# THIRTIETH DAY

Bismarck, February 16, 1981

The House convened at 1:30 p.m., with Speaker Peterson presiding. Prayer was offered by Reverend Richard Martinson, Mandan Baptist Church, Mandan, North Dakota.

Roll was called and all members were present except Reps. Gerl, Moore, Moum and Nagel.

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 recommends that the same be corrected as follows: On page 819, line 21, delete the word "ENGROSSED" On page 819, line 23, delete the word "engrossed" On page 819, line 25, delete the word "engrossed" On page 820, delete lines 14, 15 and 16 On page 820, line 37, after the word "adopted," insert the following: "and when so adopted, recommends that House Bill No. 1422 Do Not Pass," On page 821, line 9, after the word "Pass" and before the period insert the following: ", which motion prevailed" On page 825, line 11, after the word "declared" and before the period insert the word "carried" On page 838, delete line 71 and insert in lieu thereof the words "Which has been read." On page 838 after line 71, insert the following: "REQUEST Rep. Haugland requested a recorded roll call vote, which request was granted." On page 839, after line 47, insert the following: "REQUEST Rep. Goetz requested a recorded roll call vote on House Concurrent Resolution No. 3037, which request was granted." On page 840, delete lines 10, 11, and 12. On page 840, after line 12, insert the following:

JOURNAL OF THE HOUSE

"SECOND READING OF	HOUSE CONCURREN'T RESOLUTION"
	he word "pursunt" and insert in lieu thereof
the word "pursuant".	
And when so corrected recor	nmends that the same be approved. Burney Reed Chairman
Rep. Metz	moved that the report be adopted, which motion
prevailed.	
MES	SSAGE FROM THE SENATE Senate Chamber
which the Senate has requested on:	the honor to transmit herewith the following, passed and your favorable consideration is
Senate Bill No. 2200 Senate Bill No. 2239	Senate Bill No. 2383 Senate Bill No. 2384
Senate Bill No. 2347	Senate Bill No. 2416
Senute Bill 110, 2011	Very Respectfully,
	LEO LEIDHOLM, Secretary
	· · · · · · · · · · · · · · · · · · ·
MR. SPEAKER: Your committee on Enrollm	ent and Engrossment respectfully report that they have examined
the following bills:	
House Bill No. 1046 House Bill No. 1070 House Bill No. 1073	House Bill No. 1176 House Bill No. 1342
and find the same correctly	Enrolled
	' A No
Representative	Critiq Richie Chairman mover that the report be adopted, which
motion prevailed, and the rep	ort was adopted.
M	ESSAGE TO THE SENATE
	House Chamber
Mr. President: I have	the honor to transmit herewith the following:
	House Bill No. 1176
House Bill No. 1070	House Bill No. 1342
House Bill No. 1073	as signed and your signature is respectfully
requested.	las signed and your signature is respectivity
requested.	<b>ROY GILBREATH</b> , Chief Clerk
	House Chamber
Mr. President: I have	e the honor to transmit herewith the following,
which the House has	passed and your favorable consideration is
requested on:	
House Bill No. 1385	
House Bill No. 1475 House Bill No. 1481	
11005e Dill INU. 1401	<b>ROY GILBREATH, Chief Clerk</b>
	MOTION
Rep. Timm moved	that the House do concur in the Senate
amendments to House prevailed.	Concurrent Resolution No. 3013, which motion

# MOTION

Rep. Rued moved that the House not concur in Senate amendments to House Bill No. 1430, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

Speaker Peterson announced the following appointments to a Conference Committee on House Bill No. 1430:

Reps. Kloubec, Dietz and B. Larson.

MOTION

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 Peterson announced the following appointments to a Conference Committee on House Bill No. 1042:

Reps. Melby, O. Hanson and G. Pomeroy.

MESSAGE 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. 1042

House Bill No. 1430

and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

House Bill No. 1042

House Bill No. 1430

House Bill No. 1042

Reps.

Melby

O. Hanson

G. Pomeroy House Bill No. 1430

Reps.

Kloubec

Dietz

B. Larson

Very respectfully,

# **ROY GILBREATH**, Chief Clerk

# ANNOUNCEMENT

Rep. Strinden announced that the members of the Social Services and Veterans Affairs Committee were excused to attend a meeting.

# REPORT OF PROGEDURAL COMMITTEE

#### MR. SPEAKER:

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

House House House House House House House	Bill Bill Bill Bill Bill Bill Bill	No. No. No. No. No. No.	1023 1033 1165 1180 1422 1467 1525 1549
House	Bill	No.	1549
House House	Bill Bill	No. No.	1551 1590

and find the same correctly

Engrossed

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

MR. SPEAKER:

Representative \_\_\_\_

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

House Bill No. 1374 House Bill No. 1648	
and find the same correctly $\left. \right\}$ Engrossed	Can D. P.L.
Representative <u>Moore</u> motion prevailed, and the report was adopted.	Crafg Richie Chairman Crafg Richie Chairman

### RECOGNITION

Speaker Peterson 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.

### SIXTH ORDER OF BUSINESS

Rep. Kloubec moved that the amendments to House Bill No. 1076 as recommended by the Committee on Natural Resources as printed on pages 843 through 850 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1076 be rereferred to the Committee on Appropriations, which motion prevailed.

Speaker Peterson announced that House Bill No. 1076 was rereferred to the Committee on Appropriations.

Rep. Conmy moved that the amendments to House Bill No. 1127 as recommended by the Committee on Judiciary as printed on pages 851 and 852 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1196 as recommended by the Committee on State and Federal Government as printed on pages 852 through 857 of the House Journal be adopted. which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1217 as recommended by the Committee on Judiciary as printed on pages 858 and 859 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1261 as recommended by the Committee on Political Subdivisions as printed on page 859 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1261 Do Not Pass, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1420 as recommended by the Committee on Appropriations as printed on page 860 of the House Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1438 as recommended by the Committee on Industry, Business and Labor as printed on page 861 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1440 as recommended by the Committee on Judiciary as printed on page 861 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1458 as recommended by the Committee on Political Subdivisions as printed on page 862 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1520 as recommended by the Committee on Natural Resources as printed on page 863 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1610 as recommended by the Committee on Judiciary as printed on page 864 of the House Journal be adopted, and when so adopted, recommends that House Bill No. 1610 Do Not Pass, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1632 as recommended by the Committee on State and Federal Government as printed on pages 864 and 865 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Concurrent Resolution No. 3008 as recommended by the Committee on State and Federal Government as printed on page 865 of the House Journal be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speake	er : Your Co	mmittee on	FINANCE	& TAXATION	i	
to whom was r	eferred	HOUSE				
Bill No1	502	, has ha	d the same under	consideration	and recommend	ds, by a vote of
Ayes, <u>16</u>	; 1	Nays, <u>0</u>	; Absent,	0	, that the same	,
do pas	<b>5S</b> .	do not	bass.	be placed on c without recom		
xx be am	ended as fo	ollows:				
On page l	, line	l, delete t	he following	g: "subse	ction 1 of	section"
On page l	, line	2, delete t	he following	g: "57-51	-15,"	
in 1		reof the wo	he words "di rds "providi			
On page l	, delet	e line 5				
On page 1	, line	6, delete t	he word "fur	nd"		
On page l	, delet	e lines 10	through 28			

- On page 2, line 14, delete the word "mineral" and insert in lieu thereof the words "oil and gas"
- On wage 2, line 18, delete the word "mineral" and insert in lieu thereof the words "oil and gas"
- On page 2, line 22, delete the word "mineral" and insert in lieu thereof the words "oil and gas"
- On page 2, line 27, delete the word "mineral" and insert in lieu thereof the words "<u>oil and gas</u>"
- On page 2, line 29, delete the word "Mineral" and insert in lieu thereof the words "Oil and gas"
- On page 2, line 30, delete the words "or mining of minerals including" and insert in lieu thereof the word "of"

On page 2, line 31, delete the following: ", and excluding coal,"

On page 2, line 32, after the first word "the" insert the words "refining or", and delete the word "minerals" and insert in lieu thereof the words "oil or gas"

On page 5, line 4, delete the word "authorized"

- On page 5, line 5, delete the following: "by subsection 1 of section 57-62-02"
- On page 6, line 15, delete the word "<u>mineral</u>" and insert in lieu thereof the words "<u>oil and gas</u>"
- On page 6, line 27, delete the word "mineral" and insert in lieu thereof the words "oil and gas"
- On page 7, line 3, delete the word "mineral" and insert in lieu thereof the words "oil and gas"
- On page 7, line 12, delete the words "mineral development trust" and insert in lieu thereof the word "general"
- On page 7, line 14, delete the numerals "10,500,000" and insert in lieu thereof the numerals "10,200,000"
- On page 7, line 17, delete the word "mineral" and insert in lieu thereof the words "oil and gas"
- On page 7, line 18, after the period insert the following new sentence: "It is the intent of the legislative assembly that the moneys appropriated in this Act be expended by the energy development impact office solely for grants to taxing districts for oil and gas development impact, and that these funds not be commingled with coal development impact moneys."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same dopass, but be rereferred to the Committee on Appropriations.

### Rep. A. Hausauer

HOUSE Bill No. 1502 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 House Bill No. 1502 be placed immediately on the sixth order of business for adoption of the amendments, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

**Rep.** A. Hausauer moved that the amendments to House Bill No. 1502 as recommended by the Committee on Finance and Taxation be adopted, which motion prevailed.

Speaker Peterson announced that House Bill No. 1502 was rereferred to the Committee on Appropriations.

#### MONDAY, FEBRUARY 16, 1981

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIR	×s
to whom was referred HOUSE	
Bill No1635, has had the same under consideration and recommends,	by a vote of
Ayes, <u>12</u> ; Nays, <u>3</u> ; Absent, <u>0</u> , 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 "through" insert the word and c "separation,"	omina
On page 1, line 11, delete the words "family income" and insert "support"	
On page 2, delete all of line 10	
On page 2, line 13, after "c." delete the remainder of the line an insert in lieu thereof the following: "Has not been gainfull employed for a minimum of two years or has been underemployed	v
On page 2, line 16, delete "a family" and insert "another person"	
On page 2, line 17, delete "member"	
On page 3, line 33, after the word "programs" insert the following ", or to utilize existing training programs,"	:
On page 4, line 4, delete ", in conjunction with the bureau,"	
On page 4, line 5, delete "more"	
On page 4, line 6, after the word "programs" insert the following: "offered by job service, colleges, vocational education,or other suitable agencies"	
On page 4, line 11, delete the word "and" and insert in lieu thereof the word "or"	
On page 5, line 22, delete the word "may" and insert in lieu thereof the word "shall"	
On page 6, line 2, after the word and comma "body," insert the following: "the administrator of each center, and with appropriate heads of nonprofit agencies or organizations carrying out the programs,"	
And renumber the lines, subdivisions and pages accordingly	
And when so amended, recommends the same do pass, but be rereferred to the Committee on Appropriations. Buphuld Houghand Ch Rap. Haugland	airman

HOUSE Bill No. 1635 was placed on the 6th.

#### MOTION

Rep. Strinden moved that the rules be suspended and that House Bill No. 1635 be placed immediately on the sixth order of business for adoption of the amendments, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Haugland moved that the amendments to House Bill No. 1635 as recommended by the Committee on Social Services and Veterans Affairs be adopted, which motion prevailed.

Speaker Peterson announced that House Bill No. 1635 was rereferred to the Committee on Appropriations.

875

# REPORT OF PROCEDURAL COMMITTEE

#### MR. SPEAKER:

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

House Bill No. 1502 House Bill No. 1635 and find the same correctly Representative Bakewell moved that the report be adopted, which

MOTIONS

Rep. Rued moved that House Bill No. 1422 be laid over one legislative day, which motion prevailed.

**Rep.** Strinden moved that House Bill No. 1251 be placed at the foot of the calendar, which motion prevailed.

**Rep.** A. Olson moved that House Bill No. 1347 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. A. Olson requested permission to withdraw House Bill No. 1347, which request was granted.

Rep. Knudson moved that House Bill No. 1569 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. Knudson requested permission to withdraw House Bill No. 1569, which request was granted.

Rep. Koski moved that House Bill No. 1238 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Koski requested permission to withdraw House Bill No. 1238, which request was granted.

Rep. Koski moved that House Bill No. 1239 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Koski requested permission to withdraw House Bill No. 1239, which request was granted.

**Rep.** Strinden moved that House Bill No. 1652 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Strinden requested permission to withdraw House Bill No. 1652, which request was granted.

Rep. Conmy moved that House Bill No. 1235 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. 1235, which request was granted.

Rep. Conmy moved that House Concurrent Resolution No. 3026 be returned to the House from the Committee on Judiciary, which motion prevailed.

Rep. Conmy moved that House Concurrent Resolution No. 3026 be rereferred to the Committee on Joint Constitutional Revision, which motion prevailed.

876

Speaker Peterson announced that House Concurrent Resolution No. 3026 was rereferred to the Committee on Joint Constitutional Revision.

MOTION

Rep. Matheny moved that the House reconsider its action on House Bill No. 1537, by which it lost for want of a constitutional majority, which motion prevailed.

# REQUEST

Rep. Backes requested a recorded roll call vote, which request was granted.

The question then was on the motion of Rep. Matheny to reconsider the action whereby House Bill No. 1537 lost for want of a constitutional majority, the roll was called and there were ayes, 43; nays, 53; absent and not voting 4.

REGULAR		T		-CALL			1981 LE		
EAS N-V	NAYS	YEAS N.V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAY
ANDERSON, C		HOFFNER		METZ			THOM	-SON	
ANDERSON, F	. 136	HORGAN		MEYEI			TIMM		
BACKES				MOORE			UNHJE		
BERG		HUGHES		MOUM				ER VORST_	
BERGER		HUWE	~	MURPH			•		_
BLACK		JACOBSEN, R		MUSHI			WAGN		
BOYUM		JACOBSON, I		NAGEL			WALD		
BROKAW		KELLY		NICHO			WENT		
CONMY		KENT		OLAFS				N	
CRABTREE_		KINGSBURY_		OLSEN			ZIMBL	EMAN	~ ~
DICK		KLOUBEC		OLSON			• •		
DIETZ					, D. #13		MR. SP	EAKER	
DOTZENROD.				OPEDA					
DUBORD		KOSKI		PELTIE					
EAGLES		KRETSCHMAR		PETER					
FREBORG		KUCHERA			OY, E. 124 _				
GATES		LANG			OY, G. 142_				
GERL		LARSON, B. #12_		REED		————			
GOETZ		LARSON, G. 129		REITE					
GORDER		LARSON, H. 17_		RETZE	R				
GUNDERSON		LIPSIEA		RICE					
GUNSCH		MARSDEN		RICHAE					
HANSON, L. A		MARTIN		RICHIE					
		MARTINSON		RIEHL					
HAUGLAND		MATCHIE		RUED_					
HAUSAUER, A		MATHENY		SCHIND					
HAUSAUER, R	#25	MATTSON		SOLBE					
HEDSTROM_		MEIERS		SORUM					
HEIGAARD		MELBY		STRIND					
PHILL		MERTENS		SWION1	ГЕК				

ROLL	CALL
------	------

The motion failed.

# MOTIONS

Rep. Black moved that House Bill No. 1535 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. Black requested permission to withdraw House Bill No. 1535, which request was granted.

Rep. Huwe moved that House Bill No. 1599 be returned to the House from the Committee on Education for the purpose of withdrawal, which motion prevailed.

Rep. Huwe requested permission to withdraw House Bill No. 1599, which request was granted.

MOTION

Rep. Kuchera moved that the House reconsider its action whereby House Bill No. 1250 failed to pass, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1250.** -- A Bill for an Act to amend and reenact section 15-59-08 of the North Dakota Century Code, relating to levy limitations for special education 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, 49; nays, 48; absent and not voting 3.

EGULAR SESSION	YEAS N.V		-CALL		NAYS	YEAS	EGISLA	NA
EAS N-V NAYS		NAYS	YEAS		NAYS	• THOA		NA
ANDERSON, C. 17	HOFFNER					TIMM		
ANDERSON, R. #36	HORGAN HOUMANN		MOOF				EM	
OKCKCJ				и_ <b>●</b>			ER VORST.	~~~
BERG BERGER	HUGHES			м <u> </u>	•		ER YURST.	
BLACK	JACOBSEN, R.	•	MUR MUSH				NER	
BOYUM	JACOBSON, I.			L.	· · · · ·		)	
BROKAW	KELLY		NICHI			• WEN		
CONMY	KENT			SON		• WHAL		
	KINGSBURY		OLSE				LEMAN	
DICK	KLOUBEC			N. A. 411				
DIETZ	KNUDSON	•		N. D. #13	•	• MR S	DEVREN	
DOTZENROD	KOLAND		<ul> <li>OPED</li> </ul>				LANED	
DuBORD	KOSKI	•		ER	•			
EAGLES	KRETSCHMAR_			RSON		1		
FREBORG	KUCHERA			ROY, E. 124	•			
GATES		٠		ROY.G. 142				
GERL	LARSON, B. 112	•	REED			1		
GOETZ	LARSON, G. 129		. • REITO	EN		]		
GORDER	LARSON, H. 17		RETZ			1		
GUNDERSON	LIPSIEA	•	RICE		•	]		
GUNSCH.	MARSDEN		RICH	ARD.	•			
HANSON, L. #48	MARTIN	•	RICHI			]		
HANSON, 0, #3	MARTINSON		RIEH	L		]		
HAUGLAND	MATCHIE	•	RUED			]		
HAUSAUER, A. 149	MATHENY		SCHIN	DLER		1		
HAUSAUER, R. 125	MATTSON		SOLB	ERG		1		
HEDSTROM	MEIERS	•	SORU		•	1		
HEIGAARD	MELBY	•	• STRIN			1		
_HILL	MERTENS	•		NTEK		l		

So the bill was declared lost for want of a constitutional majority.

