

THIRTY-SECOND DAY

Bismarck, February 18, 1981

The House convened at 12:30 p.m., with Speaker Peterson presiding. Prayer was offered by Reverend Thomas Sullivan, St. Anne's Catholic Church, Bismarck, North Dakota.

Roll was called and all members were present except Reps. Gerl, Huwe, and R. Jacobsen.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first day and recommends that the same be corrected as follows: On page 927, line 43, delete the following: ", which motion prevailed"

And when so corrected recommends that the same be approved.

Burness Reed Chairman

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

REPORT OF PROCEDURAL COMMITTEE

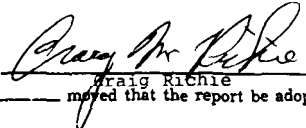
MR. SPEAKER:

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

- House Bill No. 1003
House Bill No. 1035
House Bill No. 1038
House Bill No. 1190
House Bill No. 1396
House Bill No. 1404
House Bill No. 1504
House Bill No. 1554
House Bill No. 1563
House Bill No. 1592
House Bill No. 1594
House Bill No. 1595
House Bill No. 1604
House Bill No. 1630
House Bill No. 1638

House Concurrent Resolution No. 3022

and find the same correctly } Engrossed

Representative Vig  Chairman
 Craig Richie moved that the report be adopted, which
 motion prevailed, and the report was adopted.

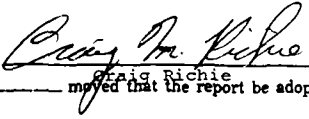
REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

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

House Bill No. 1049
 House Bill No. 1386

and find the same correctly } Ref-Engrossed

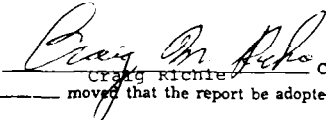
Representative Retzer  Chairman
 Craig Richie moved that the report be adopted, which
 motion prevailed, and the report was adopted.

MR. SPEAKER:

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

House Bill No. 1126
 House Bill No. 1137
 House Bill No. 1142
 House Bill No. 1183
 House Bill No. 1202
 House Bill No. 1206
 House Bill No. 1210
 House Bill No. 1240

and find the same correctly } Enrolled

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

MESSAGE FROM THE SENATE Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2029
 Senate Bill No. 2046
 Senate Bill No. 2349
 Senate Bill No. 2370
 Senate Bill No. 2409
 Very Respectfully,

LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1008
 House Bill No. 1023
 House Bill No. 1443

- House Bill No. 1484
- House Bill No. 1496
- House Bill No. 1499
- House Bill No. 1521
- House Bill No. 1532
- House Bill No. 1558
- House Bill No. 1589
- House Bill No. 1651
- House Concurrent Resolution No. 3027
- House Concurrent Resolution No. 3034
- House Concurrent Resolution No. 3036
- House Concurrent Resolution No. 3043

ROY GILBREATH, Chief Clerk

REPORTS OF STANDING COMMITTEES

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

Bill No. 1002, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 2, that the same

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

be amended as follows:

On page 1, line 15, delete the numerals "4,565,523" and insert in lieu thereof the numerals "4,775,770"

On page 1, line 16, delete the numerals "2,296,180" and insert in lieu thereof the numerals "2,103,794"

On page 1, line 19, delete the numerals "21,602,382" and insert in lieu thereof the numerals "19,308,128"

On page 1, line 20, delete the numerals "397,331,544" and insert in lieu thereof the numerals "352,333,544"

On page 1, line 25, delete the numerals "476,198,415" and insert in lieu thereof the numerals "428,924,022"

On page 1, line 26, delete the numerals "180,910,216" and insert in lieu thereof the numerals "191,580,498"

On page 1, line 27, delete the numerals "295,288,199" and insert in lieu thereof the numerals "237,343,524"

On page 2, delete lines 7 through 18

On page 2, line 29, delete the numerals "128,000,000" and insert in lieu thereof the numerals "138,600,000"

On page 2, after line 33, insert the following section:

"SECTION 5. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$155,602 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. 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 non-contributory retirement program for state employees, such amounts shall remain in the 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:

The salaries and wages line item is increased \$210,247 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 \$4,775,770 includes \$155,602 for the state to fund a conversion to a noncontributory retirement plan for PERS employees and an additional four percent for TFFR employees.

The operating expense line item is reduced \$67,386 in accordance with legislative guidelines relating to inflation. The operating expense line item is further reduced \$125,000 to delete funds for the public school television program.

The special education line item is reduced \$2,294,254 to reflect funding based on 950 positions rather than 1,050 positions, and also for reduced transportation expenses.

The foundation aid line item is adjusted to reflect the following formula provided in HB 1092:

Per-pupil payments

<u>1981-82</u>		
125,343.42 weighted units x \$1,450		\$181,747,959
6,500 kindergarten units x \$725		4,712,500
<u>1982-83</u>		
124,296.69 weighted units x \$1,566		194,648,617
7,000 kindergarten units x \$783		<u>5,481,000</u>
Total per-pupil payments		\$386,590,076

Transportation payments

<u>1981-82</u>		
1,600,000 miles @ .34		544,000
23,500,000 miles @ .68		15,980,000
7,234,000 miles @ .19		1,374,460
<u>1982-83</u>		
1,600,000 miles @ .38		608,000
23,500,000 miles @ .76		17,860,000
7,100,043 miles @ .19		<u>1,349,008</u>
Total transportation payments		<u>37,715,468</u>
Total payments		\$424,305,544

Less adjustments

Measure No. 6 county-21-mill levy replacement	\$ 34,000,000	
21-mill county equalization	3,000,000	
20-mill district levy	<u>34,972,000</u>	
Total adjustments		<u>71,972,000</u>
Total line item		\$352,333,544
Less oil extraction tax fund (45% share)		<u>138,600,000</u>
Net general fund appropriation		<u>\$213,733,544</u>

The estimated income line item is increased \$10,670,282. This adjustment is arrived at by adding \$10,600,000 because of revised oil extraction tax estimates; and by adding \$70,282 to reflect adjustments to the salaries and wages and operating expense line items.

The general fund appropriation is reduced \$57,944,675. This reduction is arrived at by subtracting \$55,598,000 related to the foundation aid formula; subtracting \$125,000 for the public school television program; subtracting \$2,294,254 for special education payments; and adding \$72,579 for adjustments to the salaries and wages and operating expense line item.

And when so amended, recommends the same do pass.

Chairman

REP. VERNON E. WAGNER

HOUSE Bill No. 1002 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1009, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 3; Absent, 2, 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, after the semicolon insert the following: "providing for a transfer of oil extraction tax funds;"

On page 1, line 17, delete the numerals "25,358,414" and insert in lieu thereof the numerals "26,217,656"

On page 1, line 18, delete the numerals "5,158,490" and insert in lieu thereof the numerals "5,065,017"

On page 1, line 22, delete the numerals "47,148,823" and insert in lieu thereof the numerals "47,914,592"

On page 1, line 23, delete the numerals "17,426,375" and insert in lieu thereof the numerals "17,435,718"

On page 1, line 24, delete the numerals "29,722,448" and insert in lieu thereof the numerals "30,478,874"

On page 1, line 27, delete the numerals "8,258,893" and insert in lieu thereof the numerals "8,657,802"

On page 1, line 28, delete the numerals "2,214,694" and insert in lieu thereof the numerals "2,203,466"

On page 2, line 4, delete the numerals "12,490,687" and insert in lieu thereof the numerals "12,878,368"

On page 2, line 5, delete the numerals "1,281,830" and insert in lieu thereof the numerals "1,301,858"

On page 2, line 6, delete the numerals "11,208,857" and insert in lieu thereof the numerals "11,576,510"

On page 2, line 7, delete the numerals "40,931,305" and insert in lieu thereof the numerals "42,055,384"

On page 2, line 8, delete the numerals "18,708,205" and insert in lieu thereof the numerals "18,737,576"

On page 2, line 9, delete the numerals "59,639,510" and insert in lieu thereof the numerals "60,792,960"

On page 2, after line 15, insert the following:

"SECTION 4. TRANSFER. The amounts appropriated in subdivision 1 of section 1 of this Act to Grafton state school for the line items entitled "capital improvements" and "less estimated income" include \$15,000,000 which shall be transferred to Grafton state school operating fund from the special trust fund created by subdivision 2 of section 7 of initiated measure No. 6 approved on November 4, 1980.

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:

Grafton state school	\$ 824,783
San Haven	<u>275,670</u>
Total	\$1,100,453

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 salary 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:

Grafton State School

The salaries and wages line item for Grafton State School is increased \$859,242 which allows 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 \$26,217,656 includes \$824,783 for the state to fund conversion to a noncontributory retirement plan for employees on PERS and an additional four percent for employees on TFFR. The salaries and wages line item includes \$5,032,020 for 256 additional positions to begin compliance in accordance with Title XIX and other federal regulations.

The operating expense line item is reduced \$93,473 in accordance with legislative guidelines for nine percent annual increases. The operating expense line item includes \$908,048 for natural gas, \$111,823 for electricity, \$261,920 for heating fuel oil, and \$1,422,861 for food. The capital improvements line item of \$16,246,520 includes \$15 million from the special trust fund created by Initiated Measure No. 6.

The estimated income line item was increased \$9,343 for revised estimates of the school's income.

San Haven

The salaries and wages line item for San Haven is increased \$398,909 which allows 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 \$8,657,802 includes \$275,670 for the state to fund a conversion to a noncontributory retirement plan for employees. The salaries and wages line item includes \$842,335 for 27 additional positions to place the institution in compliance with Title XIX regulations.

The operating expense line item is reduced \$11,228 in accordance with legislative guidelines for nine percent annual increases. The operating expense line item includes \$77,952 for electricity, \$676,162 for food, and \$433,660 for coal and heating fuel oil.

The estimated income line item is increased \$20,028 to reflect revised estimates of the institution's income.

And when so amended, recommends the same do pass.


 _____ Chairman
 REP. VERNON E. RAGSNER
 Bill No. 1009

House _____ was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1022, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 5; Absent, 0, that the same

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

be amended as follows:

- On page 1, line 14, delete the numerals "1,749,323" and insert in lieu thereof the numerals "1,689,000"
- On page 1, line 15, delete the numerals "2,537,051" and insert in lieu thereof the numerals "2,423,417"
- On page 1, line 17, delete the numerals "7,210" and insert in lieu thereof the numerals "5,210"
- On page 1, line 18, delete the numerals "6,815,672" and insert in lieu thereof the numerals "6,629,000"
- On page 1, line 19, delete the numerals "11,157,168" and insert in lieu thereof the numerals "10,794,539"
- On page 1, line 20, delete the numerals "9,813,851" and insert in lieu thereof the numerals "9,729,379"
- On page 1, line 21, delete the numerals "1,343,317" and insert in lieu thereof the numerals "1,065,160"
- On page 2, after line 8, insert the following:

"SECTION 4. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$53,311 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. 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 amounts shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced a total of \$60,323. This reduction is arrived at by deleting \$94,179 included in the executive budget for the Federal Aid Coordinator position. This position is currently being filled by the director of the Department of Accounts and Purchases. Also, \$52,818 is deleted for a full-time position related to the emergency building temperature restrictions program for which federal funds will not be received. Finally, an amount of \$86,674 is added to the salaries and wages line item to 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 \$1,689,000 includes \$53,311 for the state to fund a conversion to a noncontributory retirement plan for employees.

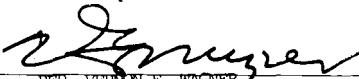
The operating expense line item is reduced by \$113,634 and the equipment line item by \$2,000 to delete funds for the emergency building temperature restrictions program.

The amount of \$186,672 in the grants line item for regional planning councils is deleted.

The estimated income line item is reduced \$84,472. This reduction is arrived at by deleting \$168,452 for the emergency building temperature restrictions program, and by adding \$83,980 for the economic opportunity/weatherization program.

The general fund appropriation is reduced \$278,157 by deleting \$83,980 for the economic opportunity/weatherization program which is added to the estimated income amount, by deleting \$186,672 for grants to regional planning councils, and by subtracting \$7,505 for adjustments to the salaries and wages line item.

And when so amended, recommends the same do pass.


 REP. VERNON E. WAGNER Chairman

HOUSE Bill No. 1022 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1030, has had the same under consideration and recommends, by a vote of

Ayes, 17; Nays, 0; Absent, 1, that the same

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

be amended as follows:

On page 1, line 2, after the word "Dakota" and before the period insert the semicolon and words "; and declaring an emergency"

On page 1, line 16, delete the numerals "2,464,489" and insert in lieu thereof the numerals "2,952,988"

On page 1, line 17, delete the numerals "619,796" and insert in lieu thereof the numerals "721,878"

On page 1, line 19, delete the numerals and underscore "405,889" and insert in lieu thereof the numerals "545,089"

On page 1, after line 19, insert the following line:

"Contingency \$250,000"

On page 1, line 20, delete the numerals "3,572,508" and insert in lieu thereof the numerals "4,552,289"

On page 2, after line 8, insert the following:

"SECTION 4. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$84,721 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. 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 amounts shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983.

SECTION 5. EMERGENCY. This Act is hereby declared to an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is increased \$488,499. This increase is arrived at by adding \$183,336 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. Also, the salaries and wages line item is increased by \$35,636 to provide for higher starting salaries for the five new geologist positions. Also, the salaries and wages line item is increased

by \$269,527 for reclassification and pay grade changes for Survey personnel. The salaries and wages line item amount of \$2,952,988 includes \$84,721 for the state to fund a conversion to a noncontributory retirement plan for employees.


As requested by the Geological Survey, the operating expense line item is increased \$102,082 as follows:

Travel (airplane operation expenses)	\$ 44,000
Communications (mobile phone fees)	7,311
Repair services	3,994
Advertising	245
Repair parts	3,763
Auto parts	5,903
Miscellaneous	866
Supplies and materials for acquisition of geophysical data	36,000
Total	<u>\$102,082</u>

The equipment line item is increased \$139,200 by adding \$25,000 for double-decking the core storage library and by \$114,200 for motor vehicles, mobile phones, and a logging unit.

The contingency line item of \$250,000 is added to provide funds for seven additional positions should these positions be necessary due to increased oil and gas exploration and development. The funds from this contingency line item can only be expended upon approval of the Emergency Commission.

And when so amended, recommends the same do pass.


 _____ Chairman
 REP. VERNON J. WAGNER

HOUSE Bill No. 1030 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1039, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 1; Absent, 2, that the same

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

be amended as follows:

After the words "Committee on Appropriations" and in the heading line delete the word "COAL" and insert in lieu thereof the word "ENERGY"

On page 1, line 2, delete the word "coal" and insert in lieu thereof the word "energy"

On page 1, line 8, delete the word "coal" and insert in lieu thereof the word "energy"

On page 1, line 9, after the word "fund" insert the words "and the general fund"

On page 1, line 10, delete the word "coal" and insert in lieu thereof the word "energy"

On page 1, line 14, delete the numerals "134,923" and insert in lieu thereof the numerals "223,797"

On page 1, line 15, delete the numerals "90,449" and insert in lieu thereof the numerals "124,760"

On page 1, line 16, delete the numerals "7,600" and insert in lieu

thereof the numerals "8,400"

On page 1, line 17, delete the numerals "15,571,919" and insert in lieu thereof the numerals "22,000,000"

On page 1, delete line 18, and insert in lieu thereof the following:

"Total all funds \$22,356,957"

On page 1, after line 18, insert the following line:

"Less estimated income 12,178,479"

On page 1, line 19, delete the words "impact fund" and insert in lieu thereof the following:

"Total general fund appropriation \$10,178,478"

On page 1, after line 27, insert the following:

"SECTION 3. GRANTS, BENEFITS, AND CLAIMS. Two million dollars of the appropriation from the energy development impact fund included in section 1 of this Act, relating to the grants, benefits, and claims line item, shall be spent only in the event that construction is commenced on a new energy-producing facility during the biennium.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the legislative assembly that if the impact of energy development activities diminish in future bienniums, energy development impact grants should be appropriated from the general fund.

SECTION 5. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$7,070 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. 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 the salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the energy development impact office is increased by \$16,507 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 by adding \$72,367 for an assistant director position. The salaries and wages line item of \$223,797 includes \$7,070 for the state to fund a conversion to a noncontributory retirement plan for employees.

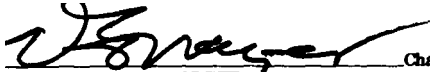
The operating expenses line item is increased by \$34,311 for expenses relating to the new assistant director position.

The equipment line item is increased by \$800 to provide equipment for the new assistant director position.

The grants, benefits, and claims line item is increased by \$6,428,081 to provide a total of \$22 million in energy development impact grants; \$12 million for coal development impact grants and \$10 million, from the general fund, for oil development impact grants.

Funding is changed to reflect the funding of \$12 million in grants plus \$178,479 of the total cost of operating the energy development impact office, from the coal development impact fund; and \$10 million in grants plus \$178,478 of the total cost of operating the office, from the general fund.

And when so amended, recommends the same do pass.

 Chairman

HOUSE

REP. VERNON E. WAGNER

Bill No.

1039

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. 1040, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 6; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15, delete the numerals "5,141,604" and insert in lieu thereof the numerals "5,321,590"

On page 1, line 16, delete the numerals "2,817,125" and insert in lieu thereof the numerals "2,621,925"

On page 1, line 19, delete the numerals "1,345,850" and insert in lieu thereof the numerals "745,850"

On page 1, line 25, delete the numerals "11,927,871" and insert in lieu thereof the numerals "11,312,657"

On page 1, after line 25, insert the following new section:

"SECTION 2. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$165,368 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 Game and Fish Department are increased by \$254,658 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 \$165,368 for the state funding of the employees' share of PERS. The salaries and wages line item is reduced by \$74,672 for two new positions, a biologist II and an accountant technician II which are not allowed. The operating expense line item is reduced by \$10,904 to provide for nine percent inflation increases per year during the next biennium. Also, printing is reduced by \$40,549, automobile fuel is reduced by \$112,786, and miscellaneous supplies are reduced by \$30,961 to adjust these items to lower spending levels. The capital improvements line item is reduced by \$600,000 for land acquisition of which \$150,000 is license and other moneys and \$450,000 is in federal funds.

And when so amended, recommends the same do pass.

Vernon E. Wagner

Chairman

REP. VERNON E. WAGNER

Bill No. 1040

HOUSE was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1076, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 3; Absent, 3, that the same

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

be amended as follows:

On page 8 of the engrossed bill, line 18, delete the numerals "182,000" and insert in lieu thereof the numerals "117,000"

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment deletes \$35,000 for a technician position and reduces professional fees by \$30,000

Vernon E. Wagner

Chairman

REP. VERNON E. WAGNER

Bill No. 1076

HOUSE was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1077, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 1, that the same

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

be amended as follows:

On page 1, line 1, after the word "BILL" delete through page 16, line 35 of the bill, and insert in lieu thereof the following: "for an ACT to create and enact chapter 61-16.1 of the North Dakota Century Code, relating to the establishment of proposed water resource district boundaries by the state engineer; powers, duties, and responsibilities of the water resource board; revenue bonds; development of master plans; financing of water-related projects; procedures for construction of water resource projects; to amend and reenact sections 61-01-06, 61-16-05, 61-16-06, 61-16-07, 61-16-08, 61-16-09, 61-21-01, 61-21-11, and 61-21-41 of the North Dakota Century Code, relating to water management districts and watercourses and assessment drains; to repeal sections 61-01-22, 61-16-01, 61-16-10 through 61-16-51, 61-21-04, 61-21-05, 61-21-06, 61-21-07, 61-21-08, and 61-21-09 of the North Dakota Century Code, relating to drainage permits, powers and duties of water management districts, and of boards of drainage commissioners; to provide a penalty; and to provide a partial delayed effective date.

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

SECTION 1. Chapter 61-16.1 of the North Dakota

Century Code is hereby created and enacted to read as follows:

61-16.1-01. LEGISLATIVE INTENT AND PURPOSE. The legislative assembly of North Dakota recognizes and declares that the general welfare and the protection of the lives, health, property, and the rights of all people of this state require that the management, conservation, protection, development and control of waters in this state, navigable or nonnavigable, surface or subsurface, the control of floods, the prevention of damage to property therefrom, involve and necessitate the exercise of the sovereign powers of this state and are affected with and concern a public purpose. To realize these objectives it is hereby declared to be the policy of the state to provide for the management, conservation, protection, development, and control of water resources and for the prevention of flood damage in the watersheds of this state and thereby to protect and promote the health, safety, and general welfare of the people of this state.

