
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER	●	
● HAUSAUER, R. #25			● MATTSO N	●		● SOLBERG		
● HEDSTROM			● MEIERS			● SORUM		
● HEIGAARD			● MELBY			● STRINDEN		
● HILL			● MERTENS			● SWIOT EK		

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title of House Bill No. 1198, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1198. — A Bill for an Act to amend and reenact subsection 3 of section 57-36-26, subsection 5 of section 57-38-34, and sections 57-38-35.1, 57-38-36, 57-51-10, 57-52-12, 57-54-11, 57-60-09, 57-61-05 of the North Dakota Century Code, relating to interest imposed on unpaid income taxes, interest paid on income tax refunds, and penalties and interest imposed for failure to file returns or pay taxes in connection with tobacco products, oil and gas production, special fuels, motor vehicle fuels, coal conversion facilities, and the severance of coal; and to provide 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, 74; nays, 25; absent and not voting 1.

● 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	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWIONTEK

So the bill passed and the title was agreed to.

House Bill No. 1301. — A Bill for an Act to amend and reenact subsection 1 of section 6-09-15 of the North Dakota Century Code, relating to Bank of North Dakota loans to 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, 29; 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. #36			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUHANN			● 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. #71					
● DIETZ			● KNUDSON			● OLSON, D. #73		●	● MR. SPEAKER		
● DUTZENROD			● KOLAND			● OPEDAHL					
● DuBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR		●	● PETERSON					
● FREBERG			● KUCHERA		●	● POMEROY, E. #21					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #72			● REED					
● GOETZ			● LARSON, G. #29		●	● REITEN					
● GORDER		●	● LARSON, H. #7			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCH		●	● MARS DEN		●	● 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			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK		●			

So the bill passed and the title was agreed to.

House Bill No. 1369. — A Bill for an Act to amend and reenact subsection 3 of section 41-06-02 of the North Dakota Century Code, relating to enterprises subject to the bulk transfer provisions of the uniform commercial 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, 97; nays, 1; 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			● HOUHANN			● 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	
● FREBORG	● 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	
● GUNSCH	● MARSDEN	● RICHARD	
● HANSON, L. #48	● MARTIN	● RICHIE	
● HANSON, O. #3	● MARTINSON	● RIEHL	
● HAUGLAND	● MATCHIE	● RUED	
● HAUSAUER, A. #49	● MATHENY	● SCHINDLER	
● HAUSAUER, R. #25	● MATTSON	● SOLBERG	
● HEDSTROM	● MEIERS	● SORUM	
● HEIGAARD	● MELBY	● STRINDEN	
● HILL	● MERTENS	● SWIONTEK	

So the bill passed and the title was agreed to.

House Bill No. 1402. — A Bill for an Act to amend and reenact subsections 1 and 2 of section 28-32-03.2 of the North Dakota Century Code, relating to distribution and maintenance of the North Dakota Administrative Code and code supplements.

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						1981 LEGISLATURE					
ROLL-CALL											
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			● 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		
● CONWAY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13					
● DOTZENROD			● KOLAND			● OPEDAHL			● MR. SPEAKER		
● DuBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					
● FREBORG			● 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					
● GUNSCH			● MARSDEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEIGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1414. — A Bill for an Act to amend and reenact section 65-01-09 of the North Dakota Century Code, relating to the workmen's compensation bureau's subrogation interest in third party recoveries.

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, 55; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
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	MORGAN	MEYER	TIMM
BACKES	HOUHMANN	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	KLOUBECC	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	
GUNSCH	MARSDEN	RICHARD	
HANSON, L. #48	MARTIN	RICHIE	
HANSON, O. #3	MARTINSON	RIEHL	
HAUGLAND	MATCHIE	RUED	
HAUSAUER, A. #49	MATHEHY	SCHINDLER	
HAUSAUER, R. #25	MATTSON	SOLBERG	
HEADSTROM	MEIERS	SORUM	
HEGAARD	MELBY	STRINDEN	
HILL	MERTENS	SWIONTEK	

So the bill was declared lost.

House Bill No. 1423. — A Bill for an Act to amend and reenact sections 14-05-17 and 14-06-06 of the North Dakota Century Code, relating to residency requirements for divorce and separation.

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, 3; absent and not voting 1.

REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
ANDERSON, C. #7			HOFNER			NETZ		THOMPSON
ANDERSON, R. #36			HORGAN			MEYER		TIMM
BACKES			HOUHMANN			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
BROKAW			KENT			OLAFSON		WHALEN
CONMY			KINGSBURY			OLSEN		ZIMBLEMAN
CRABTREE			KLOUBECC			OLSON, A. #11		
DICK			KNUDSON			OLSON, D. #13		MR SPEAKER
DIETZ			KOLAND			OPEDAHL		
DOTZENROD			KOSKI			PELTIER		
DUBORD			KRETSCHMAR			PETERSON		
EAGLES			KUCHERA			POMEROY, E. #24		
FREBERG			LANG			POMEROY, G. #42		
GATES			LARSON, B. #12			REED		
GERL			LARSON, G. #29			REITEN		
GOETZ			LARSON, H. #7			RETZER		
GORDER			LIPSIEA			RICE		
GUNDERSON			MARSDEN			RICHARD		
GUNSCH			MARTIN			RICHIE		
HANSON, L. #48			MARTINSON			RIEHL		
HANSON, O. #3			MATCHIE			RUED		
HAUGLAND			MATHEHY			SCHINDLER		
HAUSAUER, A. #49			MATTSON			SOLBERG		
HAUSAUER, R. #25			MEIERS			SORUM		
HEADSTROM			MELBY			STRINDEN		
HEGAARD			MERTENS			SWIONTEK		
HILL								

So the bill passed and the title was agreed to.

House Bill No. 1459. — A Bill for an Act to provide for the appointment of members of the commission on uniform state laws, to prescribe the duties of commissioners, and to provide administrative procedures for the 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, 59; nays, 40; 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. #36			● HORGAN			● 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					
● FREBORG			● 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, G. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49		●	● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEGGAARD			● MELBY		●	● STRINDEK					
● HILL		●	● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1494. — 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, 78; nays, 20; 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			● 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					
● FREBORG			● 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, G. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG					

• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

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, 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., Thursday, January 29, 1981, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Vig introduced:

House Concurrent Resolution No. 3031. — A concurrent resolution urging Congress to establish a National Academy of Peace and Conflict Resolution.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Rep. Matheny introduced:

House Concurrent Resolution No. 3032. — A concurrent resolution directing the Legislative Council to study the effect on underground water supplies of seismographic testing activities related to energy development.

Was read the first time and referred to the committee on Natural Resources.

FIRST READING OF SENATE BILLS

Senate Bill No. 2020. — A Bill for a Act making an appropriation for defraying the expenses of the state fire marshal of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 2121. — A Bill for an Act to amend and reenact sections 43-07-05, 43-07-07, 43-07-09, 43-07-10, and 43-07-19 of the North Dakota Century Code, relating to contractors' license fees, expiration and renewal of contractors' licenses, and nonresident contractors' appointment of agent for service of process.

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

Senate Bill No. 2127. -- A Bill for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to penalties for false claims; and to amend and reenact sections 65-05-03, 65-05-04, 65-05-05, 65-05-15, 65-05-17, 65-05-25, and 65-05-26 of the North Dakota Century Code, relating to informing employers of awards, limitation on appeals, payments through other state Acts, aggravation of employment injuries, lump sum settlements, and burial expenses.

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

Senate Bill No. 2129. — A Bill for an Act to amend and reenact section 60-02-09 of the North Dakota Century Code, relating to the duration of surety bonds of public warehouses.

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

Senate Bill No. 2147. -- A Bill for an Act to amend and reenact section 15-62.1-01 of the North Dakota Century Code, relating to the administration of the student loan guarantee program.

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

Senate Bill No. 2153. -- A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to the state cooperation in special education.

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

Senate Bill No. 2171. -- A Bill for an Act to amend and reenact sections 20.1-09-02 and 20.1-09-03 of the North Dakota Century Code, relating to permits to propagate, domesticate., or possess birds or animals and contents of permit application.

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

Senate Bill No. 2199. -- A Bill for an Act to amend and reenact section 12-44.1-02 of the North Dakota Century Code, relating to establishing jails and entering into jail contracts and allowing counties and cities to contract with counties and cities in other states for the confinement of inmates.

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

Senate Bill No. 2221. -- A Bill for an Act to amend and reenact subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to length limitations for vehicles on certain highways.

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

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

ROY GILBREATH, Chief Clerk