**House Bill No. 1398.** — A Bill for an Act making an appropriation to the department of public instruction to provide school bus route analyses for a limited number of school districts during the 1981-83 biennium and limiting state transportation aid to those districts receiving this service.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 24; nays, 72; absent and not voting 4.

<b>REGULAR SESSIO</b>	N	ROLL	-CALL		1981 LEGISLA	TURE
EAS N-V NAY	S YEAS N-V	NAYS	YEAS N-V	NAYS	YEAS N.V	NAY
ANDERSON, C. 17	HOFFNER	•	METZ	•	THOMPSON	
ANDERSON, R. /36	HORGAN		MEYER		TIMM	
BACKES	HOUMANN_	•	1MOORE	•	UNHJEM	
BERG	HUGHES	٠	MOUM		VANDER VORST	
BERGER	HUWE	•	MURPHY	•	VIG	_
BLACK	JACOBSEN, R.	•	<ul> <li>MUSHIK</li> </ul>		- WAGNER	
BOYUM	JACOBSON, I		NAGEL •		WALD	
BROKAW	KELLY		NICHOLAS	•	· WENTZ	
CONMY	KENT	•	OLAFSON		WHALEN	
CRABTREE •	KINGSBURY	•	OLSEN	•	ZIMBLEMAN	_
DICK 6	KLOUBEC		OLSON, A. #11	•		
DIETZ 6	KNUDSON	•	OLSON, D. #13	•	MR. SPEAKER	
DOTZENROD	KOLAND	•	OPEDAHL	•		
DuBORD	KOSKI	•	PELTIER			
EAGLES	KRETSCHMAR	•	PETERSON_			
FREBORG	KUCHERA	•	<ul> <li>POMEROY, E. 124</li> </ul>			
GATES	LANG	٠	POMEROY, G. M2.			
GERL	LARSON, B. #12		REED			
GOE1Z	LARSON, G. #29	•	REITEN	•		
GORDER	LARSON, H. 17		RETZER	é		
GUNDERSON	LIPSIEA		RICE	•		
GUNSCH	MARSDEN		RICHARD	•		
HANSON, L. 14	MARTIN	•	RICHIE			
HANSON, 0. /3	MARTINSON	•	RIEHL			
HAUGLAND	MATCHIE		RUED			

HAUSAUER, A. 149	1MATHENY	•		
HAUSAUER, R. 125	MATTSON		SOLBERG	
HEDSTROM	MEIERS	•	SORUM	_
HEIGAARD	MELBY		STRINDEN	_
HILL	MERTENS		SWIONTEK	_

So the bill was declared lost.

**House Bill No. 1441.** – A Bill for an Act to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to the recovery of damages resulting from intoxication, and providing for recovery of wrongful death damages.

Which has 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, 38; absent and not voting 3.

REGULAR SESSION		ROLL	-CALL		1981 LEGISL	ATURE
EAS N.V NAYS	YEAS N.V	NAYS	YEAS N-V	NAYS	YEAS N-V	NAY
_ANDERSON, C. 17	HOFFNER		METZ		THOMPSON	
ANDERSON, R. #36	HORGAN		MEYER		TIMM	
BACKES	HOUMANN_		MOORE		UNHJEM	_
•BERG	HUGHES		MOUM .		ANDER VORS	
BERGER	HUWE		MURPHY		VIG	
BLACK	JACOBSEN, R		MUSHIK		WAGNER	
BOYUM	JACOBSON, I.		NAGEL .		WALD	
BROKAW	KELLY		NICHOLAS		WENTZ	
CONMY	KENT	•	OLAFSON		WHALEN	
CRABTREE	KINGSBURY	<u> </u>	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. 142			
GERL	LARSON, B. #12		REED			
GOETZ	LARSON, G. #29		REITEN			
GORDER	LARSON, H. #7		●_RÉŸZER			
GUNDERSON	LIPSIEA		RICE			
GUNSCH	MARSDEN		RICHARD			
HANSON, L. 148	MARTIN		RICHIE			
HANSON, 0. #3	MARTINSON	•	RIEHL			
HAUGLAND	MATCHIE			•		
HAUSAUER, A. 149	MATHENY		SCHINDLER			
HAUSAUER, R. #25	MATTSON		SOLBERG			
HEDSTROM	MEIERS		SORUM	•		
	MELBY		STRINDEN			
HILL	MERTENS		SWIONTEK			

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1443, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1443. — A Bill for an Act to create and enact section 54-34-05.1 of the North Dakota Century Code, relating to the appointment of special committees by the governor for research and economic development; to amend and reenact section 4-14.1-04, subsection 6 of section 10-30-04, sections 21-11-02, 21-11-03, 21-11-04, 21-11-05, 21-11-06, 24-03-21, 24-17-06, subsection 1 of section 54-07-01.2, and sections 54-34-01, 54-34-02, 54-34-03, 54-34-03.1, 54-34-04, 54-34-06, 54-34-08, 54-36-01, 55-06-01, and 55-08-02.1 of the North Dakota Century Code, relating to the name change of the business and industrial development commission to the economic development commission; to repeal section 54-34-10 of the North Dakota Century Code, relating to legislative intent on international marketing efforts of state agencies; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the

REGULAR SESSIO	N	ROLL	-CALL			ISLATUR
EAS N-V NAY	S YEAS N-V	NAYS	YEAS I	N-V NAY	S YEAS N	I-V NA
ANDERSON, C. #7	HOFFNER					N
ANDERSON, R. #36	HORGAN		MEYER.	•	TIMMUNHJEM_	
BACKES •	HOUMANN		MOORE MOUM		UNHJEM_	•
BERG .	HUGHES		MOUM	•	VANDER 1	
BERGER	HUWE		MURPHY		VIG	
BLACK	JACOBSEN, R.		MUSHIK		• WAGNER.	
BOYUM	JACOBSON, I		NAGEL_		• WALD	
BROKAW	KELLY		NICHOLA		WENTZ	
CONMY	KENT		OLAFSO		WHALEN.	
CRABTREE	KINGSBURY		OLSEN_		ZIMBLEM	AN
DICK	KLOUBEC		OLSON, A			
DIETZ	KNUDSON			0. 113	MR. SPEAK	(ER
DOTZENROD	KOLAND			L	_	
DuBORD	KOSKI			<u></u>	_	
EAGLES	KRETSCHMAR		PETERS	DN		
FREBORG	KUCHERA		POMERO	Y, E. 124	_	
GATES	LANG		POMERO	Y, G. 142	h	
	LARSON, 8912		REED_			
GOETZ	LARSON, CP129		REITEN			
GORDER	LARSON, H. #7_		RETZER			
GUNDERSON	LIPSIEA		RICE		_	
GUNSCH	MARSDEN		RICHARC			
HANSON, L. ##	MARTIN		RICHIE_			
HANSON, O. 73	MARTINSON_		RIEHL -			
HAUGLAND	MATCHIE					
HAUSAUER, A. 149	MATHENY		SCHINDL		-	
HAUSAUER, R. 125	MATTSON		SOLBERG	·		
HEDSTROM	MEIERS		SORUM		-1	
HEIGAARD	MELBY MERTENS		STRINDE	N	-1	
HILL			SWIONTE	: N	<b></b>	

roll was called and there were ayes, 74; nays, 19; absent and not voting  $7_{.}$ 

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

**House Bill No. 1484.** – A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to the penalty for driving while under the influence of intoxicating liquor or controlled substances.

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, 43; absent and not voting 3.

ANDERSON         C. //         MOFFNER         METZ           ANDERSON, R. 734         HORGAM         MEYER           BACKES         HOUMANN         MOORE           BERGE         HUGHES         MOUMANN           BERGER         HUGHES         MOUMANN           BOYUM         JACOBSEN, I.         MAGEL           BOYUM         JACOBSEN, I.         MAGEL           COMMY         KELY         NICHOLAS           CONWY         KENT         OLAFSON           DICK         KLOUBEC         OLSON, J.           DICK         KLOUBEC         OLSON, J.           DUBORD         KOLAND         OPEDAHL           DUBORD         KUDAND         OPEDAHL           GOTER         LANGON, B. 1/3         REED           GORTER         LARSON, B. 1/3         RETED           GONDERSON         LIAPSIA, H. 1/7         RETZER           GUNDERSON         LIAPSIA, H.		YEAS N-V THOMPSON THMM UNNJEM VIG VIG WACHER WALD WENTZ WHALEN ZIMBLEMAN
ANDERSON, R. FAS         MORGAM         MEYEB           BACKES         HOUMANN         MOODE           BERGER         HUUMANN         MOODE           BERGER         HUUKES         MOUMAN           BERGER         HUWE         MUSPHY           BLACK         JACOBSEN, R         MUSHY           BRACK         JACOBSEN, R         MUSHY           BOYAW         JACOBSEN, I         NAGEL           BOYAW         KELLY         NICHCALAS           CONNY         KELLY         NAGEL           CONNY         KELLY         OLSON, J.           OLSCA         KINDSDIN         OLSON, J.           DICK         KINDSDN         OLSON, J.           DICK         KINDSDN         OLSON, J.           DUBORD         KOLAND         OPEDAHL           DUBORD         KUCHERA         PETIER           EAGLES         KUCHERA         PETIER           GORDER         LANSON, B. 171         REED           GORDER         LARSON, B. 172         REED           GORDER         LARSON, G. 77         RETEN           GUNDERSON         LIPIEA         RICE           GUNDERSON         LIPIEA         RICHER	•	TIMM UNHJEM VANDER VORST VIG WAGNER WALD WENTZ WHALEN
BACKES         HOUMANN         MOORE           BERG         HUUHES         MOUN           BERGER         HUUHES         MOUR           BLACK         JACOBSEN, R.         MUSPHY           BLACK         JACOBSON, I.         NAGEL           BOYUM         GOLDSON, I.         NAGEL           BROKAW         KELLY         NICHOLOS           CONMY         KENT         QLAFSON           CONAY         KENT         QLAFSON           DICK         KLIUSEC         OLSON, J.           DICK         KLIUSEC         QLSON, J.           DICK         KOLAND         OPEDAHL           DICK         KOLAND         OPEDAHL           DIGTZ         KRUDSON         QLSON, D.           DUBORD         KOLAND         OPEDAHL           GORDER         LARSON, B. 172         REED           GORDER         LARSON, G. 173         RETZER           GORDER         LARSON, M. 17         RETZER           GUNDERSON         LIPSEA         RICHEZ           GUNDERSON         LIPSEA         RICHEZ		UNHJEM     VANDER VORST     VIG     WAGNER     WALD     WALD     WHALEN
BERG         HUGHES         MOUM           BERGER         HUWER         MUSPHY           BERGER         HUWER         MUSPHY           BERGER         JACOBSEN, R         MUSPHY           BACK         JACOBSEN, R         MUSPHY           BOYUM         JACOBSEN, I.         NAGEL           BOYUM         JACOBSON, I.         NAGEL           CONNY         KELLY         NICHOLAS           CONNY         KELY         OLASON           DICK         KLOUBEC         OLSON, J           DICTZ         KINOSON         OLSON, J           DUBORD         KOLAND         OPEDAHL           DUBORD         KKOLAND         OPEDAHL           CARSTAR         PETTERD         KRETSCHWAR           CARSON, B. 17         REED         CONTOR           GORDER         LARSON, B. 17         REED           GORDER         LARSON, G. 77         RETEN           GORDER         LARSON, M. 77         RETEN           GUNDERSON         LIPIEA         RICE           GUNDERSON         MARDEN         RICHER		VANDER VORST
BERGER         HUWE         MURPH           BLACK         JACOBSEN, R.         MUSHK           BOYUM         LACOBSEN, R.         MUSHK           BOYUM         KELLY         NAGELAS           BROKAW         KELLY         NICHOLAS           CONAY         KELY         OLAFSON           CRADIFEE         KINGSBURY         OLAFSON           DICK         KOUBEC         OLSON           DITZERROD         KOLANO         OPEDAHL           DUBORD         KOLANO         OPEDAHL           FREDORG         KURCHERA         PPETIER           GGRES         LARGON, B. /12         PETERON           GORDER         LARSON, B. /12         REED           GORDER         LARSON, M. /17         RETZE           GUNDERSON         LIPSIEA         RICHER           GORDER         LARSON, M. /17         RETZER           GUNDERSON         LIPSIEA         RICHE           GUNDERSON         MARSDEN         RICHE		• VIG • WAGNER • WALD • WENTZ • WHALEN
BLACK         ●         JACOBSEN,R.         MUSHIK           BOYUM         ●         JACOBSEN,R.         MUSHIK           BOYUM         ●         JACOBSEN,R.         NICHULAS           BOXAW         KELLY         ●         NICHULAS           CONMY         KELLY         ●         NICHULAS           CONMY         KELY         ●         NICHULAS           CONMY         KENT         ●         OLAFSON           DICK         KILOUBEC         OLSON,D         OLSON,D           DIETZ         KINDSON         ●         OLSON,D         OLSON,D           DUBORD         KOLAND         ●         OPEDAHL         OLSON,D           DUBORD         KOLAND         ●         OPEDAHL         OPEDAHL           FREDORG         KUCHERA         ●         POMEROY           GATES         LANG         ●         POMEROY           GORDER         LARSON,B. N?         ●         REITEN           GORDERAD         LIPIEA         ■         RCICE           GUNDERSON         LIPIEA         ■         RCICE           GUNDERSON         LIPIEA         ■         RCICE           GUNDENSON         MARSDEN	• •	WAGNER
BUTUM         ALDSBUN,         NAGEL           BADKAW         KELLY         INCHOLAS           CONAW         KELY         INCHOLAS           CONAW         KELY         INCHOLAS           CONAW         KENT         OLASON           DICK         KILOUBEC         OLSON           DICK         KILOUBEC         OLSON           DICTZ         KINDSON         OLSON           DUBORD         KOLAND         OPEDAHL           DUBORD         KOLAND         OPEDAHL           FREADROC         KUCHERA         PPETRED           GATES         LANG         POMEROY           GATES         LANGON, B. 171         REEDO           GORDER         LARSON, B. 172         RETEMO           GORDER         LARSON, G. 77         RETEMO           GUNDERSON         LIPIEA         RICE           GUNDRESON         LIPIEA         RICE           GUNDRESON         LIPIEA         RICHE		WENTZ
BROXAW         KELLY         NICHOLAS           CONAW         KENT         OLAFSON           CONAY         KENT         OLAFSON           DICK         KLOUBEC         OLSON           DICK         KLOUBEC         OLSON           DICK         KLOUBEC         OLSON           DICK         KLOUBEC         OLSON           DUTZENROD         KOLAND         OPEDAHL           PREBORG         KURCHERA         PETERSON           GERL         LARSON B. 173         REED           GORDER         LARSON B. 173         RETZER           GORDER         LARSON M. 17         RETZER           GUNDERSON         LIPSIEA         RICHER           GUNDERSON         LIPSIEA         RICHEA		WHALEN
CUMPY         CHATY         OLAFSOV           CRADTREE         KINGSBURY         OLSEN           DICK         KLOUBEC         OLSON           DIETZ         KKUOUBEC         OLSON           DOTERROD         KOLAND         OPECAML           DUBORD         KKOLAND         OPECAML           PENDROG         KKOKNAR         PETIER           EAGLES         KKRTSCHMAR         PETRON           GATES         LLANG         OPOMEROV           GGRTZ         LARSON, B. 17         REED           GORDE R         LARSON, G. 77         RETEN           GUNDERSON         LIPIEA         RICE           GUNDERSON         LIPIEA         RICE           GUNDERSON         LIPIEA         RICE           GUNDERSON         LIPIEA         RICHE		
DICK         KLOUBEC         OLSON, A.           DIETZ         KNUDSON         OLSON, D.           DOTZEHROD         KOLAND         OPEDAHL           DuBORD         KOSKI         PELDIEN           DEGRO         KRISKI         PELTER           FREBORG         KRETSCHMAR         PETERSON           GATES         LANG         OPOMEROV           GGRET         LARSON, B. 1/2         REED           GORDER         LARSON, M. 1/7         RETZER           GUNDERSON         LIPSIEA         RICE           GUNDERSON         LIPSIEA         RICHARD           GUNDERSON         LIPSIEA         RICHARD           GUNDERSON         LIPSIEA         RICHARD	m	ZIMBLEMAN
DIETZ         ●         KNÚDŠOŇ         ●         0.1500 Å           DOTZEHROD         KOLANO         ●         OPEDAHL           DUBORD         KOLANO         ●         OPEDAHL           DUBORD         KOSKI         ●         PETIER           EAGLES         KRETSCHMAR         ●         PETEROD           GATES         LANG         ●         POMEROV           GGET         LARSON, B. //2         ●         REED           GORDER         LARSON, M. //7         ●         RETZER           GUNDERION         LIPSIEA         ●         RICE           GUNDERION         LIPSIEA         ●         RICE           GUNDERION         LIPSIEA         ●         RICHEN           GUNDERION         LIPSIEA         ●         RICH	n	
UICIL         MUDSON         00500,00           DOTZENROD         KOLAND         007000,00           DOTZENROD         KOSKI         9000,00           LANG         0070,000,00         9000,000           FREBORG         KRETSCHMAR         9000,000           GATES         LANG         0000,000           GGRU         LARSON,0,172         0000,000           GORDER         LARSON,0,172         0000,000           GORDER         LARSON,0,170         0000,000           GUNDERSON         LIPSIEA         RICE           GUNDERSON         LIPSIEA         RICHARD           GUNDERSON         LIPSIEA         RICHARD		
Dubörd         KOSKI         PELTIER           EAGLES         KRETSCHMAR         PETERSO           FREBORG         KUCHERA         POMEROV           GATES         LANG         POMEROV           GGEL         LARSON, B. /12         REED           GORDER         LARSON, B. /12         RETER           GORDER         LARSON, M. /17         RETTER           GUNDERSON         LIPSIEA         RICHARD           GUNDERSON         LIPSIEA         RICHARD           GUNDERSON         MARSDEN         RICHARD	/13	MR. SPEAKER
EAGLES         KRETSCHMAR         PETERSON           . FREDARG         KUCHERA         POMEROY           GATES         LANG         POMEROY           GGETZ         LARSON, B. 172         REED           GOETZ         LARSON, B. 173         REED           GOETZ         LARSON, B. 173         REED           GOETZ         LARSON, G. 77         RETEN           GORDER         LARSON, M. 77         RETEN           GUNDERSON         LIPSIEA         RICE           GUNDSKIM         MARSDEN         RICHIE		
. FREBORG ● KUCHERA ● POMEROV GATES ● LANG ● POMEROV GERL ● LARSON, B. 712 ● REED GGERZ ● LARSON, B. 779 ● REED GORDER ● LARSON, H. 77 ● RETZER GUNDERSON ← LIPSIEA ■ RICE GUNDERSON ← LIPSIEA ■ RICH GUNSCH ● MARSDEN ■ RICHARD		
GATES         LANG         ● POMEROV           GERL         LARSON 6, 172         ● REED           GOETZ         LARSON 6, 779         ● REIED           GORDER         LARSON 4, 17         ● REIEM           GORDER         LARSON 4, 17         ● REIEM           GUNDERSON         LIPSIEA         ● RICE           GUNKKH         ● MARSDEN         RICHRE		1
URTED         LARSON, B. /12         ■ FUNERU/           GGERL         LARSON, B. /12         ■ REED           GGRDER         LARSON, G. /74         ■ RETZER           GUNDERSON         LIPSIEA         ■ RICE           GUNDERSON         LIPSIEA         ■ RICE           GUNDERSON         LIPSIEA         ■ RICE           GUNDERSON         LIPSIEA         ■ RICH RICHARD	, E. 124	
GORTZ LARSUN, B. 77 URED GORTZ LARSUN, B. 77 URED GORDER LARSUN, H. 77 REITEN GORDERSON LIPSIEA REITEN GUNSCH MARSDEN RICHARD AMARSUN, 14 MARSDEN RICHARD	. G. 142	1.
UGELLA GORDEA LARSON, U. 107 KELTER GORDEASON LIPSIEA ● RETZER GUNSCH ● MARSDEN RICHARD INARSON, L. 141 ● MARTIN ● RICHARD		_
OUNDERSONLIPSIEA	•	_
GUNSCH MARSDEN RICHARD HANSON L /d MARSDEN RICHARD		_
HANSON, L. /4 MARTIN RICHIE		1
	•	4
		_
HANSON, O. /J MARTINSON RIEHL		_
MATCHIERUED	<u> </u>	4
HAUSAUER, A. MPMATHENYSCHINDLE		1
HAUSAUER, R. 125 MATTSON SOLBERG		4
HEIGAARD MEIERS SORUM	•	-