The legislative assembly further recognizes the significant achievements that have been made in the management, conservation, protection, development, and control of our water and related land resources, and declares that the most efficient and economical method of accelerating these achievements is to establish water resource districts encompassing all of the geographic area of the state, and emphasizing hydrologic boundaries.

61-16.1-02. DEFINITIONS. In this chapter, unless the context or subject matter otherwise provides:

1. "Affected landowners" means landowners whose land is subject to special assessment or condemnation for a project.
2. "Assessment drain" means any natural watercourse opened, or proposed to be opened, and improved for the purpose of drainage, and any artificial drain of any nature or description constructed for the purpose of drainage, including dikes and appurtenant works, which are financed in whole or in part by special assessment. This definition may include more than one watercourse or artificial channel constructed for the purpose of drainage when the watercourses or channels drain land within a practical drainage area.
3. "Commission" means the state water commission.
4. "Conservation" means planned management of water resources to prevent exploitation, destruction, neglect, or waste.
5. "District" means a water resource district.
6. "Person" means any person, firm, partnership, association, corporation, agency, or any other private or governmental organization, which includes, but is not limited to, any agency of the United States, a state agency, or any political subdivision of the state.
7. "Project" means any undertaking for water conservation, flood control, water supply, water delivery, erosion control and watershed improvement, drainage of surface waters, collection, processing, and treatment of sewage, or discharge of sewage effluent, or any combination thereof, including incidental features of any such undertaking.

6. "Water resource board" means the water resource district's board of managers.

61-16.1-03. WATER RESOURCE DISTRICTS - BOUNDARIES.
In furtherance of the policy set forth in section 61-16.1-01, the state engineer is hereby authorized and directed to establish proposed boundaries of water resource districts. The determinations of the state engineer shall be submitted to the legislative council, or an interim committee designated by the legislative council, for review. The proposed boundaries established by the state engineer, shall not be implemented without the enactment of appropriate enabling legislation by the forty-eighth legislative assembly. When establishing proposed boundaries the state engineer shall employ the following guidelines and criteria:

1. The primary objective shall be to establish boundaries which provide for effective coordination, planning, development, and general management of areas which have related water resource issues. To the extent that this primary objective will be accomplished, these areas shall be determined according to hydrologic patterns, utilizing recognized river basins of the state. However, existing boundaries of counties, townships, and other political subdivisions or taxing districts shall be followed wherever feasible and consistent with the primary objective of this section. Where appropriate and necessary for more efficient development and general management, two or more districts may be created within a river basin.
2. The state engineer shall prepare suggested boundaries, and shall send such suggested boundaries and associated material to each water management district and county auditor in the state. Not less than thirty days later, the state engineer shall arrange a meeting with the water management districts and county auditors in each area of the state to establish water resource district boundaries in accordance with this section. The state engineer shall then be required to hold extensive public hearings in each affected area. Notice of such public hearings shall be published at least once a week for the two consecutive weeks immediately preceding the hearing in the newspaper or newspapers of general circulation in each area, and for the same time period in the official county newspaper of each county encompassing or encompassed by, in whole or in part, the affected area. In determining and establishing the boundaries for districts, due recognition and emphasis shall be given to the wishes of the local people, the affected water management districts, and any affected county administrative officials, consistent with these guidelines and criteria.
3. Watershed boundaries shall follow approximate hydrologic patterns except where doing so would divide a section or a city, or would produce similar incongruities which might hinder the effective operation of the districts.
4. Districts shall be of sufficient size to provide adequate finances and administration for plans of improvement, and at the same time provide for optimum local representation."

- On page 17, line 9, delete the numerals "61-16.1-15" and insert in lieu thereof the numerals "61-16.1-04"
- On page 17, line 17, delete the word "electors" and insert in lieu thereof the word "residents"
- On page 17, line 20, delete the numerals "61-16.1-16" and insert in lieu thereof the numerals "61-16.1-05"
- On page 17, line 31, delete the numerals "61-16.1-17" and insert in lieu thereof the numerals "61-16.1-06"
- On page 18, line 6, delete the numerals "61-16.1-25" and insert in lieu thereof the numerals "61-16.1-14"
- On page 18, line 9, delete the words "The estimates of necessary expenditures and the tax" and insert in lieu thereof the following: "Each county auditor shall transmit the same to the board of county commissioners of his or her county. The board of county commissioners shall either disapprove the budget, amend and approve the budget as amended, or approve the budget as submitted and, if approved as amended or as submitted, the board shall"
- On page 18, delete lines 10 through 22
- On page 18, line 23, delete the following: "published estimates. The board shall then"
- On page 18, line 24, delete the words "or county auditors"
- On page 18, delete line 25
- On page 18, line 26, delete the word "district"
- On page 19, line 8, delete the numerals "61-16.1-18" and insert in lieu thereof the numerals "61-16.1-07"
- On page 19, line 29, delete the numerals "61-16.1-19" and insert in lieu thereof the numerals "61-16.1-08"
- On page 20, line 25, delete the numerals "61-16.1-20" and insert in lieu thereof the numerals "61-16.1-09"
- On page 21, line 4, after the period, insert the following sentence: "Revenue bonds shall not be a general obligation of any county, and shall not be secured by property taxes."
- On page 21, line 5, delete the numerals "61-16.1-21" and insert in lieu thereof the numerals "61-16.1-10"
- On page 25, line 28, delete the following: "Require the state highway department, railroads,"
- On page 25, delete line 29
- On page 25, line 30, delete the word "coordinate" and insert in lieu thereof the word "Coordinate"
- On page 25, line 31, delete the words "with the"
- On page 25, line 32, delete the following: "district,"
- On page 25, line 33, delete the comma and words ", and to" and insert in lieu thereof the following: ". The state highway department, railroads, counties, and townships shall cooperate with the districts in this effort. Each district shall also"
- On page 25, line 35, delete the word "into" and insert in lieu thereof the following: ", where appropriate, as a part of"

- On page 26, line 1, delete the numerals "61-16.1-22" and insert in lieu thereof the numerals "61-16.1-11"
- On page 26, line 13, delete the following: "Upon order of the state water commission, to" and insert in lieu thereof the word "To"
- On page 26, line 17, delete the words "If the districts of a river basin"
- On page 26, delete lines 18 through 21
- On page 27, line 13, delete the numerals "61-16.1-23" and insert in lieu thereof the numerals "61-16.1-12"
- On page 29, line 5, delete the numerals "61-16.1-24" and insert in lieu thereof the numerals "61-16.1-13"
- On page 29, line 31, delete the numerals "61-16.1-25" and insert in lieu thereof the numerals "61-16.1-14"
- On page 31, line 4, delete the numerals "61-16.1-26" and insert in lieu thereof the numerals "61-16.1-15"
- On page 32, line 9, delete the numerals "61-16.1-27" and insert in lieu thereof the numerals "61-16.1-16"
- On page 32, line 22, delete the numerals "61-16.1-28" and insert in lieu thereof the numerals "61-16.1-17"
- On page 32, line 34, delete the numerals "61-16.1-29" and insert in lieu thereof the numerals "61-16.1-18"
- On page 33, line 8, delete the numerals "61-16.1-30" and insert in lieu thereof the numerals "61-16.1-19"
- On page 34, line 1, delete the numerals "61-16.1-31" and insert in lieu thereof the numerals "61-16.1-20"
- On page 34, line 28, delete the numerals "61-16.1-32" and insert in lieu thereof the numerals "61-16.1-21"
- On page 35, line 16, delete the numerals "61-16.1-33" and insert in lieu thereof the numerals "61-16.1-22"
- On page 35, line 18, delete the numerals "61-16.1-32" and insert in lieu thereof the numerals "61-16.1-21"
- On page 35, line 19, delete the numerals "61-16.1-36" and insert in lieu thereof the numerals "61-16.1-25"
- On page 36, line 13, after the word "reside" and before the period insert the following: ", and in the official county newspaper of each county in which the benefited lands are located"
- On page 36, line 18, after the word "landowners" insert the following: ", and the governing body of any county, township, or city to be assessed,"
- On page 36, line 23, delete the numerals "61-16.1-34" and insert in lieu thereof the numerals "61-16.1-23"
- On page 36, line 24, after the word "landowners" insert the following: ", and any county, township, or city to be assessed,"
- On page 36, line 26, after the word "landowners" insert the following: ", and the governing body of any county, township, or city to be assessed,"
- On page 36, line 35, delete the words "of affected"
- On page 37, line 1, delete the word "landowners"
- On page 37, line 4, delete the words "of affected landowners"

- On page 37, line 5, delete the numerals "61-16.1-35" and insert in lieu thereof the numerals "61-16.1-24"
- On page 37, line 10, delete the numerals "61-16.1-36" and insert in lieu thereof the numerals "61-16.1-25"
- On page 37, line 11, delete the numerals "61-16.1-37" and insert in lieu thereof the numerals "61-16.1-26"
- On page 37, line 19, delete the numerals "61-16.1-35" and insert in lieu thereof the numerals "61-16.1-24"
- On page 37, line 29, after the period insert the following sentence: "The governing body of any county, township, or city to be assessed shall also have one vote for each dollar of assessment against such city, township, or city."
- On page 38, line 1, delete the numerals "61-16.1-36" and insert in lieu thereof the numerals "61-16.1-25"
- On page 38, line 2, delete the word "of" and insert in lieu thereof the word "to"
- On page 38, line 4, delete the numerals "61-16.1-33" and insert in lieu thereof the numerals "61-16.1-22"
- On page 38, line 22, delete the numerals "61-16.1-31" and insert in lieu thereof the following: "section 61-16.1-20"
- On page 38, line 34, after the word "thereon" insert the words "from its general fund or"
- On page 38, line 35, delete the comma and words ", and no" and insert in lieu thereof a period
- On page 39, delete lines 1 through 2
- On page 39, line 3, delete the following: "district board" and delete the word "an" and insert in lieu thereof the word "any"
- On page 39, line 12, delete the numerals "61-16.1-37" and insert in lieu thereof the numerals "61-16.1-26"
- On page 39, line 17, after the word "district" insert the words "and in the official county newspaper of each county in which the benefited lands are located"
- On page 40, line 1, delete the numerals "61-16.1-38" and insert in lieu thereof the numerals "61-16.1-27"
- On page 40, line 2, delete the numerals "61-16.1-37" and insert in lieu thereof the numerals "61-16.1-26", and delete the words "landowners subject to"
- On page 40, delete lines 3 and 4
- On page 40, line 5, delete the words "this section. Affected landowners" and insert in lieu thereof the words "affected landowners, and any political subdivision subject to assessment"
- On page 40, line 7, delete the numerals "61-16.1-35" and insert in lieu thereof the numerals "61-16.1-24"
- On page 40, line 21, after the word "landowner" insert the words "or political subdivision", and after the word "who" insert the words "or which"
- On page 40, line 22, after the word "he" insert the words "or it"
- On page 40, line 26, after the word "landowner" and before the comma insert the words "or political subdivision"

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On page 40, line 27, after the word "landowner" and before the comma insert the words "or political subdivision"

On page 40, line 30, delete the numerals "61-16.1-39" and insert in lieu thereof the numerals "61-16.1-28"

On page 41, line 17, delete the numerals "61-16.1-40." and insert in lieu thereof the words and numerals "61-16.1-29. FINANCIAL REPORTS -", and delete the words "During the" and insert in lieu thereof the following:

"On the first Monday of each month the district treasurer shall report to the water resource board in writing the amount of money in the treasury, the receipts, if any, in the preceding month and the amount and items of expenditure during that month. The report shall be verified and filed with the secretary of the district. A verified copy of the report shall also be filed in the office of the county auditor of each county in which the district lies and shall be open to public inspection.

During the month of June of each year the water resource board shall prepare a complete statement of the condition of the finances of the district and shall cause the same to be filed with the county auditor of each county in which the district lies on or before July first next following. Such statement shall show separately, and in detail, the condition and resources of each and every assessment fund for the payment of project warrants of the district, including the amount of any anticipated deficit and the apportionment thereof. At its July meeting next following the filing of the statement of condition of any district, the board of county commissioners shall examine the statement and make inquiry regarding same to determine whether or not the district has defaulted or may soon default on payment of its financial obligations as the same become due.

Whenever all special assessments collected for a project are insufficient to pay the special assessment warrants issued against such project, coming due within the following thirteen months, with interest, the board of county commissioners of each of the counties wherein the district lies shall advance to the district project warrant fund an amount sufficient to pay the deficiency attributable to benefited property in each county. If it appears to the board at any time that a deficiency exists or is likely to occur within one year in such project warrant fund for the payment of principal or interest due or to become due on such warrants, the board of county commissioners of each of the counties wherein the district lies, in order to forestall imminent deficiency in such fund or to promptly restore the ability of such fund to pay principal and interest punctually as the same become due, shall advance to such project fund the amount necessary to cover the anticipated deficiency attributable to benefited property in such county. In order to make such advances, the board of county

commissioners of each of the counties shall levy a general tax upon the taxable property in the county, and may issue certificates of indebtedness against levies so made, or shall pay such advances from its general fund. Advances made by the county or counties shall be obligations of the district to be met out of any surplus in the district project warrant fund, and future district budgets and tax levies for the district after provision has been made for necessary current expenses. No tax limitation provided by any statute of this state shall apply to tax levies made by any county for the purpose of making any advances in accordance with the provisions of this section."

On page 41, delete lines 18 through 35

On page 42, delete lines 1 through 8

- On page 42, line 9, delete the numerals "61-16.1-41" and insert in lieu thereof the numerals "61-16.1-30"
- On page 42, line 11, after the word "landowner" insert the words "or political subdivision which has been assessed"
- On page 42, line 12, delete the comma
- On page 42, line 16, after the word "district" insert the words "and in the official county newspaper of each county in which the benefited lands are located"
- On page 42, line 31, delete the numerals "61-16.1-42" and insert in lieu thereof the numerals "61-16.1-31"
- On page 43, line 3, delete the numerals "61-16.1-43" and insert in lieu thereof the numerals "61-16.1-32"
- On page 43, line 18, delete the word "levied" and insert in lieu thereof the word "assessed"
- On page 44, line 1, delete the numerals "61-16.1-44" and insert in lieu thereof the numerals "61-16.1-33"
- On page 44, line 9, delete the numerals "61-16.1-45" and insert in lieu thereof the numerals "61-16.1-34"
- On page 44, line 24, delete the numerals "61-16.1-46" and insert in lieu thereof the numerals "61-16.1-35"
- On page 45, line 14, delete the words "to the district"
- On page 45, line 15, delete the numerals "61-16.1-47" and insert in lieu thereof the numerals "61-16.1-36"
- On page 46, line 4, delete the numerals "61-16.1-48" and insert in lieu thereof the numerals "61-16.1-37"
- On page 47, line 3, delete the numerals "61-16.1-49" and insert in lieu thereof the numerals "61-16.1-38"
- On page 47, line 29, delete the numerals "61-16.1-50" and insert in lieu thereof the numerals "61-16.1-39"
- On page 48, line 11, delete the numerals "61-16.1-51" and insert in lieu thereof the numerals "61-16.1-40"
- On page 49, line 12, delete the numerals "61-16.1-52" and insert in lieu thereof the numerals "61-16.1-41"
- On page 49, line 27, delete the numerals "61-16.1-53" and insert in lieu thereof the numerals "61-16.1-42"
- On page 49, line 32, delete the numerals "61-16.1-54" and insert in lieu thereof the numerals "61-16.1-43"
- On page 49, line 33, delete the numerals "61-16.1-52" and insert in lieu thereof the numerals "61-16.1-41"
- On page 49, line 34, delete the numerals "61-16.1-53" and insert in lieu thereof the numerals "61-16.1-42"
- On page 50, line 3, delete the numerals "61-16.1-55" and insert in lieu thereof the numerals "61-16.1-44"
- On page 50, line 11, delete the numerals "61-16.1-56" and insert in lieu thereof the numerals "61-16.1-45"
- On page 50, line 18, delete the numerals "61-16.1-57" and insert in lieu thereof the numerals "61-16.1-46"
- On page 50, line 30, delete the numerals "61-16.1-58" and insert in lieu thereof the numerals "61-16.1-47"
- On page 50, line 34, delete the numerals "61-16.1-59" and insert in lieu thereof the numerals "61-16.1-48"

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- On page 51, line 6, delete the numerals "61-16.1-60" and insert in lieu thereof the numerals "61-16.1-49"
- On page 51, line 29, delete the numerals "61-16.1-61" and insert in lieu thereof the numerals "61-16.1-50"
- On page 52, line 4, delete the numerals "61-16.1-62" and insert in lieu thereof the numerals "61-16.1-51"
- On page 52, line 14, delete the numerals "61-16.1-62" and insert in lieu thereof the numerals "61-16.1-51"
- On page 53, line 23, delete the numerals "61-16.1-63" and insert in lieu thereof the numerals "61-16.1-52"
- On page 55, line 18, delete the numerals "61-16.1-64" and insert in lieu thereof the numerals "61-16.1-53"
- On page 55, line 24, delete the numerals and words "61-16.1-32 through 61-16.1-73" and insert in lieu thereof the numerals and words "61-16.1-21 through 61-16.1-26"
- On page 56, line 5, delete the numerals "61-16.1-65" and insert in lieu thereof the numerals "61-16.1-54"
- On page 56, line 14, delete the numerals "61-16.1-35" and insert in lieu thereof the numerals "61-16.1-24"
- On page 56, line 15, delete the numerals "61-16.1-66" and insert in lieu thereof the numerals "61-16.1-55"
- On page 56, line 22, delete the numerals "61-16.1-41" and insert in lieu thereof the numerals "61-16.1-30"
- On page 56, line 32, delete the numerals "61-16.1-67" and insert in lieu thereof the numerals "61-16.1-56"
- On page 57, line 5, delete the numerals "61-16.1-68" and insert in lieu thereof the numerals "61-16.1-57"
- On page 58, line 1, delete the numerals and words "61-16.1-52 through 61-16.1-55" and insert in lieu thereof the numerals and words "16-16.1-41 through 61-16.1-44"
- On page 58, line 8, delete the numerals "61-16.1-69" and insert in lieu thereof the numerals "61-16.1-58"
- On page 58, line 16, delete the numerals "61-16.1-70" and insert in lieu thereof the numerals "61-16.1-59"
- On page 59, line 20, delete the numerals "61-16.1-71" and insert in lieu thereof the numerals "61-16.1-60"
- On page 60, line 21, delete the numerals "61-16.1-52" and insert in lieu thereof the numerals "61-16.1-41"
- On page 60, line 22, delete the numerals "61-16.1-55" and insert in lieu thereof the numerals "61-16.1-44"
- On page 60, line 24, delete the numerals "61-16.1-72" and insert in lieu thereof the numerals "61-16.1-61"
- On page 61, line 28, delete the numerals "61-16.1-52" and insert in lieu thereof the numerals "61-16.1-41"
- On page 61, line 29, delete the numerals "61-16.1-55" and insert in lieu thereof the numerals "61-16.1-44"
- On page 61, line 31, delete the numerals "61-16.1-73" and insert in lieu thereof the numerals "61-16.1-62"
- On page 62, after line 5, insert the following new section:

"61-16.1-63. WATER RESOURCE DISTRICTS - ASSUMPTION OF ASSETS AND LIABILITIES OF DRAIN BOARDS. Beginning on July 1, 1981, each water resource district shall assume

all assets, liabilities, and obligations of any county drain board whose territory is included within the boundaries of the water resource district. When the jurisdiction of any county drain board is included within two or more water resource districts, the county auditor shall determine the apportionment of any assets, liabilities, and obligations. Such apportionment shall be based on the proportionate amount of taxable valuation included in each district, except that special assessment projects and funds, property interests, and physical assets attached to the land shall be assumed by the water resource district in which the project is located. Property interests and physical assets attached to the land shall be assumed by the district in which they are located. Prior to February 1, 1983, and for review by each affected water resource board, each water management district and county drain board shall have a certified public accountant prepare a final audit of its financial records, including all special assessment funds and obligations, assets, and other liabilities. All necessary actions to accomplish the transfer of assets and obligations under this section shall be complete prior to January 1, 1982."

On page 62, after line 18, insert the following:

"SECTION 3. AMENDMENT. Section 61-16-05 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-05. WATER MANAGEMENT RESOURCE DISTRICTS - AREA TO BE INCLUDED. All land in North Dakota shall be within a water management resource district.

SECTION 4. AMENDMENT. Section 61-16-06 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-06. ORDER CREATING WATER MANAGEMENT RESOURCE DISTRICT. A certified copy of the order creating a water management resource district shall be filed with the county auditor of each county within the district. A like copy of the order shall be filed with the secretary of state. The secretary of state shall issue to the state water conservation commission his certificate, bearing the seal of the state, of the due organization of the district, and shall file a copy of the certificate and the commission's order creating the district. The secretary of state's certificate, or a copy authenticated by him, shall be prima facie evidence of the organization of the district. This new district shall be, and is hereby declared to be, a governmental agency, and a body politic and corporate with the authority to exercise the powers specified in this chapter, or which may be reasonably implied to exercise such powers. The commission's order shall specify the name or number by which a district shall be known.

SECTION 5. AMENDMENT. Section 61-16-07 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-07. WATER RESOURCE BOARD OF COMMISSIONERS - APPOINTMENT AND NUMBER. When a water management resource district has been created, and the state water conservation commission has filed notice with the county auditor of a county where the district or a part thereof is situated, a water resource board of ~~district commissioners~~ shall be appointed within ninety days, as provided herein. If the district's boundaries are confined to one county, the board of county commissioners shall appoint a ~~district water resource board~~ consisting of three or five ~~commissioners~~ managers. When a district includes two counties, the water resource board of ~~commissioners~~ shall consist of five members managers: three appointed by the board of county commissioners of

the county having the larger aggregate taxable valuation of property, and two appointed by the board of county commissioners of the other county. If a district includes three counties, the water resource board of commissioners shall consist of five members managers: one appointed by the board of county commissioners having the lowest aggregate taxable valuation of property in the district, and two appointed by the board of county commissioners of each of the other two counties. If a district includes four or six counties, the water resource board of commissioners shall consist of two members from the county having the largest aggregate taxable valuation of property in the district, and one member manager from each of the other counties. If a district includes five or seven counties, the water resource board of commissioners shall consist of one member manager from each county. Appointments to the water resource board of commissioners shall be made by the boards of county commissioners of the respective counties.

SECTION 6. AMENDMENT. Section 61-16-08 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-08. ELIGIBILITY FOR APPOINTMENT TO BOARD - TERM OF OFFICE - REMOVAL - FILLING VACANCIES - COMPENSATION OF COMMISSIONERS MANAGERS. When a water management resource district has been created, any resident landowner in the district, except a county commissioner, shall be eligible, subject to the provisions of this section, for appointment to the water resource board of commissioners thereof. The terms of office of commissioners managers appointed to the first district water resource board shall be determined by lot and shall be as herein provided. If such district water resource board shall consist of three commissioners managers, one commissioner manager shall hold office for a term of two years, one shall serve for a term of three years, and one shall serve for a term of five years from the first day of January next following the date of their appointment. After expiration of the first term to expire after January 1, 1983 1982, at least one of the commissioners managers appointed to a three-member district board shall be from a flood prone area, if any, within the district. When a district board consists of five commissioners managers, two commissioners managers shall hold office for the term of two years, one for three years, one for four years, and one commissioner manager for a term of five years from the first day of January next following the date of their appointment respective appointments. After expiration of the first two terms to expire after January 1, 1980 1982, at least two of the commissioners managers appointed to a five-member district board shall be from flood prone areas, if any, within the district. When a board shall consist of seven commissioners managers, two commissioners managers shall hold office for two years, two for three years, two for four years, and one for five years from the first day of January next following the date of their appointment. After expiration of the first three terms to expire after January 1, 1980 1982, at least three of the commissioners managers appointed to a seven-member district board shall be from flood prone areas, if any, within the district. For the purposes of this section, a flood prone area is a flood plain area of a river subject to periodic and reoccurring flooding. When the term of office of a district commissioner manager has expired, his successor shall hold office for five years from the first day of January next following the date of his appointment. The term of office of a commissioner manager shall not terminate until his successor in office is appointed and qualified. In case the office of any district commissioner manager shall become vacant, the commissioner manager appointed to fill the vacancy shall

serve the unexpired term of the ~~member-of-the-board manager~~ whose office became vacant.

Each member of the water resource board of ~~commissioners~~ shall receive the sum of forty-five dollars per day while performing his duties as a member of the board, and an allowance for meals and lodging expenses at the same rate and under the same conditions as provided for state officials and employees. The allowance for travel expenses shall be at the same rate as provided by section 11-10-15 and shall be evidenced by a subvoucher or receipt as provided by section 21-05-01.

A ~~commissioner~~ manager may be removed from the board by the board of county commissioners after it appears to the board of county commissioners by competent evidence, and after a public hearing, if so requested by the ~~commissioner~~ manager subject to removal, at which hearing such ~~commissioner~~ manager must be apprised of and allowed ample opportunity to repudiate such evidence, that such ~~commissioner~~ manager has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, habitual drunkenness, gross incompetency, or inability to perform the duties of office for reasons of health.

SECTION 7. AMENDMENT. Section 61-16-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16-09. OATH OF OFFICE - ORGANIZATION OF WATER RESOURCE BOARD OF COMMISSIONERS - APPOINTMENT OF EMPLOYEES - MEETINGS. Upon receiving notice of his appointment as member of the water resource board of commissioners of a water conservation and flood control district, such appointee shall take the oath of office prescribed for civil officers. Such oath shall be filed with the secretary of the board ~~after organization thereof as herein provided~~. Notice of the appointment of a member or members of a water resource board of commissioners shall be mailed to the state water conservation commission. Such notice shall state the name and post-office address of each appointee and the date of his appointment.

~~The commissioners appointed, after establishment of a water conservation and flood control district, shall meet to organize at a time and place designated by the state engineer and shall organize by selecting a chairman of the board and naming a temporary secretary pending appointment of a permanent secretary. A majority of the commissioners managers shall constitute a quorum for the transaction of such business as may come before the board but any number may adjourn a meeting for want of a quorum. The water resource board shall appoint a secretary and treasurer and such other employees as shall be deemed needed for the efficient conduct of the district's business and shall fix their compensation. The offices of secretary and treasurer may be held by the same person. Officers and employees shall hold office during at the pleasure of the board.~~

The board shall provide an office suitable for its use as a meeting place and for conducting the affairs of the district. It shall adopt such rules ~~or regulations~~ for transacting the business of the district as it may deem necessary, including the time and place of holding regular meetings of the board. Special meetings may be called by the secretary on order of the chairman of the board or upon written request of two members of the board. Notice of a special meeting shall be mailed to each member of the board at least five days before any such meeting, provided that a special meeting may be held whenever all members of the board are present or consent thereto in writing."


On page 64, delete lines 21 through 31 and insert in lieu thereof the following:

"SECTION 8. REPEAL. Sections 61-16-10, 61-16-24, 61-16-25, 61-16-26, 61-16-27, 61-16-30, 61-16-31, 61-16-37, 61-16-38, 61-16-39, 61-16-40, and 61-16-43 of the North Dakota Century Code and sections 61-01-22, 61-16-01, 61-16-11, 61-16-11.1, 61-16-12, 61-16-13, 61-16-14, 61-16-15, 61-16-17, 61-16-18, 61-16-19, 61-16-19.1, 61-16-21, 61-16-22, 61-16-23, 61-16-26.1, 61-16-28, 61-16-28.1, 61-16-29, 61-16-32, 61-16-33, 61-16-34, 61-16-34.1, 61-16-35, 61-16-36, 61-16-44, 61-16-46, 61-16-47, 61-16-48, 61-16-49, 61-16-50, and 61-16-51 of the 1979 Supplement to the North Dakota Century Code are hereby repealed.

SECTION 9. REPEAL - EFFECTIVE DATE. Sections 61-21-05, 61-21-06, 61-21-07, 61-21-08, and 61-21-09 of the North Dakota Century Code and sections 61-21-03 and 61-21-04 of the 1979 Supplement to the North Dakota Century Code are hereby repealed. This section shall not take effect until January 1, 1982."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

 Chairman
Rep. Kloubec

HOUSE Bill No. 1077 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. 1083, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 4; Absent, 0, that the same

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

be amended as follows:

On page 1 of the engrossed bill, line 5, delete the following: "50-01-09.2,"

On page 1 of the engrossed bill, line 13, delete the word "and"

On page 1 of the engrossed bill, line 17, after the word "purposes" and before the period insert the following: "; and to provide an appropriation"

On page 7 of the engrossed bill, delete lines 33 through 35

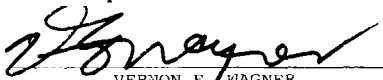
On page 8 of the engrossed bill, delete lines 1 through 23

On page 18 of the engrossed bill, after line 10, add the following new section:

"SECTION 25. APPROPRIATION. There is hereby appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,852,225, or so much thereof as may be necessary, to the social service board of North Dakota for the purpose of carrying out the provisions of this Act in financing AFDC and medical assistance payments for the biennium beginning July 1, 1981, and ending June 30, 1983."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

 Chairman
VERNON E. WAGNER

HOUSE Bill No. 1087 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1105, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

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

be amended as follows:

On page 2, after line 3, insert the following:

"SECTION 2. LEGISLATIVE INTENT. It is hereby declared to be the intent of the legislative assembly in adopting this legislation that it shall be operative and effective only until it is amended, modified, or superseded, after a further interim study by the committee on public employees retirement programs of the legislative council. After such study the committee shall prepare all legislation deemed necessary to reasonably accomplish the goals stated in the title hereof and present it to the forty-eighth legislative assembly for consideration.

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



HOUSE Bill No. 1105 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. 1164, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 0, that the same

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

be amended as follows:

On page 1, line 12, delete "one" and insert in lieu thereof "four"

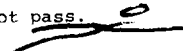
On page 1, line 12, delete "fifteen"

On page 1, line 14, delete "date of"

On page 1, delete lines 15, 16, and 17

And renumber the lines, sections, and pages accordingly

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



HOUSE Bill No. 1164 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. 1213, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 8; Absent, 1, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 2 of the engrossed bill, line 5, delete the numerals "1,600,000" and insert in lieu thereof the numerals "800,000"

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

REP. VERNON E. WAGNER

Chairman

HOUSE

Bill No. 1223

was placed on the 6th

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

JUDICIARY

Mr. Speaker: Your Committee on

to whom was referred HOUSE

Bill No. 1225, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 3, line 11, delete the word "township" and insert in lieu thereof "county"

On page 3, line 18, delete the word "township" and insert in lieu thereof "county"

On page 3, line 24, delete the word "The"

On page 3, delete lines 25 through 27

On page 3, line 28, delete the words and period "this section."

On page 5, line 2, delete the word "thirty" and insert in lieu thereof "fifty"

On page 10, line 23, delete the word "thirty" and insert in lieu thereof "sixty"

On page 20, line 22, after the word "machines" insert "or electronic voting systems"

On page 20, line 24, after the word "machines" insert "or electronic voting systems"

On page 20, line 26, after the word "machines" insert "or electronic voting systems"

On page 24, line 23, after the first comma, insert "insofar as is possible,"

On page 25, line 22, delete the word "where" and insert in lieu thereof "as"

On page 26, line 22, delete the word "eight" and insert in lieu thereof "fifteen"

On page 33, delete lines 11 through 15

On page 41, delete lines 1 through 35

On page 42, delete lines 1 through 6

- On page 43, line 25, delete the word "forty-six" and insert in lieu thereof "fifty-five"
- On page 43, line 26, delete the word "forty-sixth" and insert in lieu thereof "fifty-fifth"
- On page 44, line 26, delete the word "forty-sixth" and insert in lieu thereof "fifty-fifth"
- On page 46, line 14, delete the word "sixty-six" and insert in lieu thereof "seventy"
- On page 46, line 15, delete the word "forty-six" and insert in lieu thereof "fifty-five", and on the same line delete the word "forty-sixth" and insert in lieu thereof "fifty-fifth"
- On page 50, line 7, delete the word "forty-one" and insert in lieu thereof "fifty-five"
- On page 50, line 8, delete the word "forty-first" and insert in lieu thereof "fifty-fifth"
- On page 51, line 28, delete the word "forty-one" and insert in lieu thereof "fifty-five"
- On page 51, line 31, delete the word "thirty-five" and insert in lieu thereof "fifty-five"
- On page 52, line 1, delete the word "forty-first" and insert in lieu thereof "fifty-fifth"
- On page 52, line 7, delete the word "forty-first" and insert in lieu thereof "fifty-fifth"
- On page 52, line 16, delete the word "forty-first" and insert in lieu thereof "fifty-fifth"
- On page 52, line 22, delete the word "forty-first" and insert in lieu thereof "fifty-fifth"
- On page 52, line 34, delete the word "thirty-five" and insert in lieu thereof "fifty"
- On page 59, line 14, delete the words "The clerks" and insert in lieu thereof "Each clerk"
- On page 63, line 14, delete the word "fortieth" and insert in lieu thereof "fifty-fifth"
- On page 63, line 20, delete the word "thirty-fifth" and insert in lieu thereof "fifty-fifth"
- On page 63, line 25, delete the word "thirty-fifth" and insert in lieu thereof "fifty-fifth"
- On page 63, line 35, delete the word "thirty-five" and insert in lieu thereof "fifty"
- On page 64, line 32, delete the word "thirty-five" and insert in lieu thereof "fifty", and on the same line, after the word "days", insert a comma and the words ", and before four p.m. on the fiftieth day"
- On page 64, line 33, after the period insert the following: "If written notice is mailed, it shall be in the physical possession of the appropriate officer before four p.m. on the fiftieth day before the election."
- On page 65, line 19, delete the word "thirty-five" and insert in lieu thereof "fifty-five"
- On page 65, line 20, delete the word "thirty-fifth" and insert in lieu thereof "fifty-fifth"
- On page 65, line 25, delete the word "thirty-fifth" and insert in lieu thereof "fifty-fifth"

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- On page 65, line 35, delete the word "thirty-five" and insert in lieu thereof "fifty-five"
- On page 66, line 2, delete the word "thirty-fifth" and insert in lieu thereof "fifty-fifth"
- On page 66, line 7, delete the word "thirty-fifth" and insert in lieu thereof "fifty-fifth"
- On page 66, line 35, delete the words "the tenth" and insert in lieu thereof "sixty days"
- On page 67, line 1, delete the words "day of October in each general election year" and insert in lieu thereof "prior to the date of election"
- On page 74, line 33, after the word "machine" insert the words "or electronic voting system device"
- On page 74, line 34, delete the words "in machine precincts"
- On page 75, line 19, after the word "MACHINES" insert the following:
"- ELECTRONIC VOTING SYSTEMS"
- On page 84, line 2, after the word "dates" insert "for a period of two years"
- On page 89, line 17, after the period insert the following "Both printed records shall be certified by the election inspector and the two election judges."
- On page 92, line 19, delete the word "five" and insert in lieu thereof "ten"
- On page 94, line 33, delete the word "eight" and insert in lieu thereof "fifteen"
- On page 96, line 12, delete the word "eight" and insert in lieu thereof "fifteen"
- On page 96, line 13, delete the word "eighth" and insert in lieu thereof "fifteenth"
- On page 100, line 16, delete the word "sixteen" and insert in lieu thereof "twenty-five"

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass.



Rep. Conmy Chairman

HOUSE Bill No. 1225 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1242, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 14-09-06.1 of the North Dakota Century Code, relating to the award of child custody."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE

OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 14-09-06.1 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

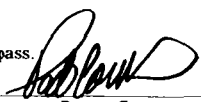
14-09-06.1. AWARDING CUSTODY - BEST INTERESTS AND WELFARE OF CHILD - RIGHTS OF PARENTS. An order for custody of an unmarried child entered pursuant to this chapter, as between parents, shall award the custody of the child to a person, agency, organization, or institution as the parent who will, in the opinion of the judge, promote the best interests and welfare of the child. Between the mother and father parents, whether natural or adoptive, there is no presumption as to who will better promote the best interests and welfare of the child. A natural or adoptive parent is entitled as a matter of right to custody as against every other person or organization unless:

- 1. That parent's rights have been judicially terminated; or
- 2. That parent has abandoned the child; or
- 3. The child has been in the physical custody of another, and for a period of at least one year the parent has failed significantly without justifiable cause to:
 - a. Communicate with the child; or
 - b. Provide for the care and support of the child as required by law or judicial decree.

Nothing contained herein shall prevent a court from entering a temporary or permanent order of custody when otherwise authorized by statute."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

HOUSE Bill No. 1242 Rep. Conmy 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. 1252 has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 1; Absent, 1, that the same

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



Chairman

HOUSE Bill No. 1252 Rep. VERNON E. WARDER was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1262 has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 0; Absent, 2, that the same

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

be amended as follows:

On page 1, line 2, after the first comma insert the word "and", and on the same line delete the second comma and the word and numbers ", and 16-20-15"

On page 1, line 6, delete the comma and the words ", and payment for attending polls or similar"

On page 1, line 7, delete the word "activities"

On page 1, line 10, delete the first comma and insert in lieu thereof "and", and on the same line delete the second comma and the word "and"

On page 1, line 11, delete the following: "16-20-15"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

HOUSE Bill No. 1262 Rep. Conmy 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. 1269, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 8; Absent, 1, that the same

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

be amended as follows:

On page 1, line 10, after the word "labor" insert the words and commas ", roof repair, heating plant repair,"

On page 2, delete line 10 and insert in lieu thereof the following: "from income of the special trust fund created by subdivision 2 of section 7 of initiated measure No. 6 approved on November 4, 1980"

On page 2, line 11, delete the words "not otherwise appropriated"

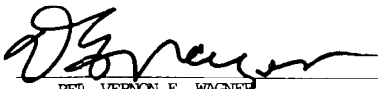
On page 2, line 15, after the word "labor" insert the words and commas ", roof repair, heating plant repair,"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Statement of the Purpose of the Amendment:

This amendment deletes the \$1 million general fund appropriation and provides an appropriation of this same amount from the income on moneys placed in the special trust fund from the 6.5 percent oil extraction tax.



Chairman

REP. VERNON E. WAGNER HOUSE Bill No. 1269 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1277, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 4; Absent, 2, that the same

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

be amended as follows:

On page 2, line 30, delete the second word "uses" and insert in lieu thereof a colon

On page 2, delete lines 31 through 35 and insert in lieu thereof the following:

- a. Uses benefiting those organizations which are exempt from federal taxation under section 501(c) (3) of the Internal Revenue Code.
- b. Uses benefiting an organization registered with the North Dakota secretary of state under chapter 50-22.
- c. Uses benefiting an indefinite number of persons either by bringing them under the influence of education or religion or relieving them of disease suffering, or constraint.
- d. Fraternal uses specified by an organization's constitution, charter, or bylaws not of direct benefit to the eligible organization or any member thereof.
- e. Uses increasing comprehension of and devotion to the principles upon which the nation was founded, not of direct benefit to the eligible organization or any member thereof.
- f. The erection or maintenance of public buildings or works.
- g. Uses otherwise lessening the burden of government.
- h. Uses benefiting a definite number of persons who are the victims of loss of home or household possessions through explosion, fire, flood, or storm and the losses uncompensated by insurance.
- i. Uses benefiting a definite number of persons suffering from a seriously disabling disease or injury causing severe loss of income or incurring extraordinary medical expense which is uncompensated by insurance.

Such uses do not include the erection, acquisition, improvement, maintenance, or repair of real, personal, or mixed property unless it is used exclusively for one or more of the stated uses. Uses shall not include any activities consisting of attempts to influence legislation or participation in any political campaign on behalf of any active official or person who is or has been a candidate for public office."

On page 3, delete lines 1 through 24

On page 4, delete lines 1 through 4

On page 5, line 11, delete the word "NET" and insert in lieu thereof "ADJUSTED GROSS"

On page 5, line 14, delete the words "those terms are"

On page 5, line 16, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 5, line 19, after the word "Act" insert a comma and the words "and distributed according to section 12 of this Act"

On page 5, line 21, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 7, line 2, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 7, line 32, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 8, line 31, delete the words "No item of expense incurred in connection with the"

On page 8, delete lines 32 through 35

On page 9, line 1, delete the words "provided under section 12."