880

So the bill passed and the title was agreed to.

MOTIONS

Rep. Kuchera moved that the House reconsider its action whereby House Bill No. 1648 passed and was deemed properly engrossed, which motion prevailed.

Rep. Strinden moved that House Bill No. 1648 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1496.** — A Bill for an Act to provide for reimbursement from the foundation aid fund for family system transportation granted by school 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, 96; nays, 0; absent and not voting 4.

REGULAR SESSION	ROLL	-CALL	1981 LEGISLATURE
EAS N-V NAYS	YEAS N-V NAYS	YEAS N-V NAYS	YEAS N.V NAY
ANDERSON, C. #7	HOFFNER	<ul> <li>METZ</li> </ul>	THOMPSON
ANDERSON, R. #36	HORGAN	MEYER	• TIMM
BACKES	. HOUMANN.	MOORE	UNHJEM
BERG		MOORE	VANDER VORST
BERGER	HUWE	MURPHY	• VIG
BLACK	JACOBSEN, R.	MUSHIK NAGEL	WAGNER
BOYUM	JACOBSON, I.	NAGEL .	WALD
BROKAW	KELLY	NICHOLAS	• WENTZ
CONMY	KENT		WHALEN
CRABTREE	KINGSBURY	OLSEN	ZIMBLEMAN
DICK	KLOUBEC		
	KNUDSON_	OLSON, D. #13	MR. SPEAKER
DOTZENROD	KOLAND	OPEDAHL	
DuBORD	KOSKI	PELTIER	
EAGLES	KRETSCHMAR	PÉTERSON	
FREBORG	KUCHERA	POMEROY, E. #24	
GATES	LANG	POMEROY, G. #42	
GERL	LARSON, B. #12	REED	
GOETZ	LARSON, G. 429		
GORDER	LARSON, H. #7	RETZER	
GUNDERSON	LIPSIEA		i
GUNSCH	MARSDEN	RICHARD	
HANSON, L. #48	MARTIN	RICHIE	
HANSON, 0, #3	MARTINSON	RIEHL	
HAUGLAND		RUED	
HAUSAUER, A. #49	MATHENY	SCHINDLER	
HAUSAUER, R. #25	MATTSON	SOLBERG	
HEDSTROM	MEIERS		
HEIGAARD	MELBY		
• HILL	MERTENS	SWIONTEK	

So the bill passed and the title was agreed to.

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1499, which motion prevailed.

# SECOND READING OF HOUSE BILLS

House Bill No. 1499. -- A Bill for an Act to amend and reenact sections 53-02-01, 53-02-02, 53-02-03, 53-02-05, 53-02-06, and 53-02-08 of the North Dakota Century Code, relating to definitions; permits required for a public dance or music festival; issuance of permits; application for permits; inquiry by the governing body as to granting a permit; and an officer of the law to be in attendance at a public dance or music festival; and adding public concerts to the provisions of the chapter.

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, 20; absent and not voting 5.

			NO	rth D/	акот,	A HOUS	SE OF R	EPRES	ENTAT	IVES		
	REGU	LARS	ESSION			ROLL	-CALL	-		1981 L	EGISLA	TURE
(	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.		WAGNER
BOYUM •	JACOBSON, I	NAGEL	WALD
BROKAW	KELLY	NICHOLAS	WENTZ
CONMY	KENT	OLAFSON	WHALEN
CRABTREE	KINGSBURY	OLSEN_	ZIMBLEMAN
DICK	KLOUBEC	OLSON, A. #11	1
DIETZ	KNUDSON	OLSON, D. #13	MR. SPEAKER
DOTZENROD	KOLAND	OPEDAHL	
DuBORD	KOSKI	PELTIER	
EAGLES	KRETSCHMAR	PETERSON	
FREBORG	KUCHERA	POMEROY, E. #24	1
GATES	LANG	POMEROY, G. #42 ●	4
GERL	LARSON, B. #12		4
GOETZ	LARSON, G. #29	REITEN	4
GORDER	LARSON, H. #7	RETZER	1
GUNDERSON	LIPSIEA	• RICE	1
GUNSCH	MARSDEN	RICHARD	_
HANSON, L. #48	MARTIN		4
HANSON, 0. #3	MARTINSON		4
HAUGLAND			1
HAUSAUER, A. 149	MATHENY	SCHINDLER	4
HAUSAUER, R. #25	MATTSON®	SOLJERG	4
HEDSTROM	MEIERS	SORUM	4
HEIGAARD			4
	MERTENS		4

So the bill passed and the title was agreed to.

**House Bill No. 1521.** A Bill for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code, relating to the transfer of title of vehicles and mobile homes.

Which has 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, 16; absent and not voting 4.

EAS N.V NAYS	YEAS N-V	NAYS	-CALL		NAYS	YEAS	N·V	NAY
ANDERSON, C. #7	HOFFNER		• MF	12		<ul> <li>THQ:</li> </ul>	MPSON	
ANDERSON, R. 136	HORGAN	•	MF'	YER		● TIM/	4	
BACKES	HOUMANN_	_	• MO(	ORE			JEM	
BERG	HUGHES		MO	UM •		• VAN	DER VORST	
BERGER	HUWE		MU.	RPHY	•	VIG.		
BLACK	JACOBSEN, R		• MU	SHIK		. WAG	NER	
BOYUM	JACOBSON, I		NAG	GEL		WAL	0	
BROKAW	KELLY		NIC	HOLAS		WEN		
CONMY	KENT		• 0LA	FSON		• WHA		
CRABTREE	KINGSBURY		OLS	EN	•	● ZIMI	BLEMAN	
DICK	KLOUBEC		•OLS	ION, A. #11		1		
DIETZ	KNUDSON		OLS	ON, D. #13		•MR, :	SPEAKER	
DOTZENROD	KOLAND		OPE	EDAHL				
Du80RD	KOSKI	•		.TIER				
EAGLES	KRETSCHMAR_		PET	TERSON		1		
FREBORG	KUCHERA		PON	AEROY, E. 124	_			
GATES	LANG			AEROY, G. 142		4.		
GERL	LARSON, B. 112_		REE			1		
GOETZ	LARSON, G. 129 _			TEN				
GORDER	LARSON, H. 17			TZER		1		
GUNDERSON	LIPSIEA		RIC					
GUNSCH	MARSDEN			HARD				
HANSON, L. #48	MARTIN		RIC	HIE				
HANSON, 0. /3	MARTINSON					4		
HAUGLAND	MATCHIE		RUE			ł		
HAUSAUER, A. 149				INDLER		1		
HAUSAUER, R. 125	MATTSON			BERG		4		
HEDSTROM	MEIERS			UM		-		
HEIGAARD	MELBY			INDEN		1		
HILL	MERTENS		SWI	ONTEK		1		

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1527 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1532. - 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 authority of county recreation service districts to levy a tax for general 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, 89; nays, 7; absent and not voting 4.

REGULAR SESSIO	N ROLL	-CALL	1981 LEGISLATURE
EAS N.V NAY	S YEAS N.V NAYS	YEAS N.V NAYS	YEAS N-V NAY
ANDERSON, C. 47	HOFFNER	•METZ	THOMPSON
<ul> <li>ANDERSON, R. /36</li> </ul>	HORGAN	MEYER •	
BACKES	HOUMANN	MOORE	UNHJEM
BERG	HUGHES	MOUM●	• VANDER VORST
BERGER	HUWE •	MURPHY	• VIG
BLACK	JACOBSEN, R.	MUSHIK	WAGNER
		NAGEL .	WALD
BROKAW	KELLY	NICHOLAS	• WENTZ
CONMY     CRABTREE	KENT	OLAFSON	WHALEN
CRABTREE	KINGSBURY	OLSEN_	ZIMBLEMAN
DICK     DIETZ	KLOUBEC	OLSON, A. #11	
<ul> <li></li> <li></li> </ul>	KNUDSÓN	OLSON, D. #13	MR. SPEAKER
_DOTZENROD	KOLAND	OPEDAHL	
DuBORD	KOSKI	PELTIER	
EAGLES	KRETSCHMAR		
FREBORG	KUCHERA	POMEROY. E. #24	
GATES		POMEROY, G. 142	
GERL	LARSON, B. #12	•_REED	
GOETZ	LARSON, G. #29	REITEN	
GORDER	LARSON, H. #7		
GUNDERSON	LIPSIEA		
GUNSCH	MARSDEN	RICHARD	
	MARTIN	RICHIE	
HANSON, 0. #3			
HAUGLAND	MATCHIE	RUED	
HAUSAUER, A. #49		SCHINDLER	
HAUSAUER, R. #25		SOLBERG	
_HEDSTROM	MEIERS		
HEIGAARD	MELBY	STRINDEN	
•HILL	MERTENS	SWIONTEK	

So the bill passed and the title was agreed to.

House Bill No. 1538. - A Bill for an Act to amend and reenact section 15-47-27 of the North Dakota Century Code, relating to employment contracts between teachers and school districts or the director of 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, 25; nays, 72; absent and not voting 3.

REGULAR SESSION	l	ROLL-CALL					
YEAS N.V NAYS	YEAS N.V	NAYS	YEAS N.V	NAY5	YEAS N-V	NAY	
ANDERSON, C. #7	HOFFNER	•	•		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	٠	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. 142	•			
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, 0. /3	MARTINSON	•	RIEHL	•			

MATCHIE •	Ì RUED	• 1
MATHENY	SCHINDLER	•
MATTSON	SOLBERG	•
MEIERS •	SORUM	•
MELBY	STRINDEN	•
MERTENS	SWIDNTEK	•
	MATHENY     MATTSON     MEIERS     MELBY	MATHENY         Schindler           MATISON         Souberg           MEIERS         Sorum           MELBY         Strinden

So the bill was declared lost.

# RECOGNITION

Speaker Peterson announced that a former Representative was in the chambers, and requested that the House recognize former Rep. Fred Olafson, and Rep. Olafson was thereupon introduced to the House.

### MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1558, which motion prevailed.

# SECOND READING OF HOUSE BILLS

**House Bill No. 1558.** A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, subsection 1 of section 49-01-05, and sections 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, relating to the salaries of elected state officials; 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, 1; absent and not voting 9.

REGULARS		1		ROLL			N-V			LEGISLA	
EAS N-V	NAYS	YEAS		NAYS	YEAS			NAY\$	YEA	S N-V	NA'
ANDERSON, C		HOFF				METZ					
ANDERSON, R	1.9		AN 鱼			MEYE				TIMM	
BACKES			ANN			MOORI	·				
		HUGH			-	MOUM		· · · ·		VANDER VORST	
BERGER		HUWE	•			MURP				VIG	
BLACK			BSEN, R			MUSHI				WAGNER	
BOYUM		JALO	BSON, I			NAGEL				WALD	
BROKAW	· · · · · · · · · · · · · · · · · · ·	KELL	Υ			NICHO	LAS			WENTZ	
CONMY		KENT					ON			WHALEN	
CRABTREE			SBURY			OLSEN			•	ZIMBLEMAN	
DICK	-	KLOU	BEC				, A. /11				
DIETZ		KNUD	SON				, D. #13			_MR. SPEAKER	
DOTZENROD_		KOLA	ND				HL				
DuBORD		KOSK	I				ER				
EAGLES			SCHMAR				SON				
FREBORG			ER#			POME	OY, E. 124		1		
GATES						POME	OY, G. 142				
GERL		- LARS(	ON, B. #12			REED_					
GOETZ		- LARSU	DN, G. 129			REITE	N	-			
GORDER			DN, H. 17			RETZE	R				
GUNDERSON_		LIPSI	EA		•	RICE_					
GUNSCH •			DEN			RICHA					
HANSON, L. #4			IN								
HANSON, O. /J.			INSON			RIEHL					
HAUGLAND		MATC				RUED.					
HAUSAUER, A.			ENY				OLER	· · · -			
HAUSAUER, R.	125		SON			SOLBE					
HEDSTROM			RS			SORUN					
HEIGAARD		MEL8				STRINI	DEN				
HILL		MERT	'ENS			SWIDN	TEK				

So the bill passed and the title was agreed to.

**House Bill No. 1560.** A Bill for an Act to amend and reenact section 5-01-07 of the North Dakota Century Code, relating to removing the requirement that the renewal of a township beer or liquor license be approved by the board of township supervisors.

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, 85; absent and not voting 9.

REGULAR S	NAYS	YEAS N.V	ROLL		N-V	NAYS	YEAS	N·V	NA
			NATS	METZ	N-V	NATS	THOMP		NA
ANDERSON, C		HOFFNER		MEYER		-		50M	
ANDERSON, R BACKES	. 130	HOUMANN		MOORE			UNHJE		
BERG	· · · · ·	HUGHES_		MOURE				R VORST_	_
BERGER		HUWE		MURPH			VIG		
BLACK		JACOBSEN, R.	•	MUSHIK			WAGNE		-
BOYUM		JACOBSON, I.		NAGEL			WALD_		
BROKAW		KELLY		NICHOL			WENTZ		
CONMY		KENT		OLAFSO			WHALE		
CRABTREE		KINGSBURY		OLSEN			ZIMBLE		- 7
DICK		KLOUBEC		OLSON.	4 m	•			
DIETZ	•	KNUDSON		OLSON,				AKER	
DOTZENROD	•	KOLAND	•	OPEDAH		<b>T</b>	mn. or L	ANCO	
DuBORD	•	KOSK	•	PELTIE		•			
EAGLES	•	KRETSCHMAR		PETERS					
FREBORG	•	KUCHERA			Y.E. 124	•			
GATES	•	LANG	•		Y. G. #42	•			
GERL	•	LARSON, B. #12	•	REED		٠			
GOETZ	•	LARSON, G. #29		REITEN		•			
GORDER	•	LARSON, H. #7		RETZER					
GUNDERSON	•	LIPSIEA	٠	RICE		•			
GUNSCH.	•	MARSDEN	•	RICHARI	D	•			
HANSON, L. #4	a	MARTIN	•	RICHIE		•			
HANSON, O. #3		MARTINSON	•	RIEHL		•			
HAUGLAND	•	MATCHIE	ē	RUED	•				
HAUSAUER, A	149	MATHENY	•	SCHINDL	ER	•			
HAUSAUER, R	. #25	MATTSON	•	SOLBER	G	•			
HEDSTROM	•	MEIERS	•	SORUM		•			
HEIGAARD		MELBY	•	STRINDE	N				
HILL	•	MERTENS	•	SWIONTE	Κ	•			

So the bill was declared lost.