On page 9, line 7, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 9, line 23, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 9, line 27, delete the word "net" and insert in lieu thereof "adjusted gross"

On page 10, line 18, after the third comma insert the word "and"

On page 10, line 19, delete the comma and the words ", and twenty-one"

On page 11, delete lines 5 through 15, and insert in lieu thereof the following:

"SECTION 11. TWENTY-ONE - SALE OF CHIPS - REDEMPTION - WAGER - LIMIT - RULES OF PLAY. Any licensee or other eligible organization may conduct and control the playing of the card game twenty-one on the licensee's or eligible organization's premises, but at no other location. No money shall be allowed on the table. The licensee or eligible organization shall provide playing chips of various denominations to the participants. Chips shall be redeemed by the licensee or eligible organization for their full value. A maximum limit per wager shall be two dollars and no player may play more than two hands. Only the player actually playing a hand may place a wager on any hand. Twenty-one is a card game played by a maximum of seven players and one dealer. The dealer shall be a representative of the eligible organization sponsoring the game of chance. All players play their hand against the dealer's hand. In order to remain in the hand being dealt, neither the player nor the dealer may play a hand with a count greater than twenty-one. A count of twenty-one obtained with two cards is termed a natural twenty-one and is entitled to an automatic pay out. In the case of matching or tie count between the player and the dealer no winner is declared and both persons keep their wager. Each licensee or eligible organization conducting twenty-one shall post rules relating to the conduct of the game in a conspicuous location near where the game is played."

On page 11, line 22, delete the comma and insert in lieu thereof "and all"

On page 11, line 23, delete the comma and words ", and all"

On page 11, line 24, delete the words "expenses for such games of chance"

On page 12, delete lines 3 through 35 and insert in lieu thereof the following:

"3. The adjusted gross proceeds as defined by this Act shall be distributed as follows:

a. A tax of five percent of the adjusted gross proceeds shall be paid to the licensing authority for deposit

into a general fund on a quarterly basis in such manner and upon such forms as shall be prescribed by the licensing authority.

- b. Fifty-five percent of the adjusted gross proceeds shall be dispersed within three months from the last day of the calendar quarter in which such proceeds were earned for permissible uses as defined under subsection 6 of section 1 of this Act.
- c. Forty percent of the adjusted gross proceeds shall be permitted to be retained by the eligible organization as a reimbursement allowance for expenditures relating directly and indirectly to the conduct of games of chance."

On page 14, line 26, delete the word "gambling" and insert in lieu thereof "games of chance"

On page 14, line 34, delete the words "gambling activity" and insert in lieu thereof "games of chance"

And renumber the lines, subsections, sections, and pages accordingly

And when so amended, recommends the same do pass.

Chairman

Rep. Conmy

HOUSE

Bill No. 1277

was placed on the 6th

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

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

to whom was referred HOUSE

Bill No. 1326, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 3, that the same

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

be amended as follows:

On page 1, line 14, delete the following: ", or the sole lessee"

On page 1, line 15, delete the following: "or all the lessees,"

On page 1, line 19, delete the following: ", or the sole lessee or all the lessees,"

On page 1, line 20, after the word "prepared" delete the "," and insert in lieu thereof the word "and" and on the same line after the word "certified" delete ", and"

On page 1, line 21, delete the word "acknowledged"

On page 2, line 2, delete the following: "- APPROVAL OF"

On page 2, line 3, delete the word "OFFICER"

On page 2, line 4, delete the numeral "1." and delete the words "or lessees"

On page 2, line 7, after the word "section" delete the "2" and insert in lieu thereof the number "1"

On page 2, line 8, after the word "surveyor" insert the following: ", if registered,"

On page 2, delete lines 12 through 22

On page 2, line 24, delete the words "or lessees"

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On page 2, line 26, delete the words "owner or lessee's" and insert in lieu thereof the words "owner's"

On page 2, line 28, delete the words "or lessees"

On page 3, line 14, delete the word "the" and insert in lieu thereof the words "a registered" and on the same line delete the word "and"

On page 3, delete line 15

On page 3, line 16, delete the following: "under section 47-19-13 or 47-19-14"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

[Signature] Chairman
Rep. Rued

HOUSE Bill No. 1326 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. 1341, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 5; Absent, 1, that the same

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

[Signature] Chairman
Rep. VERNON E. WAGNER

HOUSE Bill No. 1341 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1349, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 3; Absent, 0, that the same

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

[Signature] Chairman

HOUSE Rep. A. Hausauer Bill No. 1349 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1387, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 6; Absent, 2, that the same

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

[Signature] Chairman
Rep. VERNON E. WAGNER

HOUSE Bill No. 1387 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1427, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

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

be amended as follows:

On page 2, line 13, delete the words "shall be executed in duplicate and"

On page 2, line 19, delete the words "Before allowing any person to sign"

On page 2, delete lines 20 through 22

On page 2, line 23, delete the words and period "over to the county auditor for verification."

On page 4, line 8, delete the words "shall be executed in duplicate and"

On page 4, line 14, delete the words "Before allowing any person to sign"

On page 4, delete lines 15 through 17

On page 4, line 18, delete the words and period "over to the county auditor for verification."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Rep. Conroy Chairman

HOUSE Bill No. 1427 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 1473, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 0; Absent, 2, that the same

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

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 12.1-04-01, 27-20-02, 27-20-09, and subsection 2 of section 27-20-16 of the North Dakota Century Code, relating to the jurisdiction of adult court over traffic offenses committed by a child.

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

SECTION 1. AMENDMENT. Section 12.1-04-01 of the
North Dakota Century Code is hereby amended and reenacted
to read as follows:

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12.1-04-01. JUVENILES. Persons under the age of seven years shall be deemed incapable of commission of an offense defined by the constitution or statutes of this state. The prosecution of any person as an adult shall be barred if the offense was committed when the person was less than sixteen years of age, except for traffic offenses as defined in subsection 9 of section 27-20-02 or for an offense transferred by the juvenile court pursuant to section 27-20-34.

SECTION 2. AMENDMENT. Section 27-20-02 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-20-02. DEFINITIONS. As used in this chapter:

1. "Child" means an individual who is:
 - a. Under the age of eighteen years and is neither married and cohabiting with spouse nor in the military service of the United States; or
 - b. Under the age of twenty years with respect to a delinquent act committed while under the age of eighteen years.
2. ~~"Delinquent act" means an act designated a crime under the law, including local ordinances or resolutions of this state, or of another state if the act occurred in that state, or under federal law, and the crime does not fall under subdivision e of subsection 4 and is not a traffic offense as defined in subsection 10.~~
3. ~~"Delinquent child" means a child who has committed a delinquent act and is in need of treatment or rehabilitation.~~
4. ~~"Unruly child" means a child who:

 - a. ~~is habitually and without justification truant from school;~~
 - b. ~~is habitually disobedient of the reasonable and lawful commands of his parent, guardian, or other custodian and is ungovernable, or who is willfully in a situation dangerous or injurious to the health, safety, or morals of himself or others; or~~
 - c. ~~has committed an offense applicable only to a child; and~~
 - d. ~~in any of the foregoing is in need of treatment or rehabilitation.~~~~
5. ~~"Deprived child" means a child who:

 - a. ~~is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals, and the deprivation is not due primarily to the lack of financial means of his parents, guardian, or other custodian;~~
 - b. ~~has been placed for care or adoption in violation of law; or~~
 - c. ~~has been abandoned by his parents, guardian, or other custodian.~~~~

- 6.--~~"Shelter care" means temporary care of a child in physically unrestricted facilities.~~
- 7.--~~"Protective supervision" means supervision ordered by the court of children found to be deprived or unruly.~~
8. "Custodian" means a person, other than a parent or legal guardian, who stands in loco parentis to the child or a person to whom legal custody of the child has been given by order of a court.
- 9.--~~"Juvenile court" means the district court of this state.~~
- 10.--~~"Traffic offense" means a violation of a law or local ordinance or resolution governing the operation of a vehicle upon the highways of this state, or the waterways within or adjoining this state, by a child who has been issued a valid operator's license or permit if one is required, other than negligent homicide in violation of section 12.1-16-03 and manslaughter resulting from the operation of a motor vehicle.~~
3. "Delinquent act" means an act designated a crime under the law, including local ordinances or resolutions of this state, or of another state if the act occurred in that state, or under federal law, and the crime does not fall under subdivision c of subsection 10 and is not a traffic offense as defined in subsection 9."
4. "Delinquent child" means a child who has committed a delinquent act and is in need of treatment or rehabilitation.
5. "Deprived child" means a child who:
- a. Is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for one child's physical, mental, or emotional health, or morals, and the deprivation is not due primarily to the lack of financial means of one child's parents, guardian, or other custodian;
 - b. Has been placed for care or adoption in violation of law; or
 - c. Has been abandoned by one child's parents, guardian, or other custodian.
6. "Juvenile court" means the district court of this state.
7. "Protective supervision" means supervision ordered by the court of children found to be deprived or unruly.
8. "Shelter care" means temporary care of a child in physically unrestricted facilities.
9. "Traffic offense" means a violation of a law or local ordinance or resolution governing the operation of a vehicle upon the highways of this state, or the waterways within or adjoining this state, by a child who has been issued a valid operator's license or permit if one is required, other than negligent homicide in violation of section 12.1-16-03 and manslaughter resulting from the operation of a motor vehicle.

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10. "Unruly child" means a child who:
- a. Is habitually and without justification truant from school;
 - b. Is habitually disobedient of the reasonable and lawful commands of his parent, guardian, or other custodian and is ungovernable; or who is willfully in a situation dangerous or injurious to the health, safety, or morals of himself or others;
 - c. Has committed an offense applicable only to a child; or
 - d. Has committed a noncriminal traffic offense without ever having been issued an operator's license or permit if one was required; and
 - e. In any of the foregoing instances is in need of treatment or rehabilitation.

SECTION 3. AMENDMENT. Section 27-20-09 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-20-09. TRANSFER FROM OTHER COURTS. If it appears to the court in a criminal proceeding, except for an offense transferred under section 27-20-34, that the defendant is a child subject to the jurisdiction of the juvenile court, the court shall ~~forthwith~~ immediately transfer the case to the juvenile court together with a copy of the accusatory pleading and other papers, documents, and transcripts of testimony relating to the case. It shall order that the defendant be taken ~~forthwith~~ immediately to the juvenile court or to a place of detention designated by the juvenile court, or release ~~him~~ the defendant to the custody of ~~his~~ the defendant's parent, guardian, custodian, or other person legally responsible for ~~him~~ the defendant, to be brought before the juvenile court at a time designated by that court. The accusatory pleading may serve in lieu of a petition in the juvenile court unless that court directs the filing of a petition.

SECTION 4. AMENDMENT. Subsection 2 of section 27-20-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The official in charge of a jail or other facility for the detention of adult offenders or persons charged with crime shall inform the court immediately if a person who is or appears to be a child is received at the facility and shall bring him before the court upon request or deliver him to a detention or shelter care facility designated by the court. The detention of any child for the alleged commission of a traffic offense for which he would be prosecuted as an adult shall be in accordance with subdivisions c and d of subsection 1 of this section.

And renumber the lines, sections and pages accordingly

And when so amended, recommends the same do pass



Rep. Conny _____ Chairman

HOUSE Bill No. 1473 _____ was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1474, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 0, that the same

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

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsections 6 and 7 of section 25-03.1-02, sections 25-03.1-04, 25-03.1-08, 25-03.1-23, 25-03.1-31, and 25-03.1-41 of the North Dakota Century Code, relating to persons who may do an evaluation of a respondent for or give expert testimony in commitment procedures.

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

SECTION 1. AMENDMENT. Subsections 6 and 7 of section 25-03.1-02 of the 1979 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

6. "Expert examiner" means a licensed physician, psychiatrist, or clinical psychologist appointed by the court to examine the respondent. An evaluation of a respondent's physical condition shall be made only by a licensed physician or psychiatrist, ~~while an~~. An evaluation of a an adult respondent's mental status shall be made only by a licensed psychiatrist, neurologist, or clinical psychologist. An evaluation of a minor respondent's mental status shall be made only by a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist.
7. "Independent expert examiner" means a licensed physician, psychiatrist, or clinical psychologist chosen at the request of the respondent to provide an independent evaluation of whether the respondent meets the criteria of a person requiring treatment. An evaluation of a minor respondent's mental status shall be made only by a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist.

SECTION 2. AMENDMENT. Section 25-03.1-04 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-03.1-04. VOLUNTARY ADMISSION. An application for admission to the state hospital or a public treatment facility for observation, diagnosis, care, or treatment as a voluntary patient may be made by any person who is mentally ill, an alcoholic, or a drug addict, or who has symptoms of such illnesses. An application for admission as a voluntary patient may be made on behalf of a minor who is mentally ill, an alcoholic, or a drug addict, or who has symptoms of such illnesses, by his parent or legal guardian. The application may be submitted to a public treatment facility or to the state hospital, both of which shall have the authority to admit and treat the applicant. Upon admittance, the superintendent or the director shall immediately designate a physician, psychiatrist, clinical psychologist, or mental health professional to examine the patient. An evaluation of a

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minor patient's mental status shall be made only by a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist.

SECTION 3. AMENDMENT. Section 25-03.1-08 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-03.1-08. PETITION FOR INVOLUNTARY TREATMENT.

Proceedings for the involuntary treatment of an individual may be commenced by any person eighteen years of age or over by filing a written petition with the clerk of court of the county where the respondent is presently located, or which is the respondent's place of residence. The clerk of court shall assist the person in completing the petition. The petition shall contain assertions that the respondent is the person requiring the treatment; the facts, in detail, that are the basis of that assertion; the names and addresses, if known, of any witnesses to such facts; and, if known, the name and address of the nearest relative or guardian of the respondent, or, if none, of a friend of the respondent. The petition may be accompanied by any of the following:

1. A written statement supporting the petition from a psychiatrist, physician, or clinical psychologist who has personally examined the respondent within forty-five days of the date of the petition. If respondent is a minor, the supporting statement shall be made only by a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist.
2. One or more supporting affidavits otherwise corroborating the petition.
3. Corroborative information obtained and reduced to writing by the clerk of court, but only when it is not feasible to comply with, or when he considers it appropriate to supplement, the information supplied pursuant to either subsection 1 or 2.

SECTION 4. AMENDMENT. Section 25-03.1-23 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-03.1-23. PETITION FOR CONTINUING TREATMENT ORDERS.

A petition for an order authorizing continuing treatment shall contain: a statement setting forth the reasons for the superintendent's or director's determination that the patient continues to be a person requiring treatment; a statement describing the treatment program provided to the patient and the results of that treatment; and a clinical estimate as to how long further treatment will be required. The petition shall be accompanied by a certificate executed by a physician, psychiatrist, or clinical psychologist. If the patient is a minor the certificate shall be executed only by a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist. The court shall set a hearing date which shall be within fourteen days of the date of service of the petition.

SECTION 5. AMENDMENT. Section 25-03.1-31 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-03.1-31. REVIEW OF CURRENT STATUS OF CONTINUING TREATMENT. Every individual subject to an order of continuing treatment has the right to regular, adequate, and prompt review of his current status as a person requiring treatment and in need of hospitalization. Six months from the date of an order of continuing treatment, and every year thereafter, the director or superintendent where an individual is hospitalized

shall review his status as a person requiring treatment and in need of hospitalization. The results of each periodic review conducted under this chapter shall be made part of the patient's record, and shall be filed within five days of the review, in the form of a written report, with the court where the facility is located. Within this five-day period, the director or superintendent shall give notice of the results of the review to the patient, his attorney, and his nearest relative or guardian.

If a periodic review report concludes that the patient continues to require treatment and hospitalization, and the patient objects to either or both of those conclusions, the patient shall have the right to a hearing, an independent evaluation, and may petition the court for discharge. This petition may be presented to the court or a representative of the hospital or facility within seven days, excluding weekends and holidays, after the report is received. If the petition is presented to a representative of the hospital or facility, he shall transmit it to the court forthwith. The petition shall be accompanied by a report from a physician,

psychiatrist, or clinical psychologist setting forth the reasons for his or her conclusions that the patient no longer is a person requiring treatment or in need of hospitalization. If the patient is a minor, the petition shall be accompanied by a report from a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist. If no such report accompanies the petition because the patient is indigent or is unable for reasons satisfactory to the court to procure such a report, the court shall appoint an independent expert examiner to examine the patient, and the examiner shall furnish a report to the court.


If such report concludes that the patient continues to be a person requiring treatment and in need of hospitalization, the court shall so notify the patient and shall dismiss the petition for discharge. If the conclusion is to the contrary, the court shall set a hearing date which shall be within fourteen days of receipt of the examiner's report. At the hearing, the burden of proof shall be the same as in an involuntary treatment hearing.

SECTION 6. AMENDMENT. Section 25-03.1-41 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-03.1-41. LIMITATIONS AND RESTRICTIONS OF PATIENT'S RIGHTS. The rights enumerated in section 25-03.1-40 may be limited or restricted by the treating physician, psychiatrist, or clinical psychologist, if in his professional judgment to do so would be in the best interests of the patient and the rights are restricted or limited in the manner authorized by the rules and regulations promulgated pursuant to section 25-03.1-46. Whenever a physician, psychiatrist, or clinical psychologist responsible for treatment of a particular patient imposes a special restriction on the rights of the patient as authorized by the rules and regulations, a written order specifying the restriction and the reasons therefor shall be signed by the physician, psychiatrist, or clinical psychologist and attached to the patient's chart. If the patient is a minor, such order should be executed only by a licensed psychiatrist, child psychiatrist, pediatric neurologist, developmental pediatrician, adolescent medicine specialist, clinical child psychologist, or clinical psychologist. These restrictions shall be reviewed at intervals of not more than fourteen days and may be renewed by following the procedure set out in this section."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.


Chairman

HOUSE Bill No. 1474 Rep. Conny was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1509, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 1; Absent, 1, that the same

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

be amended as follows:

- On page 1, line 1, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 1, line 3, delete the word "law" and insert in lieu thereof "peace officer"
- On page 1, line 4, delete the word "enforcement", and on the same line delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 1, line 7, after the word and comma "attorneys," insert the word "local", and on the same line delete the word "police" and insert in lieu thereof "peace"
- On page 1, line 18, delete the words "LAW ENFORCEMENT" and insert in lieu thereof "CRIMINAL JUSTICE"
- On page 1, line 19, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 1, line 23, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 1, line 25, after the word "for" insert the word "local", and on the same line delete the word "police" and insert in lieu thereof "peace officer"
- On page 1, line 27, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 2, line 2, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 2, line 18, after the word "of" insert the word "weapons"
- On page 2, line 19, delete the word "weapon" and insert in lieu thereof "side arm"
- On page 2, line 22, after the word "for", insert the word "local"
- On page 2, line 32, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 3, line 1, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 3, line 8, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 3, line 16, delete the words "law enforcement" and insert in lieu thereof "criminal justice"
- On page 3, after line 29, insert the following new section:

"SECTION 4. CRIMINAL JUSTICE ADVISORY BOARD - MEMBERS - DUTIES - MEETINGS. A criminal justice advisory board is created under the criminal justice training and statistics division. The board shall be composed of not more than fifteen members who are appointed by the attorney general, including citizens and representatives of the state's criminal justice system. The term of each member shall be for two years concurrent with the biennium. The board shall serve as a forum to encourage communication and cooperation between federal, state, and local criminal justice system agencies and to advise and respond research projects conducted by the division. The board shall also advise the division regarding appropriate disposition of grants or gifts made to the state for criminal justice system purposes. Meetings shall be held at the call of the division director or upon request of any three members of the board. Board members shall receive mileage and travel expenses the same as state employees. Members of the advisory board who are not full time public employees shall receive twenty-five dollars per meeting."

On page 4, line 19, delete the words "law enforcement" and insert in lieu thereof "criminal justice"

On page 5, line 27, delete the words "law enforcement" and insert in lieu thereof "criminal justice"

On page 5, line 30, delete the words "law enforcement" and insert in lieu thereof "criminal justice"

On page 6, line 4, delete the words "law enforcement" and insert in lieu thereof "criminal justice"

On page 6, line 7, delete the word "law" and insert in lieu thereof "criminal justice"

On page 6, line 8, delete the word "enforcement"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass



Rep. Conny _____ Chairman

HOUSE Bill No. 1509 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1541, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 3; Absent, 2, that the same

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

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to allow fair boards to conduct amusement games, amusement devices, or bingo; to provide for definitions, eligible organizations, licensing, fees, applications, suspension, revocation, amusement concessions, permitted locations, administrative rules, statements of receipts and expenses, examination of books and records, and unlawful gambling; and to provide a penalty."

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

SECTION 1. DEFINITIONS.

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1. "Amusement co-cession" means any place where a single amusement game or device, or bingo, is conducted by a person for profit, and includes the area within which are confined the equipment, playing area, and other personal property necessary for the conduct of the game.
2. "Amusement games or devices" means such games and devices as electric ray guns, music boxes, picture boxes, bumper-ball, or pinball, and other similar miniature games or devices, whether or not they show a score, where a charge for playing or operating is collected, but do not include any machine which may constitute a lottery under the laws of this state. Amusement games or devices also mean a game, contest, scheme, or device in which a person stakes or risks something of value for an opportunity to win something of value and in which the outcome depends in a material degree upon an element of chance, notwithstanding that a person's skill may also be a factor.
3. "Bingo" means that game in which each participant receives one or more cards, each of which is marked off into twenty-five squares and five horizontal rows of five squares each and five vertical rows of five squares each. Each square is designated by number, letter or combination of numbers and letters, no two cards being identical. The players cover squares as the operator of such game announces the number, letter, or combination of numbers and letters appearing on an object selected by chance, either manually or mechanically, from a receptacle in which have been placed objects bearing numbers, letters, or combination of numbers and letters corresponding to the system used for designating the squares. The winner of each game is the player or players first properly covering a predetermined and announced pattern of squares on a card being used by the player or players.
4. "Carnival" means an aggregation of attractions including any show, circus, act, game, vending device, or amusement device, whether conducted under one management or more, or independently, temporarily set up or conducted in a public place or upon any private premises accessible to the public with or without admission fee, which, from the nature of the aggregation, attracts attendance and causes promiscuous commingling of persons in the spirit of merrymaking and revelry.
5. "Conducts" means a specified activity which occurs when a person owns, promotes, sponsors, or operates a game or activity. A natural person does not "conduct" a game or activity if the person is a participant in a game or activity which complies with this Act.
6. "Fair" means an annual fair or exposition held by the North Dakota state fair board or any county fair board.
7. "Fair board" means the officers of any state or county fair association, or the agents of any such board, duly authorized to make any contract or issue any permit as provided in this Act.
8. "Gross proceeds" means the total revenue

received as rent for the privilege of conducting amusement games or devices, or bingo.

9. "Licensee" means an eligible organization licensed under the provisions of this Act.
10. "Licensing authority" means the attorney general of the state of North Dakota.
11. "Net proceeds" means gross proceeds less cash prizes or the price of merchandise prizes.
12. "Person" means any natural person, firm, partnership, or corporation.
13. "Posted" means that the person conducting a game has caused to be placed near the front or playing area of the game a sign at least thirty inches by thirty inches, with permanent material and lettering stating, at the top in letters at least three inches high, "Rules of the Game". Thereunder, in large, easily readable print, the name of the game, the price to play the game, the complete rules for the game, and the name and permanent mailing address of the owner of the game shall be stated.
14. "Raffle" means a lottery in which each participant buys a ticket for a chance at a prize with the winner determined by a random method. "Raffle" does not include a slot machine.
15. "Rent" means the amount paid by a person or organization for the use of space to conduct amusement games or devices or bingo.

SECTION 2. ORGANIZATIONS ELIGIBLE. Fair boards may conduct or authorize a person to conduct amusement games or devices or bingo under the conditions of this Act. Notwithstanding any other provisions of this Act, fair boards may use the net proceeds of such amusement games or devices or bingo or may use the rent as defined in this Act to directly benefit the fair board. It is the finding of the legislative assembly that it is in the public interest to preserve agricultural fairs and expositions.

SECTION 3. LICENSE - FEES - APPLICATION - SUSPENSION - REVOCATION. A fair board shall apply for a license to conduct amusement games or devices, or bingo, from the attorney general at least thirty days before the operation of such games. Application shall be made upon forms prescribed by the attorney general along with the submission of a fifty dollar license fee.

The license application shall be signed and sworn to by the applicant and shall contain the following:

1. The name and post-office address of the applicant.
2. The location at which the organization will conduct the amusement games or devices, or bingo, whether the organization owns or leases the premises, and a copy of the rental agreement if it leases the premises.
3. A statement of the applicant's previous history and association sufficient to establish that the applicant is an eligible organization.
4. A statement of the educational, charitable, patriotic, fraternal, religious, or other

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public-spirited uses to which the net proceeds of an amusement game or device, or bingo, will be devoted.

5. Such other reasonable and necessary information as the attorney general may require.

The attorney general shall license applicant organizations which conform to the requirements of this Act to conduct amusement games or devices, or bingo. In addition, the attorney general may, on his own motion based on reasonable grounds or on written complaint, suspend or revoke a license in accordance with chapter 28-32 for violation, by the licensee or other officer, director, agent, member, or employee of such licensee, of this Act or any rule adopted pursuant to this Act. Each amusement game or device shall be licensed by the attorney general's office in accordance with chapter 53-04.

SECTION 4. AMUSEMENT CONCESSIONS. An amusement game or device, or bingo, is lawful when conducted by a person at an amusement concession, but only if all of the following are complied with:

1. The location where the game is conducted by the person has been authorized as provided in section 5 of this Act.
2. The person conducting the game has been issued a license pursuant to this Act and prominently displays the license at the playing area of the game.
3. Games of chance other than the licensed game are not conducted or engaged in at the amusement concession.
4. The game is posted and the cost to play the game does not exceed one dollar.
5. A prize is not displayed which cannot be won.
6. Cash prizes are not awarded and merchandise prizes are not repurchased.
7. The game is not operated on a build-up or pyramid basis except a trade up of a prize shall be allowed.
8. The actual retail value of any prize does not exceed twenty-five dollars. If a prize consists of more than one item, unit, or part, the aggregate retail value of all items, units, or parts shall not exceed twenty-five dollars.
9. Concealed numbers or conversion charts are not used to play the game and the game is not designated or adapted with any control device to permit manipulation of the game by the operator to prevent a player from winning or to predetermine who the winner will be. The object target, block, or object of the game must be attainable and possible to perform under the rules stated from the playing position of the player.
10. The game is conducted in a fair and honest manner.

SECTION 5. PERMITTED LOCATIONS. An amusement game or device or bingo may be lawfully conducted by a person at an amusement concession provided the person has written authorization from the sponsor of the fair to conduct the amusement game or device or bingo.

SECTION 6. ADMINISTRATIVE RULES. The attorney general may adopt, amend, and repeal rules pursuant to chapter 28-32 to carry out provisions of this Act. Rules adopted by the attorney general may, among other provisions, contain provisions setting out or establishing the following:

1. A description of the books, records, and accounting required.
2. The requirements for qualified organizations.
3. The methods of displaying costs and explanations of games and rules.
4. A definition of unfair or dishonest games, acts, or practices.

SECTION 7. EXAMINATION OF BOOKS AND RECORDS. The licensing authority and its agents, and representatives of the governing body of a city or county with respect to a fair board authorized by that governing body, shall have the power to examine or cause to be examined the books and records of any fair board licensed or authorized to conduct amusement games or devices, or bingo, under this Act to the extent that such books and records relate to any transaction connected with holding, operating, or conducting of any amusement game or device, or bingo.

SECTION 8. RULES. The licensing authority shall adopt rules in accordance with chapter 28-32 relating to, but not limited to, methods of play, conduct, and promotion of amusement games or devices, or bingo; methods, procedures, and minimum standards for accounting and recordkeeping; requiring reports by licensees and authorized organizations; ensuring that the entire net proceeds of amusement games or devices, or bingo, are devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited uses as defined by this Act; protecting and promoting the public interest; ensuring fair and honest amusement games or devices, or bingo; ensuring that fees and taxes are paid; and seeking to prevent or detect unlawful gambling activity.

SECTION 9. VIOLATION OF ACT - MISDEMEANOR - FORFEITURE OF LICENSURE - INELIGIBILITY FOR YEAR. Any person who knowingly makes a false statement in any application for a license or authorizing resolution or in any statement annexed thereto, or who fails to keep sufficient books and records to substantiate the receipts, expenses, or uses resulting from amusement games or devices, or bingo, conducted under this Act or who falsifies any books or records so far as they relate to any transaction connected with the holding, operating, and conducting of any amusement game or device, or bingo, or who violates any of the provisions of this Act, any rule adopted hereunder, or of any term of a license shall be guilty of a class A misdemeanor. If convicted, such organization or person shall forfeit any license or authorizing resolution issued to it pursuant to this Act and shall be ineligible to reapply for a license or authorization for two years thereafter."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Rep. Comy Chairman

HOUSE Bill No. 1541 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1562, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 1, that the same

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

be amended as follows:

On page 1, line 20, after the numeral "2." remove the overstrike over the words "~~Notwithstanding the provisions of subsection 17- any~~"

On page 1, remove the overstrike over the words on lines 21 through 28

On page 2, remove the overstrike over the words on lines 1 through 7

On page 2, after line 7, insert the following new sentence:

"When no election is made for state income tax purposes, both the shareholders and the corporation shall make adjustments, increases, or decreases to federal taxable income so that the state taxable income figure is determined as though no election had been made for either state or federal income tax filing purposes."

On page 2, remove the overstrike over the words in lines 8 through 24

On page 2, line 25, remove the overstrike over the numeral "57"

On page 3, delete lines 1 through 9

On page 3, line 11, delete the words "beginning on or after" and insert in lieu thereof the words "still open to audit under the provisions of section 57-38-38 as of"

On page 3, line 12, after "1981" insert "and all taxable years thereafter"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. A. Hausauer

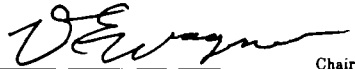
HOUSE Bill No. 1562 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 1565, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 7; Absent, 2, that the same

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



Chairman

REP. VERNON E. WAGNER
1565

HOUSE Bill No. 1565 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE

Bill No. 1588, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 6; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.
 be amended as follows:

On page 1, line 20, overstrike "an air force base" and insert in lieu thereof "a United States military installation"

On page 1, line 22, overstrike "air force base" and insert in lieu thereof "United States military installation"

And renumber the lines and pages accordingly

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

Rep. F. Knudson Chairman
Rep. Knudson
HOUSE Bill No. 1588 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 1596, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 5; Absent, 2, that the same

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

V. E. Wagner Chairman
REP. VERNON E. WAGNER
HOUSE Bill No. 1596 was placed on the 11th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 1624, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 3; Absent, 2, that the same

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

be amended as follows:

On page 1, line 16, delete the second "a" and insert in lieu thereof "the"

On page 1, line 18, delete "submits a written request" and insert in lieu thereof "signs a petition"

On page 1, line 21, delete "request" and insert in lieu thereof "petition"

On page 1, line 23, remove the overstrikes over "Any-member-of-the"

On page 1, remove the overstrikes over lines 24 through 26

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. F. Knudson Chairman
Rep. Knudson
HOUSE Bill No. 1624 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT

to whom was referred HOUSE CONCURRENT RESOLUTION

No. 3049, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

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

be amended as follows:

On page 1, line 2, delete the word "and"

On page 1, line 3, after "lines" insert ", and salt water and oil lines"

On page 1, line 6, delete the first word "and" and after "lines" insert ", and salt water and oil lines"

On page 1, line 21, delete the first word "and" and after "lines," insert "and salt water and oil lines,"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Rep. Martinson Chairman

HOUSE CONCURRENT RESOLUTION No. 3049 was placed on the 6th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Richie moved that the motion by which the motion to lay the amendments to House Bill No. 1516 on the table be taken from the table.

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

ROLL CALL

The question being on the motion of Rep. Richie that the motion by which the motion to lay the amendments to House Bill No. 1516 on the table be taken from the table, the roll was called and there were ayes, 65; nays, 29; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•			•		
•	ANDERSON, C. #1		•	HOFFNER		•	METZ		•	THOMPSON	
•	ANDERSON, R. #36		•	HORGAN		•	MEYER		•	TIMM	
	BACKES	•	•	HOUAMANN		•	MOORE			UNHJEM	•
•	BERG		•	HUGHES		•	MOWM		•	VANDER VORST	
•	BERGER		•	HUWE	•	•	MURPHY			VIG	•
	BLACK	•		JACOBSEN, R.		•	MUSHIK			WAGNER	•
	BOYUM			JACOBSON, I.	•		NAGEL		•	WALD	•
•	BROKAW			KELLY	•		NICHOLAS			WENTZ	•
	CONNY	•		KENT	•		OLAFSON			WHALEN	•
•	CRABTREE		•	KINGSBURY			OLSEN			ZIMBLEMAN	•
•	DICK			KLOUBEC	•		OLSON, A. #11				
•	DIETZ		•	KNUDSON			OLSON, D. #11	•		MR. SPEAKER	•
•	DOTZENROD			KOLAND	•		OPEDAHL	•			
•	DUBORD			KOSKI	•		PELTIER	•			
•	EAGLES			KRETSCHMAR	•		PETERSON	•			
•	FREBORG			KUCHERA	•		POMEROY, E. #24	•			
•	GATES			LANG	•		POMEROY, G. #42	•			
	GERL	•		LARSON, B. #12	•		REED	•			
•	GOETZ			LARSON, G. #29	•		REITEN	•			
•	GORDER			LARSON, H. #7	•		RETZER	•			
•	GUNDERSON			LIPSIEA	•		RICE	•			
•	GUNSCH			MARSDEN	•		RICHARD	•			
•	HANSON, L. #48			MARTIN	•		RICHIE	•			
•	HANSON, O. #3			MARTINSON	•		RIEHL	•			
	HAUGLAND	•		MATCHIE	•		RUED	•			
•	HAUSAUER, A. #49		•	MATHEHY	•		SCHINDLER	•			
•	HAUSAUER, R. #25			MATTSOON	•		SOLBERG	•			
•	HEDSTROM			MEIERS	•		SORUM	•			

HEIGAARD HILL	MELBY MERTENS	STRINDEN SWIONTEK
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The motion failed for want of two-thirds of the members elect.

INTRODUCTION

Rep. Murphy introduced Miss Lynn Brokaw, Miss Rodeo North Dakota to the Assembly.

MOTION

Rep. Strinden moved that the remarks of Miss Rodeo North Dakota, Miss Lynn Brokaw, be printed in the Journal, which motion prevailed.

REMARKS IN JOURNAL

"Mr. Speaker and members of the House: I am Lynn Brokaw, Miss Rodeo North Dakota, and I am the daughter of Mr. and Mrs. Jim Brokaw of Forbes, North Dakota.

Before becoming Miss Rodeo North Dakota, I first had to compete at the local level, where I obtained the title of Miss Rodeo Ellendale.

At the Ellendale contest and the North Dakota contest, I was judged on my personality, appearance, and horsemanship, with each counting as one-third of my score. I took the horsemanship award at both contests, and I feel that it will be my strongest division of the Miss Rodeo America contest.

Also, I was judged on a speech given on myself, and we were judged as we modeled western fashions.

Since being crowned, I have attended the largest clothing market, The Denver Merchandise Mart, in Denver, Colorado. From that market I obtained jobs to model at markets in Billings, Montana; Spearfish, South Dakota; Minneapolis, Minnesota and Dallas, Texas, which will prepare me for the modeling I will have to do when I compete for the Miss Rodeo America title in December, just prior to the National Finals Rodeo in Oklahoma City. I will be judged in the same three divisions as in the state contest.

My job is somewhat like yours, in that I also represent the state of North Dakota, only mine is in the aspect of rodeo.

During this year, I will travel throughout the state of North Dakota promoting, supporting and enhancing the sport of rodeo.

So far, I have enjoyed doing this, and I am very proud to be representing the state of North Dakota."

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to House Bill No. 1001 as recommended by the Committee on Appropriations as printed on pages 947 through 952 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1006 as recommended by the Committee on Appropriations as printed on pages 953 and 954 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1007 as recommended by the Committee on Appropriations as printed on pages 955 and 956 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1010 as recommended by the Committee on Appropriations as printed on page 956 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1011 as recommended by the Committee on Appropriations as printed on pages 956 through 958 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1012 as recommended by the Committee on Appropriations as printed on pages 958 and 959 of the House Journal be adopted, which motion

prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1013 as recommended by the Committee on Appropriations as printed on pages 959 and 960 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1050 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 960 and 961 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1061 as recommended by the Committee on Judiciary as printed on page 962 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1062 as recommended by the Committee on Judiciary as printed on page 962 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1121 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 963 and 964 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1177 as recommended by the Committee on Finance and Taxation as printed on pages 964 and 965 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1178 as recommended by the Committee on Judiciary as printed on page 965 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1199 as recommended by the Committee on Finance and Taxation as printed on pages 965 and 966 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1204 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 966 and 967 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1218 as recommended by the Committee on Judiciary as printed on pages 967 and 968 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1231 as recommended by the Committee on Judiciary as printed on pages 968 and 969 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1248 as recommended by the Committee on Natural Resources as printed on pages 969 through 971 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1248 Do Not Pass, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1284 as recommended by the Committee on Finance and Taxation as printed on page 971 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1320 as recommended by the Committee on Natural Resources as printed on page 972 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1320 Do Not Pass, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1332 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 972 and 973 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1335 as recommended by the Committee on Judiciary as printed on page 973 of the House Journal be adopted, and when so adopted, recommends that House Bill No. 1335 Do Not Pass, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1371 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 974 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1384 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 974 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1395 as recommended by the Committee on Natural Resources as printed on page 975 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1400 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 976 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1410 as recommended by the Committee on Judiciary as printed on page 976 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1418 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 977 through 994 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1449 as recommended by the Committee on State and Federal Government as printed on page 994 of the House Journal be adopted, and when so adopted, recommends that House Bill No. 1449 Do Not Pass, which motion prevailed on a verification vote.

Rep. Haugland moved that the amendments to House Bill No. 1454 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 995 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1461 as recommended by the Committee on Agriculture as printed on pages 995 and 996 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1464 as recommended by the Committee on Agriculture as printed on page 997 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1498 as recommended by the Committee on Education as printed on pages 998 through 1001 of the House Journal be adopted, and when so adopted, recommends that House Bill No. 1498 Do Not Pass, which motion prevailed.

MOTIONS

Rep. Strinden moved that the motion by which the motion to lay the amendments to House Bill No. 1516 on the table be taken from the table, which motion prevailed.

Rep. Richie moved that the amendments to House Bill No. 1516 be taken from the table, which motion prevailed.

Rep. Strinden moved that House Bill No. 1516 be placed at the foot of the sixth order, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1512 as recommended by the Committee on Finance and Taxation as

printed on page 1002 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1529 as recommended by the Committee on Finance and Taxation as printed on pages 1003 and 1004 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1536 as recommended by the Committee on Natural Resources as printed on pages 1005 and 1006 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1536 Do Not Pass, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1540 as recommended by the Committee on Agriculture as printed on page 1007 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1543 as recommended by the Committee on Agriculture as printed on pages 1008 through 1010 of the House Journal be adopted, which motion prevailed.

Rep. Martinson moved that the amendments to House Bill No. 1545 as recommended by the Committee on State and Federal Government as printed on pages 1010 and 1011 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1578 as recommended by the Committee on Judiciary as printed on page 1011 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1578 Do Not Pass, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1600 as recommended by the Committee on Education as printed on page 1012 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1600 Do Not Pass, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1603 as recommended by the Committee on Natural Resources as printed on pages 1012 and 1013 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1603 Do Not Pass, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1605 as recommended by the Committee on Finance and Taxation as printed on pages 1013 and 1014 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to House Bill No. 1608 as recommended by the Committee on Education as printed on page 1014 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1613 as recommended by the Committee on Agriculture as printed on page 1015 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Bill No. 1614 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1015 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1619 as recommended by the Committee on Judiciary as printed on page 1016 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1626 as recommended by the Committee on Natural Resources as printed on page 1016 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1634 as recommended by the Committee on Natural Resources as printed on page 1017 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1641 as recommended by the Committee on Finance and Taxation as printed on pages 1017 and 1018 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to House Bill No. 1650 as recommended by the Committee on Finance and Taxation as printed on pages 1018 through 1021 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1650 Do Not Pass, which motion prevailed.

Rep. Knudson moved that the amendments to House Concurrent Resolution No. 3024 as recommended by the Committee on Education as printed on page 1021 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1516 as recommended by the Committee on Judiciary as printed on pages 909 and 910 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1516 be placed on the calendar without recommendation, which motion prevailed.