House Bill No. 1573. — A Bill for an Act to establish a self-sustaining bus insurance 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, 27; nays, 65; absent and not voting 8.

REGULAR SESSION	1	ROLL	CALL		1981 LEGISLA	TURI
EAS N-V NAY	YEAS N.V	NAYS	YEAS N.V	NAYS	YEAS N.V	NA
ANDERSON, C. I7	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	
<ul> <li>BROKAW</li> </ul>	KELLY		NICHOLAS	•	WENTZ	_
CONMY	KENT_	•	OLAFSON	•	WHALEN	
CRABTREE •	KINGSBURY	•	OLSEN	٠	ZIMBLEMAN	
<ul> <li>DICK</li> </ul>	KLOUBEC		OLSON, A. #11	•		
DIETZ •	KNUDSON	•	OLSON, D. #13	•	MR. SPEAKER	
DOTZENROD	KOLAND	•	OPEDAHL			
DuBORD •	KOSKI		PELTIER	•		
EAGLES	KRETSCHMAR		PETERSON			
FREBORO	KUCHERA		POMEROY, E. #24			
GATES●	LANG	•	POMEROY, G. #42_			
GERL	LARSON, B. #12		REED	•		
GOETZ•	LARSON, G. 129	•		•		
GORDER●	LARSON, H. #7	•	RETZER	•		
GUNDERSON	LIPSIEA	•		•		
GUNSCH •	MARSDEN	•	RICHARD			
HANSON, L. #48	MARTIN	•	RICHIE	•		
HANSON, 0, #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 was declared lost.

**House Bill No. 1581.** — A Bill for an Act to provide an appropriation to the state penitentiary for the purpose of pheasant propagation.

Which has been read.

EGULAR SESSION		ROLL	-CALL		1981 LEGISLA	TUR
EAS N-V NAYS	YEAS N-V	NAYS	YEAS N-V	NAYS	YEAS N-V	NA
ANDERSON, C. 17.	HOFFNER		METZ	•	THOMPSON	
ANDERSON, R. 136	HORGAN	•	MEYER	•	TIMM	
BACKES	HOUMANN	•	MOORE	•	UNHJEM	
BERG	HUGHES	•	MOUM_		VANDER VORST_	
BERGER	HUWE•		MURPHY		VIG	
_BLACK	JACOBSEN, R	•	MUSHIK	٠	WAGNER	
BOYUM •	JACOBSON, I	•	NAGEL •		WALD	
BROKAW	KELLYKELLY	•	NICHOLAS		WENTZ	
CONMY	KENT	•	OLAFSON			
CRABTREE •	KINGSBUR		OLSEN	•	ZIMBLEMAN	
_DICK	KLOUBEC	•	OLSON, A. #11		1	
_DIETZ•	KNUDSON	•	OLSON, D. 413		MR. SPEAKER	
DOTZENROD	KOLAND	•	OPEDAHL			
_DuBÓRD	KOSKI		PELTIER	•	1	
_EAGLES	KRETSCHMAR	•	PETERSON		1	
FREBORG	KUCHERA	٠	POMEROY, E. 124.		1	
_GATES	LANG	٠	POMEROY, G. #42.	•		
_GERL	LARSON, B. 112_		REED		1	
_GOETZ	LARSON, G. 129 _	•	REITEN		4	
GORDER .	LARSON, H. 17	•	RETZER		ł	
GUNDERSON	LIPSIEA	•			4	
_GUNSCH	MARSDEN	•	RICHARD	•	4	
_HANSON, L. #48	MARTIN _		RICHIE		4	
HANSON, O. #3	MARTINSON		RIEHL			
HAUGLAND	MATCHIE	•	RUED.			
HAUSAUER, A. #9	MATHENY	•	SCHINDLER	•	4	
HAUSAUER, R. #25	MATTSON	•	SOLBERG	-		
HEDSTROM	MEIERS		SORUM	•	1	
HEIGAARD	MELBY	•	STRINDEN	•	1	
HILL.	MERTENS		SWIONTEK		1	

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 67; absent and not voting 6.

So the bill was declared lost.

**House Bill No. 1585.** -- A Bill for an Act to amend and reenact sections 11-11-37, 11-13-09, and 40-18-12 of the North Dakota Century Code, relating to publication of county commission and city council minutes.

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		1981 LEGISLA	TURE
EAS N.V NAYS	YEAS N-V	NAYS	YEAS N-V	NAYS	YEAS N.V	NAY
ANDERSON, C. #7	HOFFNER	•	METZ	•	THOMPSON	
ANDERSON, R. 136	HORGAN	•	MEYER	•	TIMM	
BACKES .	HOUMANN	•	MOORE	•	UNHJEM	
BERG	HUGHES		MOUM ●		VANDER VORST	
BERGER	HUWE -		MURPHY	•	VIG	
BLACK	JACOBSEN, R.	•	MUSHIK	٠	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	٠	MA. SPEAKER	
DOTZENROD	KOLAND	•	OPEDAHL	۲		
DuBORD •	KOSK1	•	PELTIER			
EAGLES	KRETSCHMAR.		PETERSON			
FREBORG	KUCHERA		POMEROY, E. #24	•		
GATES	LANG	•	POMEROY, G. 142	•		
GERL	LARSON, B. #12		REED			
GOETZ	LARSON, G. #29	٠	REITEN	•		
GORDER	LARSON, H. #7	•	RETZER	•		
GUNDERSON	LIPSIEA			•		
GUNSCH	MARSDEN	•	RICHARD	•		
HANSON, L. MA	MARTIN .		IRICHIE	•		
HANSON, 0, #3	MARTINSON	•	RIEHL	•		
HAUGLAND	MATCHIE	•	RUED	•		
HAUSAUER. A. M9	MATHENY	•	SCHINDLER	٠		
HAUSAUER, R. #25	MATTSON	•	SOLBERG	•		
HEDSTROM .	MEIERS	•	SORUM	•		
HEIGAARD	MELBY	•	STRINDER			
HILL	MERTENS		SWIONTEK	•		

So the bill was declared lost.

**House Bill No. 1589.** — A Bill for an Act to permit garbage collection by more than one contractor in cities with a population of five thousand or more 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, 57; nays, 35; absent and not voting 8.

REGULAR SESSION		ROLL	-CALL		1981 LEGISLA	TURE
EAS N-V NAYS		NAYS	YEAS N-V	NAYS	YEAS N-V	NAY
ANDERSON, C. 17	HOFFNER		METZ	٠	THOMPSON	
ANDERSON, R. 136	HORGAN	•	MEYER		•_TIMM	
BACKES •	HOUMANN_		MOORE	•	_UNHJEM	
BERG	HUGHES	•	MOUM	~~~~	VANDER VORST	
BERGER	HUWE •		MURPHY		•_VIG	
BLACK	JACOBSEN, R.				WAGNER	
BOYUM	JACOBSON, I.		NAGEL •		WALD	
BROKAW	KELLY		NICHOLAS		• WENTZ	
CONMY			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	•	1	
GORDER	LARSON, H. #7	•	RETZER	•		
GUNDERSON	LIPSIEA	•		•		
GUNSCH	MARSDEN	•	RICHARD •			
HANSON, L. 14	MARTIN .		RICHIE			
HANSON O 3	MARTINSON	•	RIEHL			
HAUGLAND .	MATCHIE		RUED			
HAUSAUER, A. M9	MATHENY	•	SCHINDLER			
HAUSAUER, R. 125	MATTSON		SOLBERG	٠		
HEDSTROM	MEIERS		SORUM			
HEIGAARD	MELBY		STRINDEN			
HILL	MERTENS		SWIONTEK			

So the bill passed and the title was agreed to.

**House Bill No. 1620.** — A Bill for an Act to amend and reenact subsection 3 of section 39-27-05 of the North Dakota Century Code, relating to reducing the minimum requirement for motorcycle wheel rim diameters from ten to eight inches.

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, 80; absent and not voting 9.

REGULAR SE				_ROLL	-CALL		1981 LEGISLA	TURE
EAS N-V	NAYS	YEAS	N-V	NAYS	YEAS N	V NAYS	YEAS N-V	NAY
ANDERSON, C. #7_	•	HOF	FNER		METZ	•	THOMPSON	•
ANDERSON, R. #36		HOR	RGAN	•	MEYER_	•	TIMM	
BACKES	-	HOL	MANN		MOORE	) é	UNHJEM	
BERG	•	нис	HES	•	MOUM	•	VANDER VORST	
BERGER	•	HUV	VE		MURPHY	•	VIG	
BLACK		JAC	OBSEN, R	•	MUSHIK	•	WAGNER	
BOYUM		JAC	OBSON, I.	•	NAGEL	•	WALD	
BROKAW	<u> </u>		.LY	•	NICHOLAS	•	WENTZ	
CONMY	•	KEN	IT	•	OLAFSON	•	WHALEN	
CRABTREE	•	KINI	GSBURY.		OLSEN	•	ZIMBLEMAN	
DICK	•	KLO	UBEC	•	OLSON, A.	.81		
DIETZ	•	KNU	DSON	•	OLSON, D	113	MR. SPEAKER	•
DOTZENROD	•	KOL	AND	•	OPEDAHL	•		
DuBORD		KOS	KI	•	PELTIER	•		
EAGLES		• KRE	TSCHMAR_		PETERSO	N		
FREBORG		кис	HERA	•	POMEROY	. E. 124		
GATE\$	<u> </u>	LAN	G	•	POMEROY	.G. 142		
GERL	•	LAR	SON, B. #12_	•	• REED		]	
GOETZ	<u> </u>	LAR	SON, G. 179_	•	REITEN_	•		
GORDER			SON, H. 17	•	RETZER_	•		
GUNDERSON	<u> </u>	LIPS	IEA	•	RICE			
GUNSCH	•	• MAR	SDEN		RICHARD	•	]	
HANSON, L. #48	•	MAR	TIN_		RICHIE	•	]	
HANSON Q. 13	•	MAR	TINSON		RIEHI	•	1	

HAUGLAND	1 MATCHIE -	RUED
HAUSAUER, A. M	MATHENY	SCHINDLER
HAUSAUER, R. 125	MATTSON	SOLBERG
HEDSTROM	MEIERS	SORUM
HEIGAARD	MELBY	STRINDER
HILL	MERTENS	SWIONTEK

So the bill was declared lost.

### MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1646, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 1646. -- 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, 33; nays, 62; absent and not voting 5.

EGULAR SE				CALL			1981 LE		
EAS N.V	NAYS	YEAS N-V	NAYS	YEAS		NAYS	YEAS	N·V	NAY
ANDERSON, C. IT		HOFFNER	•	•			THOMI		
ANDERSON, R. 13	é	HORGAN		MEY6			TIMM.		
BACKES		HOUMANN		MOOF	NE		UNHJE		
BERG		HUGHES		MOUN	1		VANDE	R VORST_	
BERGER		HUWE		MURI			VIG		
BLACK		JACOBSEN, R.		MUSH	IIK		WAGN		
BOYUM	<u> </u>	JACOBSON, I.				-	WALD.		_
BROKAW		KELLY		NICHO			WENT2		
CONMY	•	KENT	•	OLAF				N	
CRABTREE	•	KINGSBURY		OLSE			ZIMBL	EMAN	
DICK	•	KLOUBEC	•		N, A. #11				
DIETZ		KNUDSON			N, D. #13		MR. SP	EAKER	
DOTZENROD	•	KOLAND		OPED					
DuBORD	<u> </u>	KOSKI	•		IER	•			
EAGLES	•	KRETSCHMAR	•		RSON				
FREBORG		KUCHERA	•	POME	ROY, E. #24	•			
GATES	•	LANG		POME	ROY, G. #42				
GERL	•	LARSON, B. #12	•	REED					
GOETZ	•	LARSON, G. #29				•			
GORDER	•	LARSON, H. J7			ER	•			
GUNDERSON		LIPSIEA	•	RICE.		•			
GUNSCH		MARSDEN		RICH/	RD				
HANSON, L. #48	٠			RICHI	E	•			
HANSON, O. #3	•	MARTINSON	•	RIEHI					
HAUGLAND	•	MATCHIE	•	RUED		•			
HAUSAUER, A. M	. •	MATHENY	•	SCHIN	DLER				
HAUSAUER, R. #2	5	MATTSON	•	SOLBE		•			
HEDSTROM		MEIERS		50RU	M				
HEIGAARD	•	MELBY	•	STRIN	DEN				
HILL	•	MERTENS		SWION		•			

So the bill was declared lost.

# MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1647, which motion prevailed. SECOND READING OF HOUSE BILLS

House Bill No. 1647. -- A Bill for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code to distribute part of the state retail beer or liquor license fee to the North Dakota beverage dealers association to be used in part for alcohol abuse programs; and to amend and reenact section 5-02-04 of the North Dakota Century Code to increase the state retail beer or liquor license fees and to outline membership in the North Dakota beverage dealers association.

## Which has been read.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 68; absent and not voting 5.

REGULAR	ESSION.		8011	-CALL		1981 LEGISLA	TURE
EAS N-V	NAYS	YEAS N-V			V NAYS	YEAS N-V	NAY
ANDERSON, C		HOFFNER		METZ		THOMPSON	
ANDERSON, C		HORGAN		MEYER		TIMM	
BACKES		HOUMANN				UNHJEM	
BERG		HUGHES		MOUM		VANDER VORST	
BERGER		HUWE ●		MURPHY	•	VIG	_
BLACK		JACOBSEN,	R. 🗢	MUSHIK		WAGNER	
BOYUM		JACOBSON.		NAGEL	•	WALD	
BROKAW		KELLY		NICHOLA	s •	WENTZ	
CONMY		KENT	•	OLAFSON	•	WHALEN	
CRABTREE	•	KINGSBURY	•	OLSEN_		ZIMBLEMAN	
DICK	•	KLOUBEC	•	OLSON, A	. //)		
DIETZ	•	KNUDSON_	•	OLSON, D	. #13 🛛 🔹	MR. SPEAKER	
DOTZENROD_		KOLAND	•	OPEDAH	•		
DuBORD	•	KOSK1		PELTIER		ļ	
EAGLES	•	KRETSCHM/	AR	PETERSC	)N		
FREBOR		KUCHERA_	•	POMERO	Y, E. 124		
GATES	•	LANG		POMERO	Y, G. 142		
GERL		LARSON, B	112	REED			
GOETZ	•	LARSON, G.	na 👘	REITEN	•		
GORDER	•	LARSON, H.		RETZER.			
GUNDERSON .		LIPSIEA		RICE	•		
GUNSCH	•	MARSDEN_		RICHARD			
HANSON, L. F	8	MARTIN		RICHIE		1	
HANSON, O. /3	•	MARTINSON		RIEHL			
HAUGLAND		MATCHIE		RUED			
HAUSAUER, A		MATHENY_		SCHINDL			
HAUSAUER, R	. 125	MATTSON		SOLBERG			
HEDSTROM		MEIERS		SORUM_			
HEIGAARD	•	MELBY	•	STRINDE			
<ul> <li>HILL</li> </ul>		MERTENS	•	SWIONTE	K		

# So the bill was declared lost.

**House Bill No. 1651.** — A Bill for an Act to amend and reenact subsections 2 and 3 of section 4 of initiated measure No. 6 as approved at the general election held on November 4, 1980, relating to the definition of "stripper property" and "qualified maximum total production" of oil as used in the definition of "average daily production"; 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.

REGULAR SESSION	ROLL	-CALL	1981 LEGISLATURE
YEAS N.V NAYS	YEAS N.V NAYS	YEAS N.V NAYS	YEAS N.V NAY
ANDERSON, C. 17	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	<ul> <li>OLSON, D. 113</li> </ul>	MR. SPEAKER
DOTZENROD	KOLAND	OPEDAHL	
DuBORD	KOSKI	PELTIER	
EAGLES	KRETSCHMAR	PETERSON	
FREBORG	KUCHERA	POMEROY, E. 124	
GATES	LANG	POMEROY, G. 142	
GERL	LARSON, B. #12	REED	
GOETZ	LARSON, G. #29	•_REITEN	
GORDER	LARSON, H. #	RETZER	
GUNDERSON	LIPSIEA	RICE	
GUNSCH	MARSDEN	_RICHARD	
HANSON, L. #4	MARTIN	RICHIE	

- HANSON, 0. /3	MARTINSON	
HAUGLAND	MATCHIE	RUED
HAUSAUER, A. 149	MATHENY	SCHINDLER
HAUSAUER, R. 125	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.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3027. — A concurrent resolution directing the legislative council to study the child support and paternity laws and to determine the feasibility and desirability of combining and streamlining all functions relating to the establishment and enforcement of child support, including paternity, within a single child support enforcement agency.

Which has been read.

### ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 86; nays, 3; absent and not voting 11.

REGULAR SESSION	_	ROLL-CA	LL		1981 LEGISLA	TURE
EAS N.V NAYS	YEAS N-V	NAYS YE	AS N-V	NAYS	YEAS N-V	
ANDERSON, C. #7			METZ		THOMPSON	
ANDERSON, R. #36	HORGAN		MEYER			
BACKES BERG	HOUMANN.		MOORE		I INHJEM	
BERG	HUGHES		MOUM_		VANDER VORST	
BERGER	HUWE -		MURPHY		VIG	
<ul> <li>BLACK</li> </ul>	JACOBSENNER		MUSHIK _		. WAGNER	
BOYUM	JACOBSON, I		NAGEL .		WALD	
BROKAW	KELLY		NICHOLAS		. WENTZ	
CONMY     CRABTREE	• KENT		OLAFSON		WHALEN	
CRABTREE	KINGSBURY		OLSEN		ZIMBLEMAN	
<ul> <li>DICK</li> </ul>	KLOUBEC		OLSON, A. #11		ZIMBLEMAN	
DIETZ	KNUDSON		OLSON, D. #13		MR. SPEAKER	
DOTZENROD	KOLAND		OPEDAHL			
DuBORD	KOSK1		PELTIER			
EAGLES	KRETSCHMAR		PETERSON			
FREBORG	KUCHERA	•	POMEROY, E. MA			
GATES	LANG		POMEROY, G. M			
GERL	LARSON, B. #12		REED			
GOETZ	LARSON, G. 129		REITEN			
<ul> <li>GORDER</li> </ul>	LARSON, H. 17		RETZER •			
GUNDERSON	LIPSIEA .		RICE			
GUNSCH	MARSDEN		RICHARD			
- HANSON, L. #48	MARTIN		RICHIE			
HANSON, 0, #3			RIEHL			
HAUGLAND	MATCHIE		RUED			
HAUSAUER, A. #49			SCHINDLER			
HAUSAUER, R. #25			SOLBERG			
HEDSTROM			SORUM			
L HEIGAARD			STRINDER			
• HILL	MERTENS		SWIONTEK			

So the House Concurrent Resolution No. 3027 was declared adopted.

**House Concurrent Resolution No. 3034.** – A concurrent resolution expressing support for the efforts of the Sagebrush Rebellion to transfer control of public lands from the Bureau of Land Management to the individual states.

Which has been read.

The question being on the final adoption of the resolution, so the House Concurrent Resolution No. 3034 was declared adopted on a voice vote.

**House Concurrent Resolution No. 3036.** A concurrent resolution expressing support for the efforts of the Sagebrush Rebellion to transfer control of public lands from the federal government to the individual states.

Which has been read.

The question being on the final adoption of the resolution, so the House Concurrent Resolution No. 3036 was declared adopted on a voice vote.

890

**House Concurrent Resolution No. 3043.** — A concurrent resolution urging the President of the United States and the United States Congress to take all steps necessary to secure the return of all Americans still held as prisoners of war in southeast Asia.

Which has been read.

The question being on the final adoption of the resolution, so the House Concurrent Resolution No. 3043 was declared adopted on a voice vote.

# SECOND READING OF HOUSE BILLS

**House Bill No. 1008.** – 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; 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.

NC	ORTH DAKOTA	HOUSE OF	REPRES	SENTAT	IVES	
REGULAR SESSION		ROLL-CAL	.L.		1981 LEGISLA	TURE
YEAS N.V NAYS	YEAS N.V	NAYS YEAS	N·V	NAYS	YEAS N-V	NAYS
ANDERSON, C. 17	+OFFNER	•	METZ		THOMPSON	
ANDERSON, R. 136	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			
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. M			
•GERL	LARSON, B. #12		REED			
•GOETZ	LARSON, G#129		REITEN			
GORDER	LARSON, H. 17	•	RETZER			
GUNDERSON	LIPSIEA		RICE			
GUNSCH_	MARSDEN		RICHARD			
ANSON, L. #48	MARTIN		RICHIE			
HANSON, 0. /3	MARTINSON		RIEHL			
HAUGLAND	MATCHIE		RUED			
HAUSAUER, A. #9	MATHENY		SCHINDLER			
HAUSAUER, R. #25	MATTSON		OLBERG			
HEDSTROM	MEIERS		SORUM			
HEIGAARD	MELBY		TRINDEN			
•HILL	MERTENS		WIONTEK			

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

House Bill No. 1023. -- 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, 96; nays, 0; absent and not voting 4.

NO	RTH DA	KOTA	HOUS	E OF R	EPRES	ENTAT	IVES		
REGULAR SESSION ROLL-CALL 1981 LEGISLATUI						TURE			
YEAS N.V NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. 47	HOFF	NER.		• ME	12		<ul> <li>THO.</li> </ul>	MPSON	
ANDERSON, R. #36	HORG	AN		• ME1	ER		• TIM/	٨	
BACKES	HOUN	AANN		• MO(	DRE		UNH UNH	JEM	
BERG	HUGH	IES		MOL	IM		VAN VAN	DER VÖRST.	
•BERGER	HUWE			• MUI	RPHY		• VIG.		
BLACK	<ul> <li>JACO</li> </ul>	BSEN, R		• MUS	HIK		• WAG	NER	

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. 142	
GERL	LARSON, B. 112		
GOETZ	LARSON, G. 129		_
GORDER	LARSON, H. 17		
GUNDERSON	LIPSIEA		_
GUNSCH	MARSDEN	RICHARD	
HANSON, L. #4			
HANSON, 0. #3	MARTINSON		
HAUGLAND	MATCHIE	RUED	_
HAUSAUER, A. #9	MATHENY	SCHINDLER	_
HAUSAUER, R. #25	MATTSON	SOLBERG	_
HEDSTROM	MEIERS	SORUM	
HEIGAARD	MELBY	STRINDEN	{
<b></b> HILL	MERTENS		

So the bill passed and the title was agreed to.

**House Bill No. 1032.** – A Bill for an Act making an appropriation for defraying the expenses of the natural resources council 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, 4; nays, 90; absent and not voting 6.

REGULAR SESSIO	N	ROLL	-CALL		1981 LEGISLA	TURI
EAS N-V NA	YS YEAS N.V	NAYS	YEAS N-V	NAYS	YEAS N-V	NAT
ANDERSON, C. IT		•	METZ	•	THOMPSON	
ANDERSON, R. 136	HORGAN	•	MEYER	•	TIMM	
BACKES	HOUMANN	•	MOORE	•	UNHJEM	
BERG		•	MOUM		VANDER VORST	7
BERGER	HUWE -		MURPHY	٠	VIG	
BLACK	JACOBSEN, R.	•	<ul> <li>MUSHIK</li> </ul>		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	•		
Du60RD	KOSKI	•	PELTIER	•		
EAGLES	KRETSCHMAR	•	PETERSON		1	
	KUCHERA	•	POMEROY, E. #24	•	1	
GATES	LANG	•	POMEROY, G. M2		1	
GERL	LARSON, B. #12	•	REED	•	1	
GOETZ	LARSON, CP 129		REITEN	•	1	
GORDER	LARSON, H. #7	•	RETZER	•	1	
GUNDERSON	LIPSIEA	•	RICE	•	1	
GUNSCH	MARSDEN	•	RICHARD		1	
HANSON, L. 148	MARTIN	•	RICHIE		ť	
HANSON, O. #3	MARTINSON	٠	RIEHL		1	
HAUGLAND.	MATCHIE		RUED		1	
HAUSAUER, A. 149	MATHENY	•	SCHINDLER		1	
HAUSAUER, R. #25	MAITSON	•	SOLBERG		1	
HEDSTROM	MEIERS		SORUM		1	
HEIGAARD_	MELBY	•	STRINDEN		1	
HILL	MERTENS		SWIONTEK		1	

So the bill was declared lost.

# MOTIONS

Rep. Strinden moved that House Bill No. 1351 and House Bill No. 1251 be moved to the top of the calendar, which motion prevailed.

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1351, which motion prevailed.

**REMARKS IN THE JOURNAL** 

**Rep.** Brokaw requested that his remarks be printed in the Journal, which request was granted.

"Mr. Speaker and Members of the Assembly:

I wish to speak in support of HB 1351 and to the amendments that

were offered. Rep. Richard and I offered amendments that would have left the impact office out of the bills, because we feel the impact office is doing a commendable job. We also offered amendments to the distribution that would have put 10 percent more money in the trust and 10 percent less in the General Fund. I would like to see 50 percent of the severance tax within six or eight years go into the Trust Fund. Under this bill the expected revenue would be just over \$20 million more during the biennium. or approximately \$10 million a year

As you can see, as coal production and use increase, the state will just lose that much more.

Severance Tax Now	
15% Trust Fund	
30% General Fund	
20% Coal Counties	
35% Impact Fund	

Amend 25% Trust Fund 20% General Fund 20% Coal Counties 35% Impact Fund

The Tax Department recommended a 60 percent exemption to processing plants, using coal, directly related to agriculture, and located within our state. None of the amendments were accepted.

Our trust funds should be built now so that when our coal and oil resources run out we will have something in lieu of, or in place of, our natural resources that we give up. If we don't look out for North Dakota, and wake up before the oil and coal reserves are depleted, the future generations will look back and wonder why we were sleeping at the stick!

During last fall's campaign, some legislators thought that Measure No. 6 should have been brought to the Legislature and that the people didn't know enough about it. They said the Legislature would do a good job and take care of it.

I submit to you that a percentage tax is before you. You have the opportunity for the Legislature to pass a percentage tax.

If not, the only recourse may be to go the route of an initiated measure to enact a percentage tax on coal.

I am also aware that the demise of this bill has been decided and that the divine word has been put out. As Rep. Rued so ably put it the other day, the Sherman tanks have been alerted and are about to roll."

SECOND READING OF HOUSE BILLS

House Bill No. 1351. — 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; to repeal chapters 57-61 and 57-62 of the North Dakota Century Code, relating to the coal severance tax and the coal impact office; to provide a penalty; and to provide a savings clause.

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.

		NO	RTH D	акот,	A HOUS	SE OF R	EPRES	ENTAT	IVES		
REGU	JLAR SE	SSION			ROLL	CALL			1981 L	EGISLA	TURE
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANG	DERSON. C. 17	•	<ul> <li>H0</li> </ul>	FFNER		ME	12	•		MPSON	
AN(	DERSON, R. 13	6 •	• H0	RGAN		• ME	YER.		TIM/	M	•

BACKES	HOUMANN		MOORE	• I	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	è	ZIMBLEMAN
DICK	KLOUBEC		OLSON, A. #11	•	
DIETZ	KNUDSON		OLSON, D. #13	•	MR. SPEAKER
DOTZENROD	KOLAND		OPEDAHL		
DUBORD			PELTIER	•	
EAGLES .	KRETSCHMAR		PETERSON		
FREBORG	KUCHERA	• I_	POMEROY, E. #24		
GATES	LANG		POMEROY, G. #42		
GERL	LARSON, B. #12		REED	•	
ĠOETZ	LARSON, G. 129		REITEN	•	
GORDER	LARSON, H. #7		RETZER	•	
GUNDERSON	LIPSIEA	•	RICE	•	
GUNSCH.	MARSDEN		RICHARD		
HANSON, L. #48	MARTIN		RICHIE	•	
HANSON, 0. /3	MARTINSON		RIEHL		
HAUGLAND			RUED	•	
HAUSAUER, A. 149	MATHENY		SCHINDLER	•	
HAUSAUER, R. #25	MATTSON		SOLBERG		
HEDSTROM	MEIERS		SORUM		
HEIGAARD	MELBY		STRINDEN	•	
_HILL	MERTENS		SWIONTEK	•	

So the bill was declared lost.

## 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 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 17, 1981, which motion prevailed.

REPORTS OF STANDING COMMITTEES

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,		16	_; Nays,		0	_; Abse	nt,			, that th	e sam	e		
x	]do p	ass.		de	o not pas	s.			be plac withou	ced on ca it recom	alenda mend	r ation.		
x	bea	mende	d as follow	<b>s</b> :										
	On		l, lind lieu th								07" a	and	inse	rt
	On	page	l, dele	ete l	ines 2	2 and	1 23							
	Qn		l, line lieu tl								51"	and	inse	rt
	On		l, lind lieu th								78"	and	inse	rt
	On		l, line lieu tl								73"	and	inse	rt
	On		2, line lieu ti								7" a:	nd i	nser	۰t
	On		2, lind lieu ti								75"	anđ	inse	rt
	On		2, line au there							,574"	and	ins	ert	in
	On	page	2, lin	e 9,	delete	e the	nume	rals	"227	,930"	and	ins	ert	in,

lieu thereof the numerals "199,795"

- On page 2, line 11, delete the numerals "6,650" and insert in lieu thereof the numerals "2,800"
- On page 2, line 12, delete the numerals "1,133,754" and insert in lieu thereof the numerals "1,007,035"
- On page 2, line 13, delete the numerals "721,015" and insert in lieu thereof the numerals "657,759"
- On page 2, line 14, delete the numerals "412,739" and insert in lieu thereof the numerals "349,276"
- On page 2, line 16, delete the numerals "14,479,668" and insert in lieu thereof the numerals "14,449,086"
- On page 2, line 17, delete the numerals "18,259,080" and insert in lieu thereof the numerals "18,171,988"
- On page 2, line 32, delete the word "items" and insert in lieu thereof the word "item"
- On page 2, line 33, delete the words "and "Indirect cost"
- On page 2, line 34, delete the word "allocation"", and delete the word "are" and insert in lieu thereof the word "is"
- On page 3, after line 2, insert the following:

"SECTION 5. NONCONTRIBUTORY RETIREMENT PLANS. For the agencies named in this Act the following amounts are included in the salaries and wages line items to fund noncontributory state employee retirement programs.

Department of accounts and purchases	\$ 54,650
Central data processing	154,841
Central personnel division	23,138

Total

\$232,629

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amounts shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983.

SECTION 6. TRANSFER AUTHORITY. Upon approval of the emergency commission, the director of the department of accounts and purchases may transfer between appropriation authority contained in the various subdivisions in section 1 of this Act."

And renumber the lines and pages accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### Department of Accounts and Purchases

Salaries and wages of the Department of Accounts and Purchases are increased by \$69,615, of which \$59,553 is from the general fund and \$10,062 is from other funds, to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. Also, salaries and wages are reduced by \$64,104 by deleting funds for three new positions: 1 FTE clerk-typist (\$22,600 - general fund); and 2 FTE production workers - printing division (\$41,504 other funds). The salaries and wages line item amount of \$1,653,518 includes \$54,650 for the state to fund a conversion to a noncontributory retirement plan for employees. The line item amounts for indirect cost allocation (\$30,000 - general fund) and capital improvement planning (\$60,000 - other funds) are deleted.

#### Central Data Processing

Salaries and wages of Central Data Processing are increased by \$206,868 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium, and decreased \$82,752 by deleting funds for 1 FTE planner II and 1 FTE training officer II. The salaries and wages line item amount of \$4,905,163 includes \$154,841 for the state to fund a conversion to a noncontributory retirement plan for employees.

#### Central Personnel Division

The salaries and wages line item for the Central Personnel Division is reduced a total of 94,734. This reduction is arrived at by subtracting \$122,718 for three new positions not allowed, (personnel officer III, clerk-typist II, and training officer), and adjusting the amount allowed for the two new positions recommended, (clerk II, personnel officer II); and by adding \$27,984 which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent of the second year of the biennium. The salaries and wages line item amount of \$712,840 includes \$23,138for the state to fund a conversion to a noncontributory retirement plan for employees.

The operating expense line item is reduced \$28,135 and the equipment line item is reduced \$3,850 for adjustments because of the deletion of three new positions and for the amount allowed for the two new positions recommended.

The estimated income line item is reduced \$63,256. This reduction is arrived at by adding \$12,071 for recommended salary increases for the next year of the biennium; and by subtracting \$75,532 for the three deleted positions and adjusting the amount allowed for the two new positions recommended.

And when so amended, recommends the same do pass.

Chairman WAGNU VERNOU Ε. Bill No. 1003 was placed on the 6th

 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. 1035 , has had the same under consideration and recommends, by a vote of

Ayes, <u>16</u>; Nays, <u>0</u>; Absent, <u>3</u>, that the same

do not pass. be placed on calendar without recommendation.

#### x be amended as follows:

x do pass.

- On page 1, line 14, delete the numerals "33,346" and insert in lieu thereof the numerals "36,130"
- On page 1, line 17, delete the numerals "40,424" and insert in lieu thereof the numerals "43,208"
- On page 1, after line 18, insert the following new section:

"SECTION 2. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$1,200 is included in the salaries and wages line item to fund a noncontributory employee retirement program. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amount shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the Unsatisfied Judgment Fund are increased by \$2,784 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$1,200 for the state funding of the employees' share of PERS.

#### And when so amended, recommends the same do pass.

Chairman WAGNER E. 1035 6th Bill No.

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 Appropriations to whom was referred\_\_\_\_\_HOUSE\_\_\_\_

Bill No.\_\_\_\_\_1038\_\_\_\_\_, has had the same under consideration and recommends, by a vote of

A	ves	18	: Nav	s. 0	: Absent.	1 L	, that the same

X do pass.	do not pass.	be placed on calendar without recommendation.	
x be amend	led as follows:		
On page in	1, line 17, delete the p lieu thereof the numera	numerals "2,840,632" and ins ls "2,458,331"	sert

- On page 1, line 18, delete the numerals "1,054,000" and insert in lieu thereof the numerals "624,000"
- On page 1, line 21, delete the numerals "180,000" and insert in lieu thereof the numerals "152,053"
- On page 1, line 22, delete the numerals "4,246,032" and insert in lieu thereof the numerals "3,405,784"
- On page 1, line 24, delete the numerals "4,186,032" and insert in lieu thereof the numerals "3,345,784"
- On page 1, line 27, delete the numerals "106,606" and insert in lieu thereof the numerals "110,326"
- On page 2, line 2, delete the numerals "157,506" and insert in lieu thereof the numerals "161,226"
- On page 2, line 3, delete the numerals "78,753" and insert in lieu thereof the numerals "80,613"
- On page 2, line 4, delete the numerals "78,753" and insert in lieu thereof the numerals "80,613"
- On page 2, line 7, delete the numerals "3,690,417" and insert in lieu thereof the numerals "3,610,782"
- On page 2, line 11, delete the numerals "516,439" and insert in lieu thereof the numerals "446,106"
- On page 2, line 12, delete the numerals "4,529,356" and insert in lieu thereof the numerals "4,379,388"

On page 2, line 15, delete the numerals "5,155,590" and insert in lieu thereof the numerals "6,967,130"

On page 2, line 18, delete the numerals "7,985,960" and insert in lieu thereof the numerals "9,807,250"

- On page 2, line 19, delete the numerals "16,780,101" and insert in lieu thereof the numerals "17,613,035"
- On page 2, line 20, delete the numerals "138,753" and insert in lieu thereof the numerals "140,613"

On page 2, line 21, delete the numerals "16,918,854" and insert in lieu thereof the numerals "17,753,648"

On page 2, after line 28 insert the following:

"SECTION 3. DISTRICT JUDGES. The appropriation provided within subdivision 2 of section 1 provides for two additional district court judges to be assigned pursuant to article VI, section 93 of the state constitution with one additional judge in the southwest judicial district and one additional judge in the northwest judicial district to be assigned to chambers by the supreme court.