REPORTS OF STANDING COMMITTEES

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

Bill No. 1313, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 8; Absent, 1, that the same

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

be amended as follows:

On page 2 of the engrossed bill, line 11, delete the words "Moneys collected from the supplemental fee" and insert in lieu thereof the words "There is hereby established"

On page 2 of the engrossed bill, delete line 12

On page 2 of the engrossed bill, line 13, delete the words "the state treasurer and shall be credited to"

On page 2 of the engrossed bill, line 24, delete the words "and other assistance"

On page 2 of the engrossed bill, line 25, delete the comma and words ", or who are in the process of"

On page 2 of the engrossed bill, line 26, delete the words "establishing such programs"

On page 3 of the engrossed bill, line 6, delete everything after the period

On page 3 of the engrossed bill, delete lines 7 through 9

On page 3 of the engrossed bill, line 10, delete the numeral and period "2."

On page 4 of the engrossed bill, line 20, delete the words "domestic violence prevention" and insert in lieu thereof the word "general"

And renumber the lines, subsections, and pages accordingly

And when so amended, recommends the same do pass.

 Chairman
REP. VERNON E. WAGNER

HOUSE Bill No. 1313 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. 1399, has had the same under consideration and recommends, by a vote of
Ayes, 11; Nays, 7; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation.
- be amended as follows:

On page 1 of the engrossed bill, line 11, after the semicolon, insert the word "and"

On page 1 of the engrossed bill, line 12, delete the semicolon and words "; and to provide an" and insert in lieu thereof a period

On page 1 of the engrossed bill, delete line 13

On page 11 of the engrossed bill, delete lines 11 through 16

And renumber lines, pages and sections accordingly

And when so amended, recommends the same do pass.



Chairman

REP. VERNON E. WAGNER

HOUSE

Bill No.

1399

was placed on the

6th

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

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

Bill No. 1435, has had the same under consideration and recommends, by a vote of
Ayes, 17; Nays, 0; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 20, delete the word "individual" and insert in lieu thereof the word "individualized"

On page 2, line 21, delete the words "educational plan" and insert in lieu thereof the words "education program"

On page 3, line 18, delete the words "individual educational plan" and insert in lieu thereof the words "individualized education program"

On page 4, line 5, delete the words "individual educational plan" and insert in lieu thereof the words "individualized education program"

On page 4, line 31, delete the word "individual" and insert in lieu thereof the word "individualized"

On page 4, line 32, delete the words "educational plan" and insert in lieu thereof the words "education program"

On page 5, line 28, delete the words "individual educational plan" and insert in lieu thereof the words "individualized education program"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



REP. VERNON E. WAGNER

Chairman

HOUSE

Bill No. 1435

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

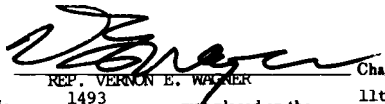
Bill No. 1493, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 5; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



REP. VERNON E. WAGNER

Chairman

HOUSE

Bill No. 1493

was placed on the 11th

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

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

Bill No. 1502, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1 of the engrossed bill, line 6, delete the semicolon and words "; and to provide an appropriation"

On page 6 of the engrossed bill, line 29, delete the words "APPROPRIATION. There is hereby appropriated" and insert in lieu thereof the words "LEGISLATIVE INTENT"

On page 6 of the engrossed bill, delete lines 30 through 35

On page 7 of the engrossed bill, line 1, delete the following: "June 30, 1983."

On page 7 of the engrossed bill, line 2, delete the first word "the" and insert in lieu thereof the word "any"; and delete the word "in" and insert in lieu thereof the words "to carry out the provisions of"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to delete the general fund appropriation since this appropriation is included in House Bill No. 1039.

And when so amended, recommends the same do pass.



REP. VERNON E. WAGNER

Chairman

HOUSE

Bill No. 1502

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. 1583, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 28, after the first word "the" delete the remainder of the line and insert in lieu thereof the following: "lands and minerals trust fund in the state treasury created by section 15-08.1-08"

On page 2, line 29, delete the words "not otherwise appropriated"

And renumber the lines accordingly

And when so amended, recommends the same do pass.



 REP. VERNON E. WAGNER Chairman

HOUSE Bill No. 1583 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. 1635, has had the same under consideration and recommends, by a vote of Ayes, 17; Nays, 1; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation.
- be amended as follows:

On page 6 of the engrossed bill, delete lines 23 through 28

On page 6 of the engrossed bill, line 31, delete the numerals "300,000" and insert in lieu thereof the numerals "100,000"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



 REP. VERNON E. WAGNER Chairman

HOUSE Bill No. 1635 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE Bill No. 1653, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 6; Absent, 2, that the same

- do pass. do not pass. be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 1, after the word "to" insert the following: "create and enact a new section to chapter 27-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction; to"

On page 1, line 3, after the word "jurisdiction" and before the period insert the following: "; and to provide a contingent effective date"

On page 2, line 10, delete the following: "Commencing December 31, 1982, the salary of judges of"

On page 2, delete lines 11 through 13 and insert in lieu thereof the following new sections:

"SECTION 2. A new section to chapter 27-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

SALARIES OF JUDGES OF COUNTY COURTS OF INCREASED JURISDICTION - AMOUNT. The salary of a judge of a county court of increased jurisdiction:

- 1. Shall be equal to a minimum of ninety-five percent of the salary being paid to district court judges pursuant to section 27-05-03;
2. May be increased by a county or counties to one hundred percent of the salary being paid to district court judges pursuant to section 27-05-03; and
3. Is not affected by, and may not be adjusted pursuant to, subsection 4 of section 11-10-10.

SECTION 3. CONTINGENT EFFECTIVE DATE. If House Bill No. 1060 is approved by the forty-seventh legislative assembly, is not vetoed, and is not invalidated for any other reason, then section 2 of this Act is effective on December 31, 1982."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

[Handwritten signature]

REP. VERNON E. WAGNER

Chairman

HOUSE

Bill No. 1653

was placed on the 6th

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

MOTION

Rep. Richard moved that the House reconsider its action by which House Bill No. 1636 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILLS

House Bill No. 1636. - A Bill for an Act to provide an appropriation to the North Dakota industrial school to indemnify Mr. Robert Meyer of Solen, North Dakota, and Mr. Joseph Waliser of Selfridge, North Dakota, for property and other losses suffered due to the acts of residents of the North Dakota industrial school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 53; nays, 46; absent and not voting 1.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL-CALL (YEAS, N-V, NAYS), 1981 LEGISLATURE (YEAS, N-V, NAYS). Lists names of representatives and their voting status.

● FREBORG	● KUCHERA	● POMEROY, E. #24
● GATES	● LANG	● POMEROY, G. #42
● GERL	● LARSON, B. #12	● REED
● GOETZ	● LARSON, G. #29	● REITEN
● GORDER	● LARSON, H. #7	● RETZER
● GUNDERSON	● LIPSIE	● RICE
● GUNTSCH	● MARSDEN	● RICHARD
● HANSON, L. #48	● MARTIN	● RICHE
● HANSON, O. #3	● MARTINSON	● RIEHL
● HAUGLAND	● MATCHIE	● RUED
● HAUSAUER, A. #49	● MATHENY	● SCHINDLER
● HAUSAUER, R. #25	● MATTSON	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEIGAARD	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWIONTEK

So the bill passed and the title was agreed to.

House Bill No. 1438. — A Bill for an Act to provide minimum standards for medicare supplement insurance policies, to set out responsibilities of the commissioner of insurance, and to provide for an outline of coverage of such policies to be delivered to potential purchasers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting 3.

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

So the bill passed and the title was agreed to.

House Bill No. 1440. — A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 9; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUMANN			● MOORE			● UNHJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		

• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEMAN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCH	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTSOEN	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWONTEK	

So the bill passed and the title was agreed to.

House Bill No. 1442. — A Bill for an Act to provide for an oil development impact director to be appointed by the board of university and school lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 94; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•			•		•
• ANDERSON, C. #7		•	• HOFFNER			• WETZ			• THOMPSON		•
• ANDERSON, R. #56		•	• HORGAN			• MEYER			• TINM		•
• BACKES		•	• HULMANN			• MOORE			• UNHJEM		•
• BERG		•	• HUGHES			• MOUM			• VANDER VORST		•
• BERGER		•	• HUWE			• MURPHY			• VIG		•
• BLACK		•	• JACOBSEN			• MUSHIK			• WAGNER		•
• BOYUM		•	• JACOBSON, I.			• NAGEL			• WALD		•
• BROKAW		•	• KELLY			• NICHOLAS			• WENTZ		•
• CONMY		•	• KENT			• OLAFSON			• WHALEMAN		•
• CRABTREE		•	• KINGSBURY			• OLSEN			• ZIMBLEMAN		•
• DICK		•	• KLOUBEC			• OLSON, A. #11					
• DIETZ		•	• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD		•	• KOLAND			• OPEDAHL					
• DUBORD		•	• KOSKI			• PELTIER					
• EAGLES		•	• KRETSCHMAR			• PETERSON					
• FREBORG		•	• KUCHERA			• POMEROY, E. #24					
• GATES		•	• LANG			• POMEROY, G. #42					
• GERL		•	• LARSON, B. #12			• REED					
• GOETZ		•	• LARSON, G. #29			• REITEN					
• GORDER		•	• LARSON, H. #7			• RETZER					
• GUNDERSON		•	• LIPSIEA			• RICE					
• GUNSCH		•	• MARSDEN			• RICHARD					
• HANSON, L. #48		•	• MARTIN			• RICHIE					
• HANSON, O. #3		•	• MARTINSON			• RIEHL					
• HAUGLAND		•	• MATCHIE			• RUED					
• HAUSAUER, A. #49		•	• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25		•	• MATTSOEN			• SOLBERG					
• HEDSTROM		•	• MEIERS			• SORUM					
• HEIGAARD		•	• MELBY			• STRINDEN					
• HILL		•	• MERTENS			• SWONTEK					

So the bill was declared lost.

House Bill No. 1458. — A Bill for an Act to amend and reenact sections 40-14-01 and 40-15-01 of the North Dakota Century Code, relating to the election of municipal judges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #26			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSE, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSOON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1514. — A Bill for an Act to amend and reenact section 15-36-01 of the North Dakota Century Code, relating to criteria for teachers' certificates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 26; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #26			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSE, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSOON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1520. — A Bill for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to the requirement of a habitat restoration stamp for resident and nonresident small game hunting licenses and for the use of stamp

revenue for wildlife habitat and propagation restoration in the state.
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 12; absent and not voting 2.

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

So the bill passed and the title was agreed to.

House Bill No. 1528. — A Bill for an Act to limit lease payments charged by nongovernmental persons regulated by the public service commission, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 49; absent and not voting 3.

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

So the bill was declared lost.

House Bill No. 1571. — A Bill for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the exclusion of prepaid funeral plans in medical assistance eligibility determinations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94 nays, 2; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #1			● HOFFNER			● WETZ		● THOMPSON
● ANDERSON, R. #36			● HORGAN			● MEYER	●	● TIMM
● BACKES ●			● HOUWMANN			● MOORE		● UNHJEM
● BERG			● HUGHES			● MOUM		● VANDER VORST
● BERGER			● HUWE			● MURPHY		● VIG
● BLACK			● JACOBSEN, R.			● MUSHIK		● WAGNER
● BOYUM			● JACOBSON, I.			● NAGEL		● WALD
● BROKAW			● KELLY			● NICHOLAS		● WENTZ
● CONMY ●			● KENT			● OLAFSON		● WHALEN
● CRABTREE			● KINGSBURY			● OLSEN		● ZIMBLEMAN
● DICK			● KLOUBEC			● OLSON, A. #11		
● DIETZ			● KNUDSON			● OLSON, D. #13		● MR. SPEAKER ●
● DOTZENROD			● KOLAND			● OPEDAHL		
● DUBORD			● KOSKI			● PELTIER		
● EAGLES			● KRETSCHMAR			● PETERSON		
● FREBORG			● KUCHERA ●			● POMEROY, E. #24		
● GATES			● LANG			● POMEROY, G. #42		
● GERL			● LARSON, B. #12			● REED		
● GOETZ			● LARSON, G. #29			● REITEN		
● GORDER			● LARSON, H. #7			● RETZER		
● GUNDERSON			● LIPSIEA			● RICE		
● GUNSCH			● MARS DEN			● RICHARD		
● HANSON, L. #48			● MARTIN			● RICHIE		
● HANSON, O. #3			● MARTINSON			● RIEHL		
● HAUGLAND			● MATCHIE			● RUED		
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER		
● HAUSAUER, R. #25			● MATTS ON			● SOLBERG		
● HEDSTROM			● MEIERS			● SORUM		
● HEGAARD			● MELBY			● STRINDEN		
● HILL			● WERTENS			● SWONTEK		

So the bill passed and the title was agreed to.

House Bill No. 1574. — A Bill for an Act to amend and reenact paragraph 4 of subdivision d of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to taxable income for adoption expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #1			● HOFFNER			● WETZ		● THOMPSON
● ANDERSON, R. #36			● HORGAN			● MEYER		● TIMM
● BACKES ●			● HOUWMANN			● MOORE		● UNHJEM
● BERG			● HUGHES			● MOUM		● VANDER VORST
● BERGER			● HUWE			● MURPHY		● VIG
● BLACK			● JACOBSEN, R.			● MUSHIK		● WAGNER
● BOYUM			● JACOBSON, I.			● NAGEL		● WALD
● BROKAW			● KELLY			● NICHOLAS		● WENTZ
● CONMY			● KENT			● OLAFSON		● WHALEN
● CRABTREE			● KINGSBURY			● OLSEN		● ZIMBLEMAN
● DICK			● KLOUBEC			● OLSON, A. #11		
● DIETZ			● KNUDSON			● OLSON, D. #13		● MR. SPEAKER
● DOTZENROD			● KOLAND			● OPEDAHL		
● DUBORD			● KOSKI			● PELTIER		
● EAGLES			● KRETSCHMAR			● PETERSON		
● FREBORG			● KUCHERA			● POMEROY, E. #24		
● GATES			● LANG			● POMEROY, G. #42		
● GERL			● LARSON, B. #12			● REED		
● GOETZ			● LARSON, G. #29			● REITEN		
● GORDER			● LARSON, H. #7			● RETZER		
● GUNDERSON			● LIPSIEA			● RICE		
● GUNSCH			● MARS DEN			● RICHARD		

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

So the bill passed and the title was agreed to.

House Bill No. 1597. — A Bill for an Act to provide for the requirement of a certificate of need for proposed capital expenditures, new institutional health services, and the acquisition of major medical equipment by or on behalf of a health care facility; and to repeal chapter 23-17.2 of the North Dakota Century Code, relating to a certification of need for expansion of hospital facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 78; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7		•	• HOFFNER			• METZ		•	• THOMPSON		•
• ANDERSON, R. #26		•	• HORGAN		•	• MEYER		•	• TIMM		•
• BACKES	•		• HOUMANN		•	• MOORE		•	• UNHJEM		•
• BERG		•	• HUGHES		•	• MOUM		•	• VANDER VORST		•
• BERGER		•	• HUWE		•	• MURPHY		•	• VIC		•
• BLACK		•	• JACOBSEN, R.		•	• MUSHIK		•	• WAGNER		•
• BOYUM		•	• JACOBSEN, 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		•	• POWEROY, E. #24		•			
• GATES		•	• LANG		•	• POWEROY, G. #42		•			
• GERI		•	• LARSON, B. #12		•	• REED		•			
• GOETZ		•	• LARSON, G. #29		•	• REITEN		•			
• GORDER		•	• LARSON, H. #1		•	• RETZER		•			
• GUNDERSON		•	• LIPSIEA		•	• RICE		•			
• GUNSCH		•	• MARSDEN		•	• RICHARD		•			
• HANSON, L. #48		•	• MARTIN		•	• RICHIE		•			
• HANSON, O. #3		•	• MARTINSON		•	• RIEHL		•			
• HAUGLAND		•	• MATCHIE		•	• RUED		•			
• HAUSAUER, A. #49		•	• MATHENY		•	• SCHINDLER		•			
• HAUSAUER, R. #25		•	• MATTSON		•	• SOLBERG		•			
• HEDSTROM		•	• MEIERS		•	• SORUM		•			
• HEIGAARD		•	• MELBY		•	• STRINDEN		•			
• HILL		•	• MERTENS		•	• SWONTEK		•			

So the bill was declared lost.

House Bill No. 1610. — A Bill for an Act prohibiting the use of certain provisions in mortgages or deeds of trust relating to real property; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 5; nays, 91; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7		•	• HOFFNER		•	• METZ		•	• THOMPSON		•
• ANDERSON, R. #26		•	• HORGAN		•	• MEYER		•	• TIMM		•
• BACKES		•	• HOUMANN		•	• MOORE		•	• UNHJEM		•
• BERG		•	• HUGHES		•	• MOUM		•	• VANDER VORST		•
• BERGER		•	• HUWE		•	• MURPHY		•	• VIC		•
• BLACK		•	• JACOBSEN, R.		•	• MUSHIK		•	• WAGNER		•
• BOYUM		•	• JACOBSEN, I.		•	• NAGEL		•	• WALD		•
• BROKAW		•	• KELLY		•	• NICHOLAS		•	• WENTZ		•
• CONMY		•	• KENT		•	• OLAFSON		•	• WHALEN		•

CRABTREE	•	KINGSBURY	•	OLSEN	•	ZIMBLEMAN	•
DICK	•	KLOUBEC	•	OLSON, A. #11	•	MR. SPEAKER	•
DIETZ	•	KNUDSON	•	OLSON, D. #13	•		
DOTZENROD	•	KOLAND	•	OPEDAHL	•		
DUBORD	•	KOSKI	•	PELTIER	•		
EAGLES	•	KRETSCHMAR	•	PETERSON	•		
FREBERG	•	KUCHERA	•	POMEROY, E. #24	•		
GATES	•	LANG	•	POMEROY, G. #42	•		
GERL	•	LARSON, B. #12	•	REED	•		
GOETZ	•	LARSON, G. #29	•	REITEN	•		
GORDER	•	LARSON, H. #7	•	RETZER	•		
GUNDERSON	•	LIPSIEA	•	RICE	•		
GUNSCH	•	MARSDEN	•	RICHARD	•		
HANSON, L. #48	•	MARTIN	•	RICHIE	•		
HANSON, O. #3	•	MARTINSON	•	RIEHL	•		
HAUGLAND	•	MATCHIE	•	RUED	•		
HAUSAUER, A. #49	•	MATHENY	•	SCHINDLER	•		
HAUSAUER, R. #25	•	MATTSON	•	SOLBERG	•		
HEDSTROM	•	MEIERS	•	SORUM	•		
HEGAARD	•	MELBY	•	STRINDEN	•		
HILL	•	MERTENS	•	SWIONTEK	•		

So the bill was declared lost.

House Bill No. 1632. — A Bill for an Act to amend and reenact section 43-34-02 of the North Dakota Century Code, relating to the composition of the state board of examiners for nursing home administrators, and to qualifications for licensure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 21; absent and not voting 3.

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

So the bill passed and the title was agreed to.

**SECOND READING OF
HOUSE CONCURRENT RESOLUTIONS**

House Concurrent Resolution No. 3001. — A concurrent resolution directing the North Dakota Social Service Board to amend the state Title XIX plan to provide coverage for services provided by community intermediate care facilities to developmentally disabled persons.

Which has been read.

The question being on the final adoption of the resolution, so the House Concurrent Resolution No. 3001 was declared adopted on a voice vote.

• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A #49	• MATHENY	• SCHINDLER
• HAUSAUER, R #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the House Concurrent Resolution No. 3031 was declared adopted.

RECOGNITION

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

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3047. — A concurrent resolution directing the Legislative Council to monitor deinstitutionalization and community service programs for developmentally disabled persons.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 94; nays, 0; absent and not voting 6.

REGULAR SESSION									1981 LEGISLATURE			
NORTH DAKOTA HOUSE OF REPRESENTATIVES												
ROLL-CALL												
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HOFFNER		•	METZ				•	THOMPSON
•			•	HORGAN		•	MEYER		•		•	TIMM
•			•	HOUWMANN		•	MOORE		•		•	UNHJEM
•			•	HUGHES		•	MOUM		•		•	VANDER VORST
•			•	HUWE		•	MURPHY		•		•	VIG
•			•	JACOBSEPHR		•	MUSHIK		•		•	WAGNER
•			•	JACOBSONPH		•	NAGEL		•		•	WALD
•			•	KELLY		•	NICHOLAS		•		•	WENTZ
•			•	KENT		•	OLAFSON		•		•	WHALEN
•			•	KINGSBURY		•	OLSEN		•		•	ZIMBLEMAN
•			•	KLOUBEC		•	OLSON, A #11					
•			•	KNUDSON		•	OLSON, D #13		•			MR. SPEAKER
•			•	KOLAND		•	OPEDAHL					
•			•	KOSKI		•	PELTIER					
•			•	KRETSCHMAR		•	PETERSON					
•			•	KUCHERA		•	POMEROY, E #24					
•			•	LANG		•	POMEROY, G #42					
•			•	LARSON, B #12		•	REED					
•			•	LARSON, G #29		•	REITEN					
•			•	LARSON, H #7		•	RETZER					
•			•	LIPSEA		•	RICE					
•			•	MARSDEN		•	RICHARD					
•			•	MARTIN		•	RICHIE					
•			•	MARTINSON		•	RIEHL					
•			•	MATCHIE		•	RUED					
•			•	MATHENY		•	SCHINDLER					
•			•	MATTSON		•	SOLBERG					
•			•	MEIERS		•	SORUM					
•			•	MELBY		•	STRINDEN					
•			•	MERTENS		•	SWIONTEK					

So the House Concurrent Resolution No. 3047 was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 1003. — A Bill for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of accounts and purchases of the state of North Dakota; 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, 1; absent and not voting 6.

REGULAR SESSION									1981 LEGISLATURE			
NORTH DAKOTA HOUSE OF REPRESENTATIVES												
ROLL-CALL												
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HOFFNER		•	METZ				•	THOMPSON

• ANDERSON, R. #36	• HORGAN	• MEYER	• TIMM
• BACKES	• HOUMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCH	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #2	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTONSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWINTEK	

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

House Bill No. 1035. — A Bill for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1981 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• ANDERSON, C. #7			• HOFFNER			• HETT			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #2			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTONSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWINTEK					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the House stand at recess for fifteen minutes, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1038. — A Bill for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting 5.

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

So the bill passed and the title was agreed to.

MOTION

Rep. Martinson moved that House Bill No. 1047 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1049. — A Bill for an Act to establish a revolving loan fund at the Bank of North Dakota for construction, reconstruction, or acquisition of intermediate care facilities for developmentally disabled persons and residential facilities for physically disabled persons; to amend chapter 422 of the 1969 Session Laws of North Dakota, relating to termination of revolving loans by the Bank of North Dakota; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM
• BACKES			• HOUWMANN			• MOORE			• UNHJEM
• BERG			• HUGHES			• MOUM			• VANDER VORST
• BERGER			• HUWE			• MURPHY			• VIG
• BLACK			• JACOBSE, R.			• MUSHIK			• WAGNER
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD
• BROKAW			• KELLY			• NICHOLAS			• WENTZ
• CONMY			• KENT			• OLAFSON			• WHALEN
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN
• DICK			• KLOUBEC			• OLSON, A. #11			
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER
• DOTZENROD			• KOLAND			• OPEDAH			
• DuBORD			• KOSKI			• PELTIER			
• EAGLES			• KRETSCHMAR			• PETERSON			
• FREBORG			• KUCHERA			• POMEROY, E. #24			
• GATES			• LANG			• POMEROY, G. #42			

• GERL	• LARSON, B. #12	• REED
• GOETZ	• LARSON, G. #29	• REITEN
• GORDER	• LARSON, H. #7	• RETZER
• GUNDERSON	• LIPSIEA	• RICE
• GUNSCH	• MARSDEN	• RICHARD
• HANSON, L. #48	• MARTIN	• RICHIE
• HANSON, O. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.

MOTION

Rep. Koski moved that the House reconsider its action whereby House Bill No. 1528 was lost, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1528. — A Bill for an Act to limit lease payments charged by nongovernmental persons regulated by the public service commission, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 66; nays, 30; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #1			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUHANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORO			• KUCHERA			• POWERDY, E. #24					
• GATES			• LANG			• POWERDY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1051. — A Bill for an Act to authorize reciprocal postsecondary vocational education agreements with Minnesota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 47; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #1			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUHANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN			• MUSHIK			• WAGNER		

• BOYUM	JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DuBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCH	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #75	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWONTEK	

So the bill passed and the title was agreed to.

House Bill No. 1066. — A Bill for an Act to amend and reenact section 12.1-04-01, subsections 2 and 10 of section 27-20-02, and section 27-20-09 of the North Dakota Century Code, relating to the jurisdiction of adult court over misdemeanor traffic offenses committed by a child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 94; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION					ROLL CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• HETZ			• THOMPSON		
• ANDERSON, R. #26			• HORCAN			• MEYER			• TIMM		
• BACKES			• HOUWANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSON, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #75			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

So the bill was declared lost.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1069, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1069. — A Bill for an Act to amend and reenact sections 4-30-52, 6-09-27, 10-19-31, 11-05.1-04, 11-11-49, 12-60-19, 12.1-04-10, 15-47-42, subsection 2 of section 15-62.3-01, sections 16.1-06-07, 19-01-14, 23-17-11, 26-03-35, 26-11.1-05, 27-10-12, 29-02-24, 29-06-25, subsection 1 of section 30.1-21-03, sections 33-01-21, 33-05-01, 33-12-19, 35-22-12, subsection 3 of section 37-01-40, sections 39-01-08, 39-04-01, 39-04-15.1, paragraph 21

of subdivision a of subsection 3 of section 39-06.1-10, sections 39-16.1-07, 40-01-12, 40-18-19, 40-22-05, 40-33.1-04, 40-34-07, 40-35-10, 40-42-04, 40-57-11, subsection 2 of section 40-60-02, subsection 3 of section 40-61-03.1, sections 41-09-41, 43-11-20.4, 49-16-05, subsection 1 of section 51-13-03, section 51-13-07, subsection 3 of section 54-01.1-03, sections 54-07-01.2, 54-49.1-02, 55-01-01, 57-02-20, 57-20-01, 57-20-09, 57-20-22, 57-22-29, 57-24-12, 57-28-20, 57-28-21, 57-29-01, 57-29-04, 57-29-05, 57-38-61, 57-52-11, 58-03-07, 58-06-01, 59-05-58, 60-07-05, and 61-21-65 of the North Dakota Century Code, relating to disposal of illegal milk or milk products, civil actions on bank transactions, voting list for meeting of shareholders, approval of county consolidation plans, the board of county commissioners offering a reward for theft and related offenses, cooperation of bureau of criminal investigation with combined law enforcement council, petition to clerk of court when defendant is acquitted on the ground of mental disease or defect which excludes responsibility, status and authority of student teachers, definition of agency in the chapter on the tuition assistance grant program, arrangement of names on the ballot, service and return of a search warrant pursuant to the chapter on the state laboratories department, the acceptance of federal funds, supplies, and equipment for chiropractic hospitals, provisions required in a life insurance policy issued on other than a standard form, exceptions to the application of the title on insurance, the accused being discharged from arrest on delivery of an undertaking, when law enforcement officers may disperse an assembly, the procedure used when a person is arrested without a warrant, when moneys collected by the county justice should be paid to the county treasurer, when a writ of attachment on personal property may be issued by a county justice, a jury trial in county justice court, the right to costs when foreclosing a mortgage by advertisement, definition of Indian wars in the chapter on the military, state and political subdivisions authorization to carry insurance on vehicles, definition of reconstructed vehicle in the chapter on motor vehicle registration, penalty for failure to register vehicles, entries against driving records, reasons for revocation of a license, audit of claims and accounts against municipalities, appeals from determinations of the municipal judge, condemnation of land and rights of way for special improvements, methods for financing projects by the municipal steam heating authority, negotiability of first mortgage bonds, negotiability of bonds and interim receipts or certificates, the requirement that the proof at trial must conform to the claim filed with the municipality, powers of municipalities pertaining to parking areas, methods for financing projects by the municipal parking authority, formal requisites of a financing statement, permit requirements for persons who solicit business for a school of hairdressing, contracts exempting railroads from liability, finance charge limitation on retail installment contracts, penalties for violation of provisions in the chapter on retail installment sales, moving and related expenses under the Model Relocation Assistance Act, power of the governor to appoint the majority of members of certain boards and commissions, composition of the natural resources council, composition of the state historical board, personal property tax exemption for farm machinery for one year, due date for real and personal taxes, discount for early payment of real estate taxes, disposition of penalties on general taxes and interest on certificates of sale issued, contracts for tax collection, sale of lands at public auction by the county auditor, disposition of proceeds from sale of land for delinquent taxes, cancellation from the record of all taxes after the sale of the real estate, suspension of tax liens on state acquired lands, the auditor disclosing tax information on lands in which the state is interested,

applicability of provisions in the chapter on income tax, distribution of the special fuels tax, powers of electors at annual township meetings, general powers of the board of township supervisors, application of laws to powers in trust and the trustees of such powers, passage of title by negotiable warehouse receipts to goods stored, consolidation of drainage districts into water management districts; and to repeal sections 9-11-08, 29-22-16, 29-22-36, 30-26-26, and 57-24-11 of the North Dakota Century Code, relating to definitions in the chapter on assignment of account receivables, contents of general verdicts, procedure for commitment of defendant acquitted when defense was "mental disease or defect which excludes responsibility", costs of an appeal, court clerks issuing blank subpoenas for defendants, verdicts of the jury in county justice court, and sale of general and hail indemnity taxes; all such amendments and repeals constituting a composite Technical Corrections Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 1; absent and not voting 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HOFFNER		●	METZ		●	THOMPSON	
●			●	HORGAN		●	MEYER		●	TIMM	
●			●	HOUWANN		●	MOORE		●	UNHJEM	
●			●	HUGHES		●	MOUM		●	VANDER VORST	
●			●	HUWE		●	MURPHY		●	VIG	
●			●	JACOBSEN, R.		●	MUSHIK		●	WAGNER	
●			●	JACOBSON, I.		●	NAGEL		●	WALD	
●			●	KELLY		●	NICHOLAS		●	WENTZ	
●			●	KENT		●	OLAFSON	●	●	WHALEN	
●			●	KINGSBURY		●	OLSEN		●	ZIMBLEMAN	
●			●	KLOUBEC		●	OLSON, A. #11				
●			●	KNUDSON		●	OLSON, D. #13		●	MR. SPEAKER	
●			●	KOLAND		●	OPEDAHL				
●			●	KOSKI		●	PELTIER				
●			●	KRETSCHMAR		●	PETERSON				
●			●	KUCHERA		●	POMEROY, E. #24				
●			●	LANG		●	POMEROY, G. #47				
●			●	LARSON, B. #12		●	REED				
●			●	LARSON, G. #29		●	REITEN				
●			●	LARSON, H. #1		●	RETZER				
●			●	LIPSIE		●	RICE				
●			●	MARSDEN		●	RICHARD				
●			●	MARTIN		●	RICHIE				
●			●	MARTINSON		●	RICHL				
●			●	MATCHIE		●	RUED				
●			●	MATHENY		●	SCHINDLER				
●			●	MATTSON		●	SOLBERG				
●			●	MEIERS		●	SORUM				
●			●	MELBY		●	STRINDEN				
●			●	MERTENS		●	SWINTEK				

So the bill passed and the title was agreed to.

House Bill No. 1084. — A Bill for an Act prescribing the powers and duties of the social service board of North Dakota and the county social service boards of this state, and relating to the responsibility for the provision and the financing of comprehensive social service programs on behalf of eligible families and individuals in 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, 60; nays, 37; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	HOFFNER		●	METZ		●	THOMPSON	

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

So the bill passed and the title was agreed to.

MOTION

Rep. Rued moved that House Bill No. 1397 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1190. — A Bill for an Act to amend and reenact section 20.1-03-12 of the North Dakota Century Code, relating to the schedule of fees for licenses and permits.

Which has 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, 39; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION				ROLL CALL				1981 LEGISLATURE	
YEAS	N.V.	NAYS		YEAS	N.V.	NAYS		YEAS	N.V.
• 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		• MUSHIK		• WAGNER	
• BOYUM				• JACOBSON, I.		• NAGEL		• WALD	
• BROKAW				• KELLY		• NICHOLAS		• WENTZ	
• CONNY				• KENT		• OLAFSON		• WHALEN	
• CRABTREE				• KINGSBURY		• OLSEN		• ZIMBLEMAN	
• DICK				• KLOUBEC		• OLSON, A. #11			
• DIETZ				• KNUDSON		• OLSON, D. #13		• MR. SPEAKER	
• DOTZENROD				• KOLAND		• OPEDAHL			
• DuBORD				• KOSKI		• PELTIER			
• EAGLES				• KRETSCHMAR		• PETERSON			
• FREBORG				• KUCHERA		• POMEROY, E. #24			
• GATES				• LANG		• POMEROY, G. #42			
• GERL				• LARSON, B. #12		• REED			
• GOETZ				• LARSON, G. #29		• REITEN			
• GORDER				• LARSON, H. #7		• RETZER			
• GUNDERSON				• LIPSIEA		• RICE			
• GUNSCH				• MARSDEN		• RICHARD			
• HANSON, L. #48				• MARTIN		• RICHIE			
• HANSON, O. #3				• MARTINSON		• RIEHL			
• HAUGLAND				• MATCHIE		• RUED			
• HAUSAUER, A. #49				• MATHENY		• SCHINDLER			
• HAUSAUER, R. #25				• MATTSOON		• SOLBERG			
• HEDSTROM				• MEIERS		• SORUM			
• HEIGAARD				• MELBY		• STRINDEN			
• HILL				• MERTENS		• SWIONTEK			

So the bill passed and the title was agreed to.

House Bill No. 1255. — A Bill for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to postretirement adjustments; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 50; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7		●	● HOFFNER		●	● METZ		●	● THOMPSON		●
● ANDERSON, R. #36		●	● HORGAN		●	● MEYER		●	● TIMM		●
● BACKES		●	● HOUMANN		●	● MOORE		●	● UNHJEM		●
● BERG		●	● HUGHES		●	● MOUM		●	● VANDER VORST		●
● BERGER		●	● HUWE		●	● MURPHY		●	● VIC		●
● BLACK		●	● JACOBSEN, MR.		●	● MUSHIK		●	● WAGNER		●
● BOYUM		●	● JACOBSON, I.		●	● NAGEL		●	● WALD		●
● BROKAW		●	● KELLY		●	● NICHOLAS		●	● WENTZ		●
● CONMY		●	● KENT		●	● OLAFSON		●	● WHALEN		●
● CRABTREE		●	● KINGSBURY		●	● OLSEN		●	● ZIMBLEMAN		●
● DICK		●	● KLOUBEC		●	● OLSON, A. #11		●			
● DIETZ		●	● KNUDSON		●	● OLSON, D. #13		●	● MR. SPEAKER		●
● DOTZENROD		●	● KOLAND		●	● OPEDAHL		●			
● DuBORD		●	● KOSKI		●	● PELTIER		●			
● EAGLES		●	● KRETSCHMAR		●	● PETERSON		●			
● FREBERG		●	● KUCHERA		●	● POMEROY, E. #24		●			
● GATES		●	● LANG		●	● POMEROY, G. #42		●			
● GERL		●	● LARSON, B. #12		●	● REED		●			
● GOETZ		●	● LARSON, G. #29		●	● REITEN		●			
● GORDER		●	● LARSON, H. #7		●	● RETZER		●			
● GUNDERSON		●	● LIPSIEA		●	● RICE		●			
● GUNSCH		●	● MARS DEN		●	● RICHARD		●			
● HANSON, L. #48		●	● MARTIN		●	● RICHIE		●			
● HANSON, O. #2		●	● MARTINSON		●	● RIEHL		●			
● HAUGLAND		●	● MATCHIE		●	● RUED		●			
● HAUSAUER, A. #49		●	● MATHENY		●	● SCHINDLER		●			
● HAUSAUER, R. #25		●	● MATTSON		●	● SOLBERG		●			
● HEDSTROM		●	● MEIERS		●	● SORUM		●			
● HERGAARD		●	● MELBY		●	● STRINDEN		●			
● HILL		●	● WERTENS		●	● SWIONTEK		●			

So the bill was declared lost.

House Bill No. 1302. — A Bill for an Act to create and enact a new section to chapter 15-38.1 of the North Dakota Century Code, relating to management rights; and to amend and reenact subsection 1 of section 15-38.1-07, sections 15-38.1-08, 15-38.1-09, subsection 1 of section 15-38.1-12, and subdivision a of subsection 1 of section 15-38.1-13 of the North Dakota Century Code, relating to the subjects that may be negotiated between teachers and school boards.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 73; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7		●	● HOFFNER		●	● METZ		●	● THOMPSON		●
● ANDERSON, R. #36		●	● HORGAN		●	● MEYER		●	● TIMM		●
● BACKES		●	● HOUMANN		●	● MOORE		●	● UNHJEM		●
● BERG		●	● HUGHES		●	● MOUM		●	● VANDER VORST		●
● BERGER		●	● HUWE		●	● MURPHY		●	● VIC		●
● BLACK		●	● JACOBSEN, MR.		●	● MUSHIK		●	● WAGNER		●
● BOYUM		●	● JACOBSON, I.		●	● NAGEL		●	● WALD		●
● BROKAW		●	● KELLY		●	● NICHOLAS		●	● WENTZ		●
● CONMY		●	● KENT		●	● OLAFSON		●	● WHALEN		●
● CRABTREE		●	● KINGSBURY		●	● OLSEN		●	● ZIMBLEMAN		●
● DICK		●	● KLOUBEC		●	● OLSON, A. #11		●			
● DIETZ		●	● KNUDSON		●	● OLSON, D. #13		●	● MR. SPEAKER		●
● DOTZENROD		●	● KOLAND		●	● OPEDAHL		●			
● DuBORD		●	● KOSKI		●	● PELTIER		●			
● EAGLES		●	● KRETSCHMAR		●	● PETERSON		●			
● FREBERG		●	● KUCHERA		●	● POMEROY, E. #24		●			
● GATES		●	● LANG		●	● POMEROY, G. #42		●			
● GERL		●	● LARSON, B. #12		●	● REED		●			
● GOETZ		●	● LARSON, G. #29		●	● REITEN		●			
● GORDER		●	● LARSON, H. #7		●	● RETZER		●			
● GUNDERSON		●	● LIPSIEA		●	● RICE		●			
● GUNSCH		●	● MARS DEN		●	● RICHARD		●			
● HANSON, L. #48		●	● MARTIN		●	● RICHIE		●			
● HANSON, O. #2		●	● 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. 1365. — A Bill for an Act to appropriate moneys to the highway tax distribution fund for distribution in accordance with the highway tax distribution formula and stating legislative intent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 9; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSON, R			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEK			• OLSON, A #11					
• DIETZ			• KNUDSON			• OLSON, D #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAH					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E #24					
• GATES			• LANG			• POMEROY, G #42					
• GERL			• LARSON, B #12			• REED					
• GOETZ			• LARSON, G #29			• REITEN					
• GORDER			• LARSON, H #7			• RETZER					
• GUNDERSON			• LIPSIA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L #4			• MARTIN			• RICHIE					
• HANSON, O #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHE			• RUIED					
• HAUSAUER, A #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1386 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1396. — A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to motor vehicle branch offices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 55; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSON, R			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEK			• OLSON, A #11					
• DIETZ			• KNUDSON			• OLSON, D #13			• MR. SPEAKER		

• DOTZENROD	• KOLAND	• OPEDAHL
• DUBORD	• KOSKI	• PELTIER
• EAGLES	• KRETSCHMAR	• PETERSON
• FREDBERG	• KUCHERA	• POMEROY, E. #24
• GATES	• LANG	• POMEROY, G. #42
• GERL	• LARSON, B. #12	• REED
• GOETZ	• LARSON, G. #29	• REITEN
• GORDER	• LARSON, H. #7	• RETZER
• GUNDERSON	• LIPSIEA	• RICE
• GUNSCH	• MARSDEN	• RICHARD
• HANSON, L. #48	• MARTIN	• RICHIE
• HANSON, O. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSOON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill was declared lost.

MOTION

Rep. Wagner moved that the rules be suspended and that House Bill No. 1386 be rereferred to the Committee on Appropriations, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Rep. Black: "I wish to have the journal reflect the fact that I voted wrong on House Bill 1051. I wanted to vote yes."