SECTION 4. NONCONTRIBUTORY RETIREMENT PLAN. For the agencies named in this Act the following amounts are included in the salaries and wages line items to fund noncontributory state employee retirement programs.

Supreme court	\$ 74,078
District courts	100,522
Judicial qualifications commission	3,663

Total

\$178,263

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amount shall remain in each salaries and wages line until such line item is canceled on July 30, 1983."

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The Supreme Court salaries and wages line item is reduced a total of \$382,301. This reduction is arrived at by deleting \$296,496 for five new law clerk positions; and by subtracting \$85,805 which will allow funds for continuation of 10 percent emergency salary increases and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$2,458,331 includes \$74,078 for the state to fund a conversion to a noncontributory retirement plan for employees. The salaries for the Supreme Court justices included in the salaries and wages line item are \$50,000 for the first year of the biennium and \$54,000 for the second year of the biennium. The salary for the Chief Justice is set at \$51,500 for the first year of the biennium and \$55,500 for the second year of the biennium.

The operating expense line item is reduced by \$430,000 by deleting \$400,000 for rent in the new state office building since it is proposed that this building be purchased with funds from the lands and minerals trust fund, and by \$30,000 for travel.

The judges retirement line item is reduced \$27,947 for revised estimates in accordance with salary guidelines for Supreme Court justices.

#### Judicial Qualifications Commission

The Judicial Qualifications Commission salaries and wages line item is increased by \$3,720 which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$110,326 includes \$3,663 for the state to fund a conversion to a noncontributory retirement plan for employees.

#### District Courts

The district court salaries and wages line item is reduced a total This reduction is arrived at by subtracting \$87,383 of \$79,635. which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium; by subtracting \$105,811 for two secretarial positions and one calendar control clerk position which are included in the district court-supplemental state funding portion of House Bill No. 1038; and by adding \$113,559 for one additional district judge. The salaries and wages line item includes funds for two additional district judges, two court administrators, one secretary to a presiding judge, and one law clerk. The two district judges are intended for the Southwest Judicial District and Northwest Judicial District. The salaries and wages line item of \$3,610,782 includes \$100,522 for the state to fund a conversion to a noncontributory retirement plan. The district court judges' salaries are set at \$46,881 for the first year of the biennium and \$50,631 for the second year of the biennium. The presiding judges' salaries are \$48,081 for the first year of the biennium and \$51,831 for the second year of the biennium.

It is intended that the operating expense line item provide sufficient funds for the expenses of the additional district court justices.

The judges retirement line item is reduced \$70,333 in accordance with salary guidelines for district court justices.

#### District Court - Supplemental State Funding

The salaries and wages line item is increased \$1,811,540. This increase is arrived at by adding \$134,880 for two additional court reporters for the two additional district judges; by adding \$1,683,000 for state assumption of the costs for clerks of district court; and by subtracting \$6,340 for revisions to the original court reporter salary estimates.

The operating expense line item is increased \$9,750 for additional travel and transcript fees for the court reporter positions.

And when so amended, recomm	iends the same	do pass.		
	REP.	PERNON E. WAGN	gran	<b>Chairman</b>
HOUSE order of business on the calendar	- for the arrest	Bill No. 1038	was placed on the	6th
Mr. Speaker: Your Committe			-	
to whom was referred	HOUSE			
Bill No1047	, has had the s	ame under consi	deration and recommen	ds, by a vote of
Aves. 10 : Navs.	4	; Absent,1	, that the same	•

X do pass.

do not pass.

be placed on calendar without recommendation.

# JOURNAL OF THE HOUSE

				5	2		
				. C	Bon	Martinson	Chairman
		House	Bill	No104	17wa	s placed on the	llth
order of	business on th	e calendar fo	r the succeeding	g legislativ	e day.		
Mr	. Speaker: You	r Committee	on Appropriatio	ons to who	m was refe	rred H	USE
Bill No	1049	, has l	ad the same	under cons	ideration an	d recommenda	s, by a vote of
Ayes,_	16	; Nays,	; A	bsent,	2	, that the same	
	do pass.		do not pass.			ed on calendar t recommendat	
X	be amended	as follows :					
On	residen to amen Dakota,	ore the s tial faci d chapter	ossed bill emicolon in lities for 422 of the to termina kota "	nsert tr physica e 1969 §	he follow Ally disa Session L	ing: "and bled perso aws of Nor	ns; th
On	page 1 of and befor facilit	the engr ore the p ies for p	ossed bill eriod insen hysically d	, line ] rt the f disabled	ll, after following 1 persons	the word : "and re	"persons" sidential
On	and bef	ore the p	ossed bill eriod inse hysically o	rt the f	following	: "and re	persons" sidential
On	and befo	ore the p	ossed bill, eriod insen hysically (	rt the f	following	: "and re	"persons" sidential
On	page 3 of insert physica	the engr the follo lly disab	ossed bill wing: "and led person:	, line ] d reside s"	l3, after ential fa	the word cilities f	"persons" or
On	page 3 of the fol	the engr lowing:	ossed bill, "intermedia	, line ] ate care	l6, after e"	the word	"of" insert
On	priated profit	by this corporati	ossed bill, "Not less f section sha ons to cons led persons	all be a struct r	available	for loans	to non-
On	page 3 of new sect	the engration:	ossed bill,	, after	line 18,	add the f	ollowing
	the 1969	ECTION 7. 9 Session follows:	AMENDMENT Laws is he	r. Sect ereby am	ion 1 of mended and	chapter 4 d reenacte	22 of d to
	BANK OF GENERAL sections and 50 from the the age assembly chapter of this 1969, si ments mu be tran Dakota	NORTH DA <u>REVOLVIN</u> , s 50-21-00 21-05, the revolvin d and inf y that loc be discou- Act. Th hall be t ade to th sferred m to the ge	ransferred e revolving onthly by i neral-fund	RSING HO btwithst 2, 50-21 North Da nd to nu s the in insuant ginning in the r to the y loan f the mana revolvi	MES - TR anding t .02.1, 5 kota sha ursing ho tent of to the p with the revolving general und afte uger of t .ng loan	ANSFER OF : he provisio 0-21-03, 5 11 make no mes and hou the legisl rovisions of effective loan fund fund and a r that dat he Bank of fund creat	FUNDS TO ons of 0-21-04, new loans mes for ative of this date on July 1, 11 pay- e shall North

And underscore the first six sections of the bill and renumber the lines and pages accordingly

And when so amended, recommends the same do pass.
1 English
REP. VERNON E. WACNER
HOUSE Bill No. 1049 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 referredHOUSE
Bill No. 1055 , has had the same under consideration and recommends, by a vote of
Ayes, <u>16</u> ; Nays, <u>0</u> ; Absent, <u>0</u> , that the same
do pass. kxx do not pass. be placed on calendar without recommendation.
alfansten Chairman
Rep A Hausauer           Bill No.         1055         was placed on the lth           order of business on the calendar for the succeeding legislative day.
Mr. Speaker: Your Committee onFINANCE_AND_TAXATION
to whom was referredHOUSE
Bill No. 1056, has had the same under consideration and recommends, by a vote of
Ayes, <u>16</u> ; Nays, <u>0</u> ; Absent, <u>0</u> , that the same
do pass. xxx do not pass. be placed on calendar without recommendation.
p Marian
Rep. <b>A</b> Hausauer Chairman
Rep. <b>4</b> Hausauer HOUSE Bill No. 1056 was placed on the lith 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, has had the same under consideration and recommends, by a vote of
Ayes, <u>16</u> ; Nays, <u>0</u> ; Absent, <u>0</u> , that the same
do pass. be placed on calendar without recommendation.
attance
Chairman Chairman
Chairman
HOUSE Rep.4.Hausauer Bill No. 1057 was placed on the lith
Chairman         Chairman         HOUSE       Bill No.       1057       was placed on the       11th         order of business on the calendar for the succeeding legislative day.       Mr. Speaker:       Your Committee on       EDUCATION
Chairman         HOUSE       Rep. A.Hausauer Bill No.       1057       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       HOUSE       HOUSE
Chairman         HOUSE       Rep. 4. Hausauer Bill No.       1057       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       HOUSE       HOUSE       EDUCATION
Chairman         HOUSE       Rep. 4. Hausauer       L057       was placed on the       llth         order of business on the calendar for the succeeding legislative day.       Mr. Speaker:       Your Committee on       EDUCATION         to whom was referred       HOUSE       HOUSE       Bill No.       1153       , has had the same under consideration and recommends, by a vote of
Chairman         Chairman         Rep.4,Hausauer         Bill No.       1057       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
Chairman         Chairman         Rep.4, Hausauer       Chairman         Mill No. 1057 was placed on the lith         order of business on the calendar for the succeeding legislative day.         Mr. Speaker:       Your Committee on       EDUCATION         to whom was referred       HOUSE

# JOURNAL OF THE HOUSE

Mr. Speaker: Your Committee on FINANCE AND TAXATION
to whom was referredHOUSE
Bill No, has had the same under consideration and recommends, by a vote of
Ayes, <u>12</u> ; Nays, <u>4</u> ; Absent, <u>0</u> , that the same
do pass. <b>x</b> ×x do not pass. <b>be placed on calendar</b> without recommendation.
Allerson
Rep.A.Hausauer
HOUSE Bill No. 1160 was placed on the 11th order of business on the calendar for the succeeding legislative day.
Mr. Speaker: Your Committee on <u>NATURAL RESOURCES</u>
to whom was referred HOUSE
Bill No1190, has had the same under consideration and recommends, by a vote of
Ayes, <u>13</u> ; Nays, <u>1</u> ; Absent, <u>2</u> , that the same
be placed on calendar
X be amended as follows:
On page 1, line 11, after the word "resident", insert the words ", age nineteen and over" and delete the word "eight" and insert in lieu thereof the word "six"
On page 1, line 12, after the word "dollars" insert a comma and the words " <u>and for a resident, under the age of nineteen small game</u> <u>hunting license, three dollars</u> "
On page 1, line 14, delete the word " <u>sixty</u> " and insert in lieu thereof the word " <u>fifty</u> "
On page 1, line 19, delete the word " <u>seventy-five</u> " and insert in lieu thereof the word " <u>one hundred</u> "
On page 1, line 20, delete the word " <u>eight</u> " and insert in lieu thereof the word " <u>seven</u> "
On page 1, line 23, delete the word " <u>eight</u> " and insert in lieu thereof the word " <u>six</u> "
On page 2, line 2, delete the word " <u>five</u> " and insert in lieu thereof the word " <u>four</u> "
On page 2, line 4, delete the word " <u>twelve</u> " and insert in lieu thereof the word " <u>ten</u> "
On page 2, line 18, delete the word " <u>ten</u> " and insert in lieu thereof the word " <u>eight</u> "
On page 2, line 21, delete the word " <u>twenty-five</u> " and insert in lieu thereof the word " <u>twenty</u> "
On page 2, line 23, delete the word " <u>five</u> " and insert in lieu thereof the word " <u>four</u> "
On page 3, line 1, delete the word " <u>three</u> " and insert in lieu thereof the word " <u>two</u> "
On page 3, line 4, delete the words "where the motorboat is up to twenty- six feet in"
On page 3, delete lines 5 and 6
On page 3, line 7, delete the words "feet or longer in length" and insert in lieu thereof the words: "the following license fees shall be used:

Each motorboat under sixteen feet in Length, six dollars. Each motorboat sixteen feet in length and over

- On page 3, line 7, after the period insert the following words: "It is the intent of the legislative assembly that the increase in motorboat license fees, as provided in this section, be used for providing matching funds for construction and installation of boat launching facilities.
- On page 3, line 9, after the word "fees" insert the words "shall apply three years'
- On page 3, line 11, overstrike the words "one dollar" and insert in lieu thereof the words "six dollars"
- On page 3, line 13, overstrike the words "one dollar" and insert in lieu thereof the words "six dollars"
- On page 3, line 15, overstrike the words "one dollar" and insert in lieu thereof the words "six dollars"
- On page 3, line 17, overstrike the words "one dollar" and insert in lieu thereof the words "six dollars"
- On page 3, line 19, overstrike the words "one dollar"
- On page 3, line 20, overstrike the words "and fifty cents" and insert in lieu thereof the words "nine dollars"
- On page 3, line 22, overstrike the word "two" and insert in lieu thereof the word "twelve"
- On page 3, line 24, overstrike the word "five" and insert in lieu thereof the word "twenty-four"
- On page 3, line 26, overstrike the word "ten" and insert in lieu thereof the word "thirty"
- On page 3, line 28, delete the word "eight" and insert in lieu thereof the word "six"
- On page 3, line 30, delete the word "eight" and insert in lieu thereof the word "six"
- On page 4, line 4, delete the word "five" and insert in lieu thereof
  the word "three"
- On page 4, line 7, delete the word "forty" and insert in lieu
  thereof the word "thirty"
- On page 4, line 9, delete the word "ten" and insert in lieu thereof the word "eight'
- On page 4, line ll, delete the word "forty" and insert in lieu
  thereof the word "thirty"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

HOUSE

	De	۲ىر	lone	Chairman
Rep.	Kloubec			
-	Bill No.	1190	was placed on the	6th
don for the gues	anding lagin	loting d		

		mmittee onF		•	ION
to whom w	vas referred 🔔	HOUSE			
Bill No	1244	, has had the	same under	considerat	ion and recommends, by a vote of
Ayes, <u>1</u>	.3;1	Nays, <u> </u>	; Absent,	0	, that the same
d	o pass.	xx do not pass		be placed of without re-	on calendar commendation.

# JOURNAL OF THE HOUSE

		J.Ma			Chairman
HOUSE order of business on the		Rep. A Hausa	uer	1244 was placed on t	he llth
order of business on the	alendar for t	he succeeding l	egislative day	<u> </u>	iiic
Mr. Speaker: Your C	ommittee on .	FINF	NCE AND 1	AXATION	
to whom was referred 🔔	HOUSE				
Bill No. 1264	, has	s had the same	under conside	eration and recomme	ends, by a vote of
Ayes, <u>15</u> ;	Nays, <u>0</u>	; Abs	sent,1	, that the sar	ne
do pass.	kxx do i			ed on calendar t recommendation.	
		64	man		Chairman
HOUSE		Rep.A.Hausa Bill N	uer 10 1264	was placed on t	he ll+b
order of business on the	calendar for t	he succeeding	legislative da	y.	
Mr. Speaker: Your	Committee on	Appropriation	sto whom w	as referred HOUS	E
Bill No1365	, has had	d the same un	der consider	ation and recomme	nds, by a vote of
Ayes, 14 ;	Nays	_4; Abs	ent,1	, that the san	0e
				be placed on calend without recommen	
xx be amended as			L	without recommen	
On page 1. lin	e 1. afte	r the word		" delete the lieu thereof t	
relating distribu motor ve BE IT EN ST SE North Da to read 54 TREASURE CITIES. created which sh	to the c tion fund hicle exc ACTED BY ATE OF NO CTION 1. kota Cent as follow -27-19. R TO MAKE A highwa as a spec all be de	rediting c l and the a ise tax. THE LEGISL RTH DAKOTA AMENDMENT LUTY Code i 's: HIGHWAY TA ALLOCATIO y tax dist ial fund i posited th	f income llocation ATIVE ASS : . Sectic s hereby X DISTRIE N TO STAT ribution n the sta e moneys	Dakota Centur from the high of revenue fr EMBLY OF THE to 54-27-19 of amended and re UTION FUND - S E, COUNTIES, J fund is hereby te treasury in available by J	way tax rom the the eenacted STATE AND Y to Law from
fees, fu vehicle The stat tax dist investme shall be Any mone	els taxes excise ta e treasur ribution nts, and credited ys in the d and tra	, special xes, and s er shall i fund as pr all moneys to the hi highway t	fuels tax pecial function nvest mon ovided by derived ghway tax ax distri	ation and relation es, use taxes, els excise tax eys in the high law for state from such inve- distribution bution fund show the state tre	motor kes. hway estments fund. be
1.	transfe departm	rred month	ly to the	h moneys shall state highway state highway	7
2.	allocat proport registr county of titl residen	ed to the ion to the ations cre shall be c e of all m ts of such	counties number o dited to redited w otor vehi county.	ch moneys shal of this state f motor vehicl each county. ith the certif cles registere The state tre te the countie	in Le Each ficates ed by

share monthly after deducting the incorporated cities' share. All the moneys received by the counties from the highway tax distribution fund shall be set aside in a separate fund called the "highway tax distribution fund" and shall be appropriated and applied solely for highway purposes in accordance with article 56 of the North Dakota Constitution. The state treasurer shall compute and distribute monthly twentyseven percent of the sums allocated to each county to the incorporated cities within such county on the basis of the per capita population of all of the incorporated cities situated within such 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 such census. Provided, however, that in each county having a city with a population of ten thousand or more, the amount transferred each month into the county highway tax distribution fund shall be the difference between the amount allocated to that county pursuant to this subsection and the total amount allocated and distributed to the incorporated cities in that county as computed according to the following formula:

- a. Twenty-seven percent of the amount allocated to all of the counties under this subsection shall be the incorporated cities' share and shall be divided by the total population of all of the incorporated cities in the state to determine the statewide per capita average.
- b. The share to each city in the county having a population of less than one thousand shall be determined by multiplying the population of that city by the product of 1.50 times the statewide per capita average computed under subdivision a.
- c. The share to each city in the county having a population of one thousand to four thousand nine hundred ninety-nine, inclusive, shall be determined by multiplying the population of that city by the product of 1.25 times the statewide per capita average computed under subdivision a.
- d. The share to each city in the county having a population of five thousand or more shall be determined by multiplying the population of that city by the statewide per capita average for all such cities, which per capita average shall be computed as follows: the total of the shares computed under subdivisions b and c for all cities in the state having a population of less than five thousand shall be subtracted from the total incorporated cities' share in the state as computed under subdivision a and the balance remaining shall then be divided by the total population of all cities of five thousand or more in the state.