SECOND READING OF HOUSE BILLS

House Bill No. 1404. — A Bill for an Act to create and enact a new section to chapter 39-09 of the North Dakota Century Code, relating to limitations on the reduction of speed zone speed limits; and to amend and reenact sections 39-06.1-06 and 39-06.1-09 of the North Dakota Century Code, relating to fines and points assessed against driver's licenses for violations of speed limits and the definition of moving violation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 15; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOPFNER			• METZ		•	• THOMPSON		
• ANDERSON, R. #26			• HORGAN			• MEYER		•	• TIMM		
• BACKES			• HUGMANN			• MOORE		•	• UNHJEM		
• BERG			• HUGHES			• MOUM		•	• VANDER VORST		
• BERGER		•	• HUWE			• MURPHY		•	• VIG		
• BLACK			• JACOBSEN			• MUSHIK		•	• WAGNER		•
• BOYUM			• JACOBSON, I.			• NAGEL		•	• WALD		
• BROKAW			• KELLY			• NICHOLAS		•	• WENTZ		
• COMNY			• 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					
• FREDBERG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN		•			
• GORDER			• LARSON, H. #7			• RETZER		•			
• GUNDERSON			• LIPSIEA		•	• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSOON			• SOLBERG					
• HEDSTROM			• MEIERS		•	• SORUM					
• HEIGAARD		•	• 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. 1450, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1450. — A Bill for an Act to create and enact a new section to chapter 16-10 of the North Dakota Century Code, relating to training sessions on election laws for election officials; to amend and reenact section 16.1-05-05 of the North Dakota Century Code, relating to payment of expenses for attendance at the training session; and to repeal section 16-10-17 of the North Dakota Century Code, relating to training sessions for election inspectors, all provisions of this Act being conditioned upon the nonapproval of House Bill No. 1225.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 13; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		●
● ANDERSON, R. #36			● HORGAN			● MEYER			● TIMM		
● BACKES ●			● HOUMANN			● MOORE			● UNHJEM ●		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE			● MURPHY			● VIG		
● BLACK			● JACOBSEN PR			● MUSHIK			● WAGNER ●		
● BOYUM			● JACOBSON, I			● NAGEL			● WALD		
● BROKAW			● KELLY			● NICHOLAS			● WENTZ		
● CONMY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN ●		
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13			● MR. SPEAKER		
● DOTZENROD			● KOLAND			● OPEDAHL					
● DuBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					
● FREBORG			● KUCHERA ●			● POMEROY, E. #24					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #12			● REED					
● GERTZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #1			● RETZIER ●					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCHE			● MARSDEN			● RICHARD					
● HANSON, L. #46			● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEGGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1504. — A Bill for an Act to amend and reenact subsections 2, 4, 5, and 6 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 1; absent and not voting 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36			● HORGAN			● MEYER			● TIMM		
● BACKES ●			● HOUMANN			● MOORE			● UNHJEM ●		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE			● MURPHY			● VIG		
● BLACK			● JACOBSEN PR			● MUSHIK			● WAGNER ●		
● BOYUM			● JACOBSON, I			● NAGEL			● WALD		
● BROKAW			● KELLY			● NICHOLAS			● WENTZ		
● CONMY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13			● MR. SPEAKER		
● DOTZENROD			● KOLAND			● OPEDAHL					
● DuBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					

● FREDERICK	● KUCHERA ●	● POMEROY, E #24
● GATES	● LANG	● POMEROY, G #42
● GERL	● LARSON, B #12	● REED
● GOETZ	● LARSON, G #29	● REITEN
● GORDER	● LARSON, H #7	● RETZER
● GUNDERSON	● LIPSIEA	● RICE
● GUNSCH	● MARSDEN	● RICHARD
● HANSON, L #48	● MARTIN	● RICHIE
● HANSON, O #3	● MARTINSON	● RIEHL
● HAUGLAND	● MATCHIE	● RUED
● HAUSAUER, A #49	● MATHENY	● SCHINDLER
● HAUSAUER, R #25	● MATTSOON	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEIGAARD	● 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. 1508, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1508. — A Bill for an Act to amend and reenact sections 16-04-13 and 16-06-02 of the North Dakota Century Code, relating to the publication of the sample ballot and notices of the primary and general elections; or in the alternative, to amend and reenact sections 16.1-11-21 and 16.1-13-05 of the North Dakota Century Code as created by sections 8 and 10 of House Bill No. 1225, as approved by the forty-seventh legislative assembly, relating to the publication of the sample ballot and notices of the primary and general elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 55; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C #1			● HOFFNER			● WETZ			● THOMPSON		
— ANDERSON, R #36	●		● HORGAN		●	● WEYER		●	● TIMM		
— BACKES ●			● HOUMANN			● WOODRE			● UNHJEM		●
— BERG			● HUGHES			● WOUH			— VANDER VORST		●
— BERGER			● HUWE			● MURPHY			● VIC		
— BLACK			● JACOBSEN MR			● MUSHIK			● WAGNER ●		
— BOYUM			● JACOBSON, I			● NAGEL			● WALD		●
— BROKAW			● KELLY			● NICHOLAS			● WENTZ		
● CONNY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		●
● DICK			● KLOBUEC			● OLSON, A #11					
● DIETZ			● KNUDSON			● OLSON, D #13		●	MR SPEAKER		●
● DOTZENROD			● KOLAND			● OPEDAHL		●			
— DUBORD			● KOSKI			● PELTIER		●			
— EAGLES			● KRETSCHMAR			● PETERSON					
— FREDERICK			● KUCHERA			● POMEROY, E #24					
● GATES			● LANG			● POMEROY, G #42		●			
— GERL			● LARSON, B #12			● REED					
— GOETZ			● LARSON, G #29			● REITEN		●			
● GORDER			● LARSON, H #7			● RETZER		●			
● GUNDERSON			● LIPSIEA			● RICE		●			
— GUNSCH			● MARSDEN			● RICHARD		●			
— HANSON, L #48			● MARTIN			● RICHIE		●			
— HANSON, O #3			● MARTINSON			● RIEHL		●			
● HAUGLAND			● MATCHIE			● RUED					
— HAUSAUER, A #49			● MATHENY			● SCHINDLER					
— HAUSAUER, R #25			● MATTSOON			● SOLBERG					
— HEDSTROM			● MEIERS			● SORUM		●			
— HEIGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS ●			● SWIONTEK		●			

So the bill was declared lost.

MOTION

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

REQUEST

Rep. Conny requested unanimous consent to amend engrossed House Bill No. 1554 as follows:

• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPELUM	
• DVBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, C. #19	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIE	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #7	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHEWY	• SCHINDLER	
• HAUSAUER, R. #25	• MATSON	• SORBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWONTEK	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bills Nos. 1576 and 1648 be laid over one legislative day, which motion prevailed.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1572, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1572. — A Bill for an Act to provide that all county justices shall be licensed to practice law in this state; to provide that all county justice courts be made courts of record by providing for court reporter or electronic court reporter services; and to provide for appeals from county justice courts directly to the North Dakota supreme court; to create and enact section 27-01-01.1 of the North Dakota Century Code, providing for the assumption of the expenses of the district courts by the state; to amend and reenact sections 11-11-12, 27-01-05, 27-05.1-05, 27-06-02, 27-06-06, 27-06-09, 27-09.1-14, 27-18-07, 27-20-05, subsection 1 of section 27-20-07, sections 27-20-49, 29-07-01.1, and 29-32-05 of the North Dakota Century Code, relating to supplies and attendants for local courts, expenses of actions following a change of venue, family court budgets, salaries and expenses of district court reporters, transcripts in criminal actions, bailiffs of district courts, compensation of jurors, appointment of alternate county justice, salaries of juvenile court personnel, costs involved in treatment and adjudication of juveniles, and payment of indigent defense expenses; and to repeal chapter 33-11 and sections 27-18-06, 33-12-34, 33-12-39, and 33-12-41 of the North Dakota Century Code, relating to appeals from county justice court and the appointment of a county justice under certain circumstances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 50; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUWMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		

• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCH	• MARS DEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTS ON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill was declared lost.

House Bill No. 1592. — A Bill for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to a requirement for registration and certificate of title for a motorized bicycle and licensing of its operator and rules for operation of a motorized bicycle; to amend and reenact subsection 36 of section 39-01-01 and section 39-28-01 of the North Dakota Century Code, relating to the definition of a “motorized bicycle” and additional fees for motorized bicycle registration; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 26; absent and not voting 8.

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

So the bill passed and the title was agreed to.

House Bill No. 1594. — A Bill 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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C #1			• HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A #11					
• DIETZ			• KNUDSON			• OLSON, D #13			• MR SPEAKER		
• DOTZENROOD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREDBERG			• KUCHERA			• POMEROY, E #24					
• GATES			• LANG			• POMEROY, G #42					
• GERL			• LARSON, B #12			• REED					
• GOETZ			• LARSON, G #29			• REITEN					
• GORDER			• LARSON, H #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L #48			• MARTIN			• RICHIE					
• HANSON, O #2			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

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

House Bill No. 1595. — A Bill for an Act to amend and reenact sections 39-06.1-02 and 39-07-07 of the North Dakota Century Code, relating to the posting of bond for noncriminal traffic offenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 5; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C #1			• HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• WAGNER		
• BLACK			• JACOBSEN			• NAGEL			• WALD		
• BOYUM			• JACOBSON, I			• NICHOLAS			• WENTZ		
• BROKAW			• KELLY			• OLAFSON			• WHALEN		
• CONMY			• KENT			• OLSEN			• ZIMBLEMAN		
• CRABTREE			• KINGSBURY			• OLSON, A #11					
• DICK			• KLOUBEC			• OLSON, D #13			• MR SPEAKER		
• DIETZ			• KNUDSON			• OPEDAHL					
• DOTZENROOD			• KOLAND			• PELTIER					
• DUBORD			• KOSKI			• PETERSON					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREDBERG			• KUCHERA			• POMEROY, E #24					
• GATES			• LANG			• POMEROY, G #42					
• GERL			• LARSON, B #12			• REED					
• GOETZ			• LARSON, G #29			• REITEN					
• GORDER			• LARSON, H #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L #48			• MARTIN			• RICHIE					
• HANSON, O #2			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R #25			• MATTSON			• SOLBERG					

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

So the bill passed and the title was agreed to.

REQUEST

Rep. E. Pomeroy requested to be excused from voting as he has a conflict of interest on House Bill No. 1604, which request was granted.

MOTION

Rep. Backes moved that Rep. E. Pomeroy be allowed to vote on House Bill No. 1604, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1604. — A Bill for an Act to amend and reenact sections 61-16-50 and 61-21-67 of the North Dakota Century Code, relating to the authority of boards of commissioners of water management districts and county boards of drainage commissioners to close noncomplying drains.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 12; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ		• THOMPSON
• ANDERSON, R. #36			• HORGAN			• MEYER		• TIMM
• BACKES			• HOUWMANN			• MOORE		• UNHJEM
• BERG			• HUGHES			• MOUR		• VANDER VORST
• BERGER			• HUWE			• MURPHY		• VIG
• BLACK			• JACOBSEVPR			• MUSHIK		• WAGNER
• BOYUM			• JACOBSON, I.			• NAGEL		• WALD
• BROKAW		•	• KELLY			• NICHOLAS		• WENTZ
• CONMY			• KENT			• OLAFSON	•	• WHALEN
• CRABTREE			• KINGSBURY			• OLSEN		• ZIMBLEMAN
• DICK			• KLOUBEC			• OLSON, A. #11		
• DIETZ			• KNUDSON			• OLSON, D. #13		• MR. SPEAKER
• DOTZENROD			• KOLAND			• OPEDAHL		
• DUBORD		•	• KOSKI			• PELTIER		
• EAGLES			• KRETSCHMAR			• PETERSON		
• FARBORG			• KUCHERA		•	• POMEROY, E. #24		
• GATES			• LANG			• POMEROY, G. #42		
• GERL			• LARSON, B. #12			• REED		•
• GOETZ			• LARSON, G. #29			• REITEN		
• GORDER		•	• LARSON, H. #7			• RETZER		
• GUNDERSON			• LIPSIEA			• RICE		
• GUNSCH			• MARSDEN			• RICHARD		
• HANSON, L. #44		•	• MARTIN		•	• RICHIE		
• HANSON, O. #3			• MARTINSON			• RIEHL		
• HAUGLAND			• MATCHIE			• RUD		
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER		
• HAUSAUER, R. #23			• MATTSON			• SOLBERG		
• HEDSTROM			• MEIERS			• SORUM		
• HEIGAARD			• MELBY			• STRINDEN		•
• HILL			• MERTENS			• SWIONTEK		

So the bill passed and the title was agreed to.

House Bill No. 1630. — A Bill for an Act to permit the shooting of certain blackbirds and grackles which are committing depredation on agricultural crops.

Which has 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, 7; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ		• THOMPSON
• ANDERSON, R. #36			• HORGAN			• MEYER		• TIMM
• BACKES			• HOUWMANN			• MOORE		• UNHJEM

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

So the bill passed and the title was agreed to.

House Bill No. 1638. — A Bill for an Act to amend and reenact subsection 1 of section 39-08-01 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor or controlled substances or a combination thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 29; absent and not voting 4.

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

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3022. — A concurrent resolution urging yearly scoliosis screening of all children in grades six through nine and the continuance of scoliosis referral clinics.

Which has been read.

The question being on the final adoption of the resolution, so the House Concurrent Resolution No. 3022 was declared adopted on a voice vote.

House Concurrent Resolution No. 3051. A concurrent resolution directing the Legislative Council to study records management and public printing policies of state government.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 89; nays, 0; absent and not voting 11.

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

So the House Concurrent Resolution No. 3051 was declared adopted.

**MESSAGE FROM THE SENATE
Senate Chamber**

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2009
- Senate Bill No. 2016
- Senate Bill No. 2018
- Senate Bill No. 2033
- Senate Bill No. 2036
- Senate Bill No. 2204
- Senate Bill No. 2291
- Senate Bill No. 2295
- Senate Bill No. 2345
- Senate Bill No. 2346

Very Respectfully,
LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 1266. — A Bill for an Act to repeal section 54-01-05.4 of the North Dakota Century Code, relating to the authority of the governor to require the filing of an impact analysis on land acquisition by a federal agency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 6; absent and not voting 8.

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

So the bill passed and the title was agreed to.

House Bill No. 1609. — A Bill for an Act to suspend federal authority to acquire certain interests in land; to amend and reenact subsection 1 of section 20.1-02-18.2 of the North Dakota Century Code, relating to the federal acquisition of land in North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 11; absent and not voting 6.

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

• HEIGAARD	• MELBY	• STRINDEEN
• HILL	• MERTENS	• SWIONTEK

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

House Bill No. 1265. — A Bill for an Act to amend and reenact sections 54-01-15 of the North Dakota Century Code, relating to acquisition of national forest lands by the United States; and to repeal section 54-01-07 of the North Dakota Century Code, relating to legislative consent to purchase of lands by the United States.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 15; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ		• THOMPSON
• ANDERSON, R. #26			• HORGAN			• MEYER		• TIMM
• BACKES			• HOUWANN			• MOORE		• UNHEW
• BERG			• HUGHES			• MOJUM		• VANDER VORST
• BERGER			• HUWE			• MURPHY		• VIG
• BLACK			• JACOBSEN			• MUSHIK		• WAGNER
• BOYUM			• JACOBSON, I.			• NAGEL		• WALD
• BROKAW			• KELLY			• NICHOLAS		• WENTZ
• CONMY	•		• KENT			• OLAFSON		• WHALEN
• CRABTREE			• KINGSBURY			• OLSEN		• ZIMBLEMAN
• DICK			• KLOUBEC			• OLSON, A. #11		
• DIETZ			• KNUDSON			• OLSON, D. #13		• MR. SPEAKER
• DOTZENROD			• KOLAND			• OPEDAHL		
• DUBORD	•		• KOSKI			• PELTIER		
• EAGLES	•		• KRETSCHMAR	•		• PETERSON		
• FREIBORG			• KUCHERA			• POMEROY, E. #24		
• GATES			• LANG	•		• POMEROY, G. #42		
• GERL	•		• LARSON, B. #12			• REED		
• GOETZ			• LARSON, G. #29	•		• REITEN	•	
• GORDER			• LARSON, H. #7			• RETZER	•	
• GUNDERSON			• LIPSIEA	•		• RICE		
• GUNSCH			• MARSDEN			• RICHARD		
• HANSON, L. #48	•		• MARTIN			• RICHIE		
• HANSON, O. #3			• MARTINSON			• RIEHL		
• HAUGLAND	•		• MATHIE			• RUED		
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER	•	
• HAUSAUER, R. #25			• WATSON			• SOLBERG	•	
• HEDSTROM			• WEIERS			• SOJUM		
• HEIGAARD			• MELBY			• STRINDEEN		
• HILL			• MERTENS			• SWIONTEK		

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The Honorable James Peterson
 Speaker of the House
 House Chambers
 Bismarck, North Dakota 58505
 Dear Mr. Speaker:

This is to inform you that on February 18, 1981, I signed the following House Bills:

- House Bill 1046
- House Bill 1070
- House Bill 1073
- House Bill 1176
- House Bill 1342

Sincerely,
 ALLEN I. OLSON
 Governor

MOTIONS

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

Rep. Kretschmar moved that the House be on the ninth order of

business, and at the conclusion of the ninth order, that the House be on the thirteenth order of business, and at the conclusion of the thirteenth order, that the House stand adjourned until 9:00 a.m., Thursday, February 19, 1981, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Kretschmar and Senator Wenstrom introduced:

House Concurrent Resolution No. 3055. — A concurrent resolution to create a new article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal the present article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

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

FIRST READING OF SENATE BILLS

Senate Bill No. 2028. — A Bill for an Act making an appropriation for defraying the expenses of the highway patrol and the various divisions thereof of the state of North Dakota.

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

Senate Bill No. 2256. — A Bill for an Act to amend and reenact subsection 4 of section 28-01-18 of the North Dakota Century Code, relating to actions having two-year limitations.

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

Senate Bill No. 2271. — A Bill for an Act to amend and reenact sections 37-14-03.3, 37-14-06, and 37-14-07 of the North Dakota Century Code, relating to the veterans' aid fund; 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. 2330. — A Bill for an Act to amend and reenact sections 7-02-04 and 47-14-09 of the North Dakota Century Code, relating to the definitions of usury, and usury rates; and to repeal subsection 1 of section 13-03.1-15 and chapter 13-04 of the North Dakota Century Code, relating to installment payment charges and bank installment loans.

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

Senate Bill No. 2382. — A Bill for an Act to amend and reenact sections 27-05-01, 27-05-02, and 27-05-08 of the North Dakota Century Code, relating to the number of judgeships in judicial districts, the election and term of office of district judges, and the designation of district court chambers.

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

Senate Bill No. 2408. — A Bill for an Act to repeal chapter 35-11 of the North Dakota Century Code, relating to lien required for farm laborers.

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

Senate Bill No. 2426. — A Bill for an Act regarding the powers and duties of the legislative council concerning a legislative budget, and setting out procedures therefor.

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

Senate Bill No. 2428. — A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to exemption of property from taxation; and to provide an effective date.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4009. — A concurrent resolution directing improvements to the state of North Dakota's accounting and financial reporting system.

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

Senate Concurrent Resolution No. 4032. — A concurrent resolution urging the President and Congress to fund and implement immediately the mineral impact loan program authorized under section 317(c) of the Federal Land Policy and Management Act of 1976.

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

Senate Concurrent Resolution No. 4039. — A concurrent resolution requesting the Secretary of Agriculture to ensure that federal farm programs neither require nor encourage cultivation of highly erosive land.

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

Senate Concurrent Resolution No. 4040. — A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Pembilier Dam Project.

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

Senate Concurrent Resolution No. 4042. — A concurrent resolution directing the Legislative Council to study state statutes and regulatory requirements relating to all financial institutions.

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

Senate Concurrent Resolution No. 4043. — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of state promotion of processing plants for North Dakota products within the state.

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

Senate Concurrent Resolution No. 4044. — A concurrent resolution directing the Legislative Council to study the feasibility of cooperative marketing efforts by the North Dakota Beef Commission, North Dakota Dairy Products Promotion Commission, North Dakota Edible Bean Commission, North Dakota Potato Council, North Dakota Sunflower Council, and North Dakota Wheat Commission.

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

Senate Concurrent Resolution No. 4045. — A concurrent resolution directing a Legislative Council study of statutes and procedures related to Senate confirmation of gubernatorial appointments.

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

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

ROY GILBREATH, Chief Clerk