The moneys allocated to the incorporated cities shall be distributed to them monthly by the state treasurer and shall be deposited by the cities in a separate fund and shall only be used in accordance with article 56 of the North Dakota Constitution, provided that any incorporated city may use such fund for the construction, reconstruction, repair and maintenance of public highways within or outside such city pursuant to an agreement entered into between the city and any other political subdivision as authorized by section 54-40-08.

SECTION 2. AMENDMENT. Section 57-40.3-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-40.3-10. ALLOCATION OF REVENUE. All moneys collected and received under this chapter shall be transmitted monthly by the motor vehicle registrar to the state tax commissioner and by-him shall be paid by the tax commissioner to the state treasurer to be transferred and credited as-fellews+

- 1---Fifty-percent-of-the-tax-accruing-under-this
  chapter-on-motor-vehicles-purchased-or-acquired
  outside-of-this-state-for-use-in-this-state;
  shall-be-credited-to-the-motor-vehicle
  registration-fund-
- 2---The-remaining-fifty-percent-of-the-tax-accruing under-this-chapter-on-motor-vehicles-purchased or-acquired-outside-of-the-state-for-use-in this-state-shall-be-credited-to-the-general fund-
- 3---All-moneys-accruing-under-this-chapter-on-motor vehicles-purchased-in-this-state-shall-be credited to the general <u>highway tax</u> <u>distribution</u> fund."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

- Ener mairman
REP. VERNON E. WACHES order of business on the calendar for the succeeding legislative day.
Mr. Speaker: Your Committee on Appropriations to whom was referred.
Bill No. <u>1386</u> , has had the same under consideration and recommends, by a vote of
Ayes,19; Nays,0; Absent,0_, that the same
x     do pass.       be placed on calendar       without recommendation.
X be amended as follows:
On page 2 of the engrossed bill, line 8, delete the words "A beginning farmer may apply to the board of county"
On page 2 of the engrossed bill, delete lines 9 through 34 and insert in lieu thereof the following:
"The board of county commissioners of any county is hereby authorized and empowered, in their discretion, to grant, after negotiation with a beginning farmer, a partial or complete exemption from ad valorem taxation on farmland for a period not to exceed five years from the date of purchase of the farmland. The board of county commissioners shall notify the tax commissioner of such actions within ninety days of the granting of an exemption."
On page 3 of the engrossed bill, delete lines 1 through 11
And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

## MONDAY, FEBRUARY 16, 1981

Chairman Chairman
REP. VERNON E. WACDER HOUSE Bill No. 1386 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 referredHOUSE
Bill No1396, has had the same under consideration and recommends, by a vote of
Ayes, <u>12</u> ; Nays, <u>2</u> ; Absent, <u>2</u> , that the same
do pass. do not pass. be placed on calendar without recommendation.
x be amended as follows:
On page 1, line 15, after the word "office", insert the words ", located in a city with population in excess of five thousand,"
And renumber the lines, sections, and pages accordingly
And when so amended, recommends the same to part
Chairman Chairman
Rep. Timm HOUSE Bill No. 1396 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 referredHOUSE
Bill No1404, has had the same under consideration and recommends, by a vote of
Ayes,14; Nays,1; Absent,1, that the same
be placed on calendar
do not pass. without recommendation.
X be amended as follows:
On page 2, delete lines 23 through 32 and insert in lieu thereof the following:
"c. From eleven to fifteen miles per hour in excess of the lawful speed limit, a fee of fifteen dollars.
d. From sixteen to twenty-five miles per hour in excess of the lawful speed limit, a fee of twenty dollars.
e. Twenty-six or more miles per hour in excess of the lawful speed limit, a fee of twenty-five dollars."
And renumber the lines, sections, and pages accordingly
1 1
11 Att
And when so amended, recommends the same do part.
Rep Timm Chairman
Bill No. 1404 was placed on the 6th
order of business on the calendar for the succeeding legislative day. Mr. Speaker: Your Committee on
-
Bill No. 1442 , has had the same under consideration and recommends, by a vote of

Ayes,	11	; Nays,	;	Absent,	3	, that the sam	e
	do pass.	x	do not pass.		e placed or vithout reco	n calendar ommendation.	
					2		
				$\sim$	Rev	p. Martinson	Chairman
			HOUSE B	ill No144	2	was placed on the	
			for the succeedi			BDIVISIONS	
	-	our Committee		FOLI	ICAL 301	3010101010	
	was referre		HOUSE				
Bill No	1504					n and recommen	ds, by a vote of
Ayes,	13	; Nays,	1;	Absent,	2	, that the same	9
	do pass.		do not pass.	b	e placed on vithout reco	calendar mmendation.	
xx	be amende	d as follows :					
On	page 1, " <u>Thir</u> and i	line 16, teen", and nsert in 1	delete " <u>Tw</u> d on the sa lieu therec	velve" an ime line of " <u>one</u> "	nd inser delete	t in lieu t the word " <u>f</u>	hereof <u>ive</u> "
On	page 1, lieu word same " <u>twer</u>	line 19, thereof " " <u>nine</u> " and line dele	overstrike <u>Thirteen</u> ", d insert in te the word	e the wor and on f lieu th l" <u>ten</u> " a	rd "Twel the same hereof " and inse	ve" and ins line delet five", and rt in lieu	ert in e the on the thereof
On	page 2, lieu	line 10, thereof "	delete the twenty-two"	e word " <u>t</u>	wenty-o	<u>ne</u> " and ins	ert in
On	page 2, there	line ll, of " <u>seven</u> "	delete the "	word "t	<u>hree</u> " a	nd insert i	n lieu
On	page 2, amour	line 24, at not to e	remove the exceed thir	overst: ' <b>ty</b> "	rike ove	r the words	"by an
On		line 25, the sala		overstr	rike fro	m the words	"percent
On	lieu	thereof "I	Pourteen" a	nd on th	le same	teen" and in line delete hereof " <u>thre</u>	the words
On	page 4, lieu " <u>seve</u>	line l, o thereof "l n" and ind	overstrike Fifteen", a Sert in lie	the word nd on th u thered	i "Fourt ne same of " <u>four</u>	een" and in: line delete "	sert in the word
An	d renumb	er the lin	nes, sectio	ns, and	pages a	ccordingly	
And	when so an	nended, recom	mends the sam	e do pass.	P	)	
					da	ng_	Chairman
		HOUSE	Bi		504	Réf. Lang was placed on the	6th
order of	business or	the calendar	for the succeedi	ng legislati	ve day.		
Mr. Sp	eaker: Yo	our Committee	on EDUCAT	ION			
to whom	was referr	ed <u>HOUSE</u>					
Bill No	1514		, has had the sa	me under co	onsideratio	n and recommen	ds, by a vote of
Ayes,	8	; Nays,	6;	Absent,	2	, that the same	•
X	do pass.		do not pass.	b	e placed on vithout reco	calendar mmendation.	

		hy J. Laurdon Chairman
Н	IOUSE	Rep. (Knudson) Bill No. 1514 was placed on the 11th
order of	busines	s on the calendar for the succeeding legislative day.
Mr. Spe	eaker:	Your Committee on JUDICIARY
		erred HOUSE
Bill No	1516	, has had the same under consideration and recommends, by a vote of
Ayes,		; Nays,7; Absent,0, that the same
	do pass	
x	be ame	nded as follows:
On		<pre>1, line 12, after the comma, insert the words "exceptions criminal liability,"</pre>
On	page	2, line 2, after the word "if", insert the words "all of"
On		3, line 3, delete the word "eighteen" and insert in lieu ereof "seventeen"
On	page de	5, line 1, after the second comma insert the word "or", and lete the third comma and the words "or, if such person"
On	page	5, line 2, delete the words "be female, a breast"
On	page	5, line 16, delete the words "any of the following:"
On	page	5, delete lines 17 through 19
On	page	5, line 21, remove the semicolon
On		6, line 34, after the word "fide" insert the word and comma ducational,"
On		7, line 1, delete the word "a" and insert in lieu thereof n educator,"
On		9, line 9, delete the word "eighteen" and insert in lieu ereof "seventeen"
On		9, line 30, after the word "fide" insert the word and comma ducational,"
On	page "a	9, line 31, delete the word "a" and insert in lieu thereof n educator,"
On		11, line 10, delete the word "eighteen" and insert in lieu ereof "seventeen"
On	th	12, line 17, after the word "presence" insert a comma and e words ", except between the nighttime hours of eleven p.m. d six a.m. inclusive"
On	page th	12, line 33, delete the word "eighteen" and insert in lieu ereof "seventeen"
On		13, line 4, delete the word "eighteen" and insert in lieu ereof "seventeen"
On	page th	13, line 7, delete the word "eighteen" and insert in lieu ereof "seventeen"
On	page de	13, line 32, after the third comma insert the word "or", and lete the fourth comma and the word "or"
On	page	13, delete line 33
On	page	13, line 34, delete the word "areola"

On page 15, line 34, delete the word "eighteen" and insert in lieu thereof "seventeen"
On page 16, line 2, delete the word "eighteen" and insert in lieu thereof "seventeen"
On page 16, line 11, delete the word "eighteen" and insert in lieu thereof "seventeen"
On page 19, line 20, delete the words "A citizen of the county may also"
On page 19, delete lines 21 through 23
On page 22, after line 17, insert the following:
"12.1-27.2-16. EXCEPTIONS TO CRIMINAL LIABILITY. Sections 12.1-27.2-01, 12.1-27.2-02, 12.1-27.2-03, 12.1-27.2-06, 12.1-27.2-07 12.1-27.2-13, and 12.1-27.2-14 shall not apply to the possession or distribution of materials in the course of law enforcement, judicial or legislative activities; or to the possession and circulation of materials by a bona fide school, college, university, museum, public library, not for profit special library or by any entertainment media which is licensed by the federal communications commission or its successor. This chapter shall also not apply to a person who is returning material found to be obscene to the distributor or publisher initially delivering it to the person returning it."
On page 22, line 18, delete the numbers "12.1-27.2-16" and insert in lieu thereof "12.1-27.2-17"
And renumber the lines, sections, and pages accordingly
And when so amended, recommends the same be plot of the calendar without recommendation.
And when so amended, recommends the same be plot of the calendar without recommendation.
And when so amended, recommends the same be place h the calendar without recommendation Chairman Rep Chairman HOUSE Bill No 1516 Was placed on the 6th
And when so amended, recommends the same be plot by calendar without recommendation. Chairman Rep. chairman HOUSE Bill No. 1516 Was placed on the 6th order of business on the calendar for the succeeding legislative day.
And when so amended, recommends the same be place h the calendar without recommendation
And when so amended, recommends the same be plotted by the calendar without recommendation.       Calendar without calendar without calendar without calendar without calendar of the succeeding legislative day.         HOUSE       Bill No. 1516       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
And when so amended, recommends the same be placed by calendar without recommendation.       Calendar without calendar without calendar without chairman Rep.
And when so amended, recommends the same be plot by calendar without recommendation.       Chairman         HOUSE       Bill No. 1516       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.       1528         , has had the same under consideration and recommends, by a vote of Ayes, 8       ; Absent, 3         , has had the same       be placed on calendar
And when so amended, recommends the same be plot of plo
And when so amended, recommends the same be plot by calendar without recommendation.       Chairman         Rep. onmy       Chairman         HOUSE       Bill No. 1516       Was placed on the         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
And when so amended, recommends the same be plot by calendar without recommendation.       Chairman         HOUSE       Bill No. 1516       Was placed on the         Mr. Speaker: Your Committee on       STATE AND FEDERAL GOVERNMENT         to whom was referred       HOUSE         Bill No. 1528       , has had the same under consideration and recommends, by a vote of Ayes,, has had the same under consideration and recommends, by a vote of Ayes,, that the same
And when so amended, recommends the same be plot by calendar without recommendation.       Chairman         Rep. onmy       Chairman         HOUSE       Bill No. 1516       Was placed on the         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
And when so amended, recommends the same be plot of the same be plot of the same calendar without recommendation.       Chairman Rep. on my Chairman HOUSE Bill No. 1528
And when so amended, recommends the same be plot of plo
And when so amended, recommends the same be picture by calendar without recommendation.       Chairman         HOUSE       Bill No.       1516       Was placed on the
And when so amended, recommends the same be plot of alendar without recommendation

- On page 1, line 1, 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 14-02.1 of the North Dakota Century Code to meet the special interest of the state in encouraging unmarried pregnant minors to seek the advice and counsel of their parents when faced with the decision whether or not to bear a child; and to declare an emergency.
  - BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. A new section to chapter 14-02.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

PARENTAL CONSENT OR JUDICIAL AUTHORIZATION FOR ABORTION OF UNMARRIED MINOR-STATEMENT OF INTENT.

The legislative assembly intends to encourage unmarried pregnant minors to seek the advice and counsel of their parents when faced with the difficult decision of whether or not to bear a child, to foster parental involvement in the making of that decision when parental involvement is in the best interests of the minor and to do so in a manner that does not unduly burden the right to seek an abortion.

- No person shall knowingly perform an abortion upon a pregnant woman under the age of eighteen years unless:
  - a. The attending physician has secured the written consent of the minor woman and both parents, if living, or the surviving parent if one parent is deceased, or the legal guardian or guardians if the minor is subject to guardianship;
  - b. The minor woman is married and the attending physician has secured her informed written consent;
    - or
  - c. The abortion has been authorized by the juvenile court in accordance with the provisions of this Act.
- 2. Any pregnant woman under the age of eighteen or next friend shall be entitled to apply to the juvenile court for authorization to obtain an abortion without parental consent. Proceedings on such application shall be conducted in the juvenile court of the county of the minor's residence before a juvenile judge or referee, if authorized by the juvenile court judge in accordance with the provisions of chapter 27-20, except that the parental notification requirements and any other requirements of chapter 27-20 shall be superseded by the notification provisions of this Act in proceedings under this Act. All applications in accordance with this Act shall be heard by a juvenile judge or referee within forty-eight hours, excluding Saturdays and Sundays, of receipt of the application. The purpose of the hearing before the juvenile judge or referee shall be to determine:
  - a. Whether or not the minor is sufficiently mature and well informed with regard to the nature, effects and possible consequences of both having an abortion and bearing her child to be able to choose intelligently among the alternatives.
  - b. If the minor is not sufficiently mature and well informed to choose intelligently among the alternatives without the advice and counsel of her parents or guardian, whether or not it would be in the best interests of the minor to notify her parents or guardian of the proceedings and call in the parents or guardian to advise and counsel the minor and aid the court in making its determination and to assist the minor in making her decision.

- c. If the minor is not sufficiently mature and well informed to choose intelligently among the alternatives and it is found not to be in the best interests of the minor to notify and call in her parents or guardian for advice and counsel, whether an abortion or some other alternative would be in the best interests of the minor.
- All proceedings in connection with this Act shall be kept confidential and the identity of the minor shall be protected in accordance with provisions relating to all juvenile court proceedings.
- 4. The court shall keep a stenographic or mechanically recorded record of the proceedings which shall be maintained on record for forty-eight hours following the proceedings. If no appeal is taken from an order of the court pursuant to the proceedings, the record of the proceedings shall be sealed as soon as practicable following such forty-eight hour period.
- 5. Following the hearing and the court's inquiry of the minor, the court shall issue one of the following orders:
  - a. If the minor is sufficiently mature and well informed concerning the alternatives and without the need for further information, advice or counseling, the court shall issue an order authorizing a competent physician to perform the abortion procedure on the minor.
  - b. If the minor is sufficiently mature and well informed, the court may:
    - Issue an order to provide the minor with any necessary information to assist her in her decision if the minor is mature enough to make the decision but not well informed enough to do so.
    - (2) Issue an order to notify the minor's parents or guardian of the pendency of the proceedings and calling for their attendance at a reconvening of the hearing in order to advise and counsel the minor and assist the court in making its determination if the court finds that to do so would be in the best interests of the minor.
    - (3) Issue an order authorizing an abortion by a competent physician if the court has determined that it would not be in the best interests of the minor to call in her parents or guardian but has found that it would be in the minor's best interests to authorize the abortion.
- 6. The minor or next friend may appeal the determination of the juvenile court directly to the state supreme court. In the event of such an appeal, any and all orders of the juvenile court shall be automatically stayed pending determination of the issues on appeal. Any appeal taken pursuant to this section by anyone other than the minor or next friend shall be taken within forty-eight hours of the determination of the juvenile court by the filing of written notice with the juvenile court and a written application in the supreme court. Failure to file notice and application within the prescribed time shall result in a forfeiture of the right to appeal and render the juvenile court order or orders effective for all intents and purposes.
- Upon receipt of written notice of appeal, the juvenile court shall immediately cause to be transmitted to the supreme court the record of proceedings had in the juvenile court.
- 8. An application for appeal pursuant to this section shall be treated as an expedited appeal by the supreme court and shall be set down for hearing within four days of receipt of the application, excluding Saturdays and Sundays.

- 9. The hearing, inquiry, and determination of the supreme court shall be limited to a determination of the sufficiency of the inquiry and information considered by the juvenile court and whether or not the order or orders of the juvenile court accord with the information considered with respect to the maturity and information available to the minor and the best interests of the minor as determined by the juvenile court. The determination of the juvenile court shall not be overturned unless found to be clearly erroneous.
- After hearing the matter the supreme court shall issue its decision within twenty-four hours.
- 11. Within forty-eight hours of the hearing by the supreme court,the record of the juvenile court shall be returned to the juvenile court and the juvenile court shall seal it at the earliest practicable time.
- 12. Nothing in this Act shall be construed to prevent the immediate performance of an abortion on an unmarried minor woman in an emergency where such action is necessary to preserve her life and no physician shall be prevented from acting in good faith in such circumstances or made to suffer any sanction thereby other than those applicable in the normal course of events to the general review of emergency and nonemergency medical procedures.
- 13. Nothing in this Act shall be construed to alter the effects of any other section of this chapter or to expand the rights of any minor to obtain an abortion beyond the limits to such rights recognized under the Constitution of the United States or under other provisions of the North Dakota Century Code.

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

And when so amended, recommends the same do pass.	
Rep. Conmy HOUSE Bill No. 1554was placed on the6th	
order of business on the calendar for the succeeding legislative day.	
Bill No1563, has had the same under consideration and recommends, by a vote	of
Ayes,; Nays,5; Absent,1, that the same	
X do pass. do not pass. be placed on calendar without recommendation.	
X be amended as follows:	
On page 1, line 3, delete the semicolon and the words "and to provide an appropriation"	
On page 1, line 7, delete the following: "- COMPENSATION"	
On page 1, line 12, delete the words "landscape architect" and insert in lieu thereof the words "representative from the historical society"	
On page 1, line 16, delete everything after the period	
On page 1, delete lines 17 through 19	
On page 2, delete lines 12 through 18	
And renumber the lines and pages accordingly	

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

	the appropriation.
	Stra and
	VERNON E. WAGNER
	OUSEBill No. 1563 was placed on the 6th
	n the calendar for the succeeding legislative day.
Mr. Speaker: y	our Committee on SOCIAL SERVICES AND VETERANS AFFAIRS
to whom was refer	redHOUSE
Bill No. 157	has had the same under consideration and recommends, by a vote o
Ayes,11	; Nays, 4 ; Absent, 0 , that the same
X do pass.	do not pass. be placed on calendar without recommendation.
order of business on	DUSE Bill No. 1571 was placed on the 11th.
	our Committee on
	edHOUSE,
	, has had the same under consideration and recommends, by a vote o
Ayes, <u>10</u>	; Nays, 0; Absent, <u>5</u> , that the same
X do pass.	do not pass. be placed on calendar without recommendation.
	Brynhild Hungland Chairman
Mr. Speaker: y	E Bill No. 1574 Rep. Kaugland h the calendar for the succeeding legislative day. our Committee on
order of business of Mr. Speaker: Y to whom was refer	Rep.     Raugland       E     Bill No.     1574     was placed on the     11th.       n the calendar for the succeeding legislative day.       our Committee on     TRANSPORTATION       red     HOUSE
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592	E       Bill No. 1574       Was placed on the 11th.         n the calendar for the succeeding legislative day.       our Committee on
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592	E       Bill No. 1574       Was placed on the 11th.         n the calendar for the succeeding legislative day.       our Committee on
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592	E Bill No. 1574 Was placed on the 11th. n the calendar for the succeeding legislative day. our Committee on TRANSPORTATION red HOUSE, has had the same under consideration and recommends, by a vote of
order of business of <b>Mr. Speaker:</b> Y to whom was refer Bill No. 1592 Ayes, 12	E       Bill No.       1574       was placed on the       11th.         n the calendar for the succeeding legislative day.       our Committee on       TRANSPORTATION         red       HOUSE
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592 Ayes, 12 do pass. X be amend On page 1	E       Bill No.       1574       was placed on the       11th.         n the calendar for the succeeding legislative day.       our Committee on       TRANSPORTATION         red       HOUSE
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592 Ayes, 12 do pass. X be amend On page 1 "and On page 1	E       Bill No. 1574       Was placed on the
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592 Ayes, 12 do pass. x be amend On page 1 "and On page 1 "and	Rep. Maugland         Bill No. 1574       was placed on the
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592 Ayes, 12 do pass. X be amend On page 1 "and On page 3	Rep. Mangland         Bill No. 1574
order of business of Mr. Speaker: Y to whom was refer Bill No. 1592 Ayes, 12 do pass. X be amend On page 1 "and On page 2 On page 3 On page 3 On page 3 On page 3	Rep. Maugland         Bill No. 1574       was placed on the

On page 3, delete lines 26 through 27 On page 3, line 28, delete " <u>2.</u> "
On page 4, line 7, remove the overstrikes over the words "foot-pedals-to-permit-muscular"
On page 4, line 8, remove the overstrikes over the word and comma " <b>propulsion</b> ,"
On page 4, line 8, after the word "propulsion", insert the words " <u>or foot rests</u> "
On page 4, following line 19, insert the following: "SECTION 3. AMENDMENT. Section 39-28-01 of the North Dakota Century Code is hereby amended and reenacted to read as
follows: 39-28-01. ADDITIONAL FEES FOR MOTORIZED BICYCLE AND MOTORCYCLE REGISTRATION. In addition to the fees required by section 39-04-197 and section 1 of this Act for motorized bicycle and motorcycle registration, a motorcycle safety education fee of five dollars shall be required at the time of registration of each motorized bicycle and motorcycle.
And renumber the lines, sections, and pages accordingly
And when so amended, recommends the same do pace.
Rep. Timm
HOUSE Bill No. 1592 was placed on the 6th
Mr. Speaker: Your Committee onINDUSTRY, BUSINESS AND LABOR
o whom was referredHOUSE
Sill No.         1594         , has had the same under consideration and recommends, by a vote of
we set $14$ · Nave $1$ · Absent $1$ · that the same
Ayes, <u>14</u> ; Nays, <u>1</u> ; Absent, <u>1</u> , that the same
do pass. do not pass. be placed on calendar without recommendation.
do pass.       do not pass.       be placed on calendar without recommendation.         X       be amended as follows:
do pass. do not pass. be placed on calendar without recommendation.
do pass.       do not pass.       be placed on calendar without recommendation.         x       be amended as follows:         On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to allow a dealer to recover for merchandise and parts returned to a distributor upon termination of a written agreement, and to provide for definitions and a distributor's liability for failure to pay for returned merchandise and parts; and to declare an
do pass.       do not pass.       be placed on calendar without recommendation.         x       be amended as follows:         On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to allow a dealer to recover for merchandise and parts returned to a distributor upon termination of a written agreement, and to provide for definitions and a distributor's liability for failure to pay for returned merchandise and parts; and to declare an emergency.         BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE

repair or maintenance service, an inventory of parts for the merchandise.

- 2. "Dealer" means a person, partnership, corporation, or other entity which sells at retail. "Dealer" does not include any person, partnership, corporation, or other entity, whether acting as principal or agent, who or which transacts any business in this state from other than a fixed location, and sells goods, wares, merchandise, personal property, or personal services by sample, brochure, or sales catalog, for future delivery.
- "Distributor" means any manufacturer, wholesaler, or distributor of merchandise, or

parts used in the repair or maintenance of any merchandise, or any entity licensing or training, or both, concerning the dispensing of services, having a contractual agreement with a dealer in such merchandise or services.

4. "Merchandise" means any articles, goods, wares, advertising materials, or testing equipment furnished by a distributor to a dealer, including suspended articles, goods, wares, parts, testing equipment, or advertising materials, but shall not include foodstuffs for human ingestion.

SECTION 2. DEALER'S RECOVERY ON TERMINATION OF AGREEMENT.

- Except as provided in subsection 4 of this section, a dealer may recover from a distributor the net cost to the dealer of all current new and unused merchandise or parts held by the dealer at the time of cancellation or discontinuance of a contractual arrangement by the distributor. The dealer may enforce this section by a civil action commenced in the district court of the county wherein the dealer has his or its principal place of business.
- 2. The provisions of this Act shall be subordinate to any contractual right which the dealer may have with respect to reimbursement for merchandise or parts inventory held by the dealer at the time of cancellation or discontinuance of a contractual agreement. Payment or recovery under this Act shall be reduced by any amount received pursuant to such contractual right. The prices for merchandise or parts required to be paid to any dealer pursuant to this Act shall be the equivalent of the net cost of the merchandise as shown in the distributor's price lists or catalogs in effect at the time the merchandise or parts were purchased.
- 3. The distributor shall also pay a sum equal to five percent of the net cost for all merchandise or parts returned to cover the cost of handling, packing, and loading of the merchandise or parts for return to the distributor. Title to and right to possession of the merchandise or parts shall pass to the distributor upon the distributor making payment in accordance with this section.
- Except as provided in this subsection, this Act shall apply to all contractual arrangements in effect on the effective date of this Act, and to contractual arrangements entered into,

amended, or renewed after the effective date of this Act. This Act shall not apply to contracts or agreements governed under chapters 51-07 and 51-20 or under House Bill No. 1375, as approved by the forty-seventh legislative assembly.

SECTION 3. DISTRIBUTOR'S LIABILITY FOR FAILURE TO PAY UPON CANCELLATION OR DISCONTINUANCE OF AGREEMENT. A distributor who fails or refuses to pay a dealer for merchandise or parts upon cancellation or discontinuance of a contractual arrangement by the distributor pursuant to this Act, or who fails to supply merchandise or parts to a dealer having such an arrangement with the distributor, is liable in a civil action brought by the dealer for the net cost of the merchandise or parts, and is additionally liable for five percent of the net cost of the merchandise or parts returned to cover handling, packing, and loading of the merchandise or parts, and is also liable for court costs.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.
With the internation of the second of the se
Rep. Rued
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 TRANSPORTATION
to whom was referred
Bill No. 1595 , has had the same under consideration and recommends, by a vote of
Ayes, <u>12</u> ; Nays, <u>1</u> ; Absent, <u>3</u> , that the same
do pass. do not pass. be placed on calendar without recommendation.
<b>x</b> be amended as follows:
On page 2, line 31, delete " <u>Bond may be</u> " and insert in lieu thereof " <u>The officer shall provide the person with an</u> envelope for use by that person to mail the bond."
On page 2, delete lines 32 through 33
And renumber the lines, sections, and pages accordingly
And when so amended, recommends the same d pass
Chairman Chairman
Rep. Timm HOUSEBill No. 1595was 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
Bill No. 1597 , has had the same under consideration and recommends, by a vote of
Ayes,12; Nays,3; Absent,0, that the same
do pass. X do not pass. be placed on calendar without recommendation.

Buynhild Hungland Chairman
HOUSE Bill No. 1597 Repl Haugland 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, has had the same under consideration and recommends, by a vote of
Ayes, <u>15</u> ; Nays, <u>0</u> ; Absent, <u>1</u> , that the same
do pass. do not pass. be placed on calendar without recommendation.
<b>x</b> be amended as follows:
On page 1, line 13, after the word "drainage" insert the words "by an affected landowner"
On page 2, line 21, after the number "1975" insert a comma and the words "except that should the water management district board determine that any drain is creating significant load problems, the board may require a closure to be installed so as to prevent drainage at the order of the board"
And renumber the lines, sections, and pages accordingly
And when so amended, recommends the same do pass.
Chairman
HOUSE Bill No. 1604 was placed on the 6th
order of business on the calendar for the succeeding legislative day. Mr. Speaker: Your Committee onAGRICULTURE
-
to whom was referredHOUSE
Bill No. 1630 , has had the same under consideration and recommends, by a vote of
Ayes, <u>14</u> ; Nays, <u>1</u> ; Absent, <u>0</u> , that the same
do pass. do not pass. be placed on calendar without recommendation.
xxxbe amended as follows:
On page 1, line 3, delete the semicolon and the words "and to provide an appropriation"
On page 2, delete lines 3 through 14
And renumber the lines accordingly
And when so amended, recommends the same do pass.
Ang. Thefter Chairman
R. Aicholas Bill No. 1630 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. 1638 , has had the same under consideration and recommends, by a vote of
Ayes, <u>10</u> ; Nays, <u>3</u> ; Absent, <u>3</u> , that the same
do pass. do not pass. be placed on calendar without recommendation.
x be amended as follows:

## MONDAY, FEBRUARY 16, 1981

On page 1, line 1, delete "subdivision b of"
On page 1, line 2, delete "subsection 3 of section 39-06.1-10,"
On page 1, line 3, delete ", and subsection 3 of section 39-20-07"
On page 1, line 4, delete "point assessments for alcohol"
On page 1, line 5, delete "related driving offenses,"
On page 1, line 7, delete ", and the interpretation of chemical tests"
On page 1, delete lines 10 through 28
On page 2, delete lines 1 through 35
On page 3, delete lines 1 through 26
On page 4, delete lines 12 through 18
And when so amended, recommends the same to pash Rep. Timm HOUSE
to whom was referredHOUSE_CONCURRENT_RESOLUTION
No, has had the same under consideration and recommends, by a vote of
Ayes, <u>10</u> ; Nays, <u>0</u> ; Absent, <u>5</u> , that the same
X do pass.       do not pass.       be placed on calendar without recommendation.
HOUSE CONCURRENT RESOLUTION No. 3001 was placed on the lith.
Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS
to whom was referred HOUSE CONCURRENT RESOLUTION
No3022, has had the same under consideration and recommends, by a vote of
Ayes,; Nays,; Absent,, that the same
do pass.       be placed on calendar         without recommendation.
On page 1, delete lines 22 through 24 and insert in lieu thereof the words "That yearly screening for scollosis of all children in grades six through nine be made available by the Department of Health with the cooperation of the Department of Public
Instruction;"

And renumber the lines and pages accordingly
And when so amended, recommends the same do pass. Buynhild Haugland Chairman
Rep. Haugland
HOUSE CONCURRENT RESOLUTION No. 3022 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 referredHOUSE_CONCURRENT_RESOLUTION
No3023, has had the same under consideration and recommends, by a vote of
Ayes, <u>12</u> ; Nays, <u>0</u> ; Absent, <u>3</u> , that the same
X       do not pass.       be placed on calendar without recommendation.
Buphild Haughand Chairman Rep. Haugland
HOUSE CONCURRENT RESOLUTION No. 3023 was placed on the 11th.
Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS
to whom was referredHOUSE CONCURRENT RESOLUTION
No, has had the same under consideration and recommends, by a vote of
Ayes,9 ; Nays,3 ; Absent,3 , that the same
do pass. X do not pass. be placed on calendar without recommendation.
/
Bundid Annaland
Buynhad Haugland Chairman Rep. Haugland
Rep. Haugland HOUSE CONCURRENT RESOLUTION No. 3031 was placed on the11th_
Rep. Haugland           HOUSE CONCURRENT RESOLUTION         No. 3031         was placed on the           order of business on the calendar for the succeeding legislative day.
HOUSE CONCURRENT RESOLUTION No. 3031 was placed on the lith. order of business on the calendar for the succeeding legislative day. Mr. Speaker: Your Committee onSOCIAL SERVICES AND VETERANS AFFAIRS
HOUSE CONCURRENT RESOLUTION       No. 3031 was placed on the lith.         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
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE CONCURRENT RESOLUTION       No. 3031       was placed on the
HOUSE_CONCURRENT_RESOLUTION       No. 3031       was placed on the

#### 920

rel Chairman Rep. Rued

SENATE Bill No. 2137 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILLS

**Senate Bill No. 2012.** 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.

Senate Bill No. 2184. — A Bill for an Act to create and enact three new subsections to section 20.1-01-02 of the North Dakota Century, relating to the definition of hunting, trapping, and fishing; and to amend and reenact subsections 9 and 36 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of fur-bearers and gun dogs.

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

**Senate Bill No. 2245.** — A Bill for an Act to amend and reenact sections 15-40.1-16, 15-40.1-16.1, and 15-40.1-17 of the North Dakota Century Code to provide transportation aid for school children bused within the city limits.

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

**Senate Bill No. 2286.** — A Bill for an Act to amend and reenact sections 40-04-08 and 40-04-10 of the North Dakota Century Code, relating to procedures for changing from a commission system of city government.

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

**Senate Bill No. 2289.** — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to motor vehicle license plates for former prisoners of war; 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. 2303.** — A Bill for an Act to create and enact two new sections to chapter 40-57.1 of the North Dakota Century Code, relating to local development corporations and property tax exemptions on speculative industrial buildings and properties owned by these corporations under the new industry tax exemption provisions.

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 create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the status of the state board of equalization when performing its duties.

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

Senate Concurrent Resolution No. 4029. -- A concurrent resolution urging Congress to direct and adequately fund the Department of Agriculture to establish a task force to eradicate leafy spurge on all federal lands and a cost-sharing program to eradicate leafy spurge on all nonfederal land.

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

The House stood adjourned pursuant to Rep. Kretschmar's motion. ROY GILBREATH, Chief Clerk