

FORTY-FIFTH DAY

Bismarck, March 10, 1981

The House convened at 1:30 p.m., with Speaker Peterson presiding. Prayer was offered by Reverend Ira Herzberg, Calvary United Methodist Church, Bismarck, North Dakota.

Roll was called and all members were present except Rep. Huwe. A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fourth Day and finds the same to be correct.

Burne Reed Chairman

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

MOTION

Rep. Strinden moved that Senate Bill No. 2417 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2417. — A Bill for an Act to create and enact a new subsection to section 11-10.1-05 of the North Dakota Century Code, relating to the powers and duties of the county director of tax equalization.

Which has been read.

ROLL CALL

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

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		●	WETZ		●	THOMPSON	
●	ANDERSON, R. #14		●	HORGAN		●	MEYER		●	TIMM	
●	BACKES		●	HOUWANN		●	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	
●	CONNY	●	●	KENT		●	OLAFSON		●	WHALEMAN	
●	CRABTREE		●	KINGSBURY		●	OLSEN		●	ZIMBLEMAN	
●	DICK		●	KLOUBEC		●	OLSON, A. #11				
●	DIETZ		●	KNUDSON		●	OLSON, D. #13				
●	DOTZENROD		●	KOLAND		●	OPEDAHN				
●	DUBORD		●	KOSKI		●	PELTIER				
●	EAGLES		●	KRETSCHMAR		●	PETERSON				
●	FREBERG		●	KUCHERA		●	POMEROY, E. #74				
●	GATES		●	LANG		●	POMEROY, G. #12				

● 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
● HEGAARD	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWIONTEK

So the bill passed and the title was agreed to.

Senate Bill No. 2067. — A Bill for an Act to amend and reenact section 27-05-27 and subsection 2 of section 29-15-21 of the North Dakota Century Code, relating to the hearing of postjudgment motions before the judge before whom the matter was originally heard, and the demand for a change of judge.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 3; absent and not voting, 1.

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. #24			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUMANN			● MOORE			● UNKJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE			● MURPHY			● VIG		
● 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		●	● 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					
● HEGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

Senate Bill No. 2072. — A Bill for an Act to amend and reenact subsections 2 and 5 of section 15-47-38 of the North Dakota Century Code, relating to the procedures to be followed by school boards in discharging a teacher for cause or failing to renew the contract of a teacher.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 1; 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. #24			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUMANN			● MOORE			● UNKJEM		
● 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. #12	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBERG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, D. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• NATTSOON	• SOLBERG	
• HEDSTROM	• NEIERS	• SORUM	
• HEIGAARD	• NELBY	• STRINDEN	
• HILL	• NERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the following Senate Concurrent Resolutions be placed at the top of the calendar in the following order: Senate Concurrent Resolution No. 4031, Senate Concurrent Resolution No. 4035, and Senate Concurrent Resolution No. 4037, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4031. — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention for the purpose of considering, drafting, and proposing an amendment to the Constitution of the United States to provide protection of the right to life of all human beings.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 42; nays, 56; 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	
• ANDERSON, C. #7			• HOFFNER			• WETZ			• THOMPSON
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM
• BACES			• HOUMANN			• MOORE			• UNHJEV
• 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. #12			• MR. SPEAKER
• DOTZENROD			• KOLAND			• OPEDAHL			
• DUBORD			• KOSKI			• PELTIER			
• EAGLES			• KRETSCHMAR			• PETERSON			
• FREBERG			• KUCHERA			• POMEROY, E. #24			
• GATES			• LANG			• POMEROY, G. #42			
• GERL			• LARSON, B. #12			• REED			
• GOETZ			• LARSON, G. #29			• REITEN			
• GORDER			• LARSON, H. #7			• RETZER			
• GUNDERSON			• LIPSIEA			• RICE			
• GUNSCHE			• MARSDEN			• RICHARD			
• HANSON, L. #48			• MARTIN			• RICHIE			
• HANSON, D. #3			• MARTINSON			• RIEHL			
• HAUGLAND			• MATCHIE			• RUED			
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER			
• HAUSAUER, R. #25			• NATTSOON			• SOLBERG			
• HEDSTROM			• NEIERS			• SORUM			
• HEIGAARD			• NELBY			• STRINDEN			
• HILL			• NERTENS			• SWIONTEK			

So the Senate Concurrent Resolution No. 4031 was declared lost.

Rep. Unhjem moved that the vote by which Senate Concurrent Resolution No. 4031 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution No. 4035. — A concurrent resolution urging the United States Congress to pass the resolution which has been introduced by Senator Jesse Helms and Representative Robert K. Dornan calling for a right to life amendment to the United States Constitution.

Was read the second time.

REMARKS IN THE JOURNAL

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

Rep. Matchie:

“Mr. Speaker, Members of the House:

“I would like to address SCR 4035, and ask that my remarks be printed in the House Journal.

“SCR 4035 asks Congress to enact an Amendment to the U.S. Constitution that makes the abortion of a fertilized ovum illegal because it is immoral, in fact, murder (if we can go by the testimony on this resolution in the Social Services Committee).

“For purposes of clarification, I would like to outline what I think is basic to any moral act. Such an act has three dimensions:

1) the ACT ITSELF, 2) the INTENTION of the person performing it, and 3) the CIRCUMSTANCES surrounding the act. For an action to be moral (or immoral) all three elements must be present. Otherwise, it is simply not a human action.

“When one goes to war, for instance, killing does not take place in the abstract. People kill for reasons and under certain conditions. In fact, killing in wartime is often justified because of the INTENTIONS and CIRCUMSTANCES under which a soldier kills the enemy.

“The problem with SCR 4035 is that abortion as an act is isolated from the INTENTION of the person who does it, and from the CIRCUMSTANCES under which it is done. This kind of separation or fragmentation of the whole moral act is what makes legislation regarding it so difficult.

“When we passed HB 1554 (parental consent for abortion), a bill which I supported and carried on the House Floor, we were careful to see that the individual girl’s maturity was established so that, when faced with a choice within her particular circumstances, she could do it responsibly. And when that context was not there, we provided that she consult her parents so the fullness of the human moral decision (ACT, INTENTION, CIRCUMSTANCES) might be preserved.

“By contrast, in SCR 4035, also known as the Helms Amendment, the total context for decision-making is not there. By implication abortion is considered in itself to be illegal. There are no qualifying reasons, no mitigating circumstances.

“Many will vote for this resolution simply because the public perceives it as opposed to abortion. I am opposed to abortion and think it is at best a “tragic option” in our society. But I am also opposed to bad legislation, and think that, when necessary, as an aid to the public, we as legislators need to make helpful distinctions between good and bad bills and resolutions.

“SCR 4035 is a bad resolution because it is too narrow, because it avoids the whole context in which decisions are made, and for these reasons I urge you to vote against it. Thank you.”

REQUEST

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 47; nays, 53; absent and not voting, 0.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
ANDERSON, C. #1	•		•		•		•	•		•	
ANDERSON, R. #36	•		•		•		•	•		•	
BACKES	•		•		•		•	•		•	
BERG	•		•		•		•	•		•	
• BERGER			•		•		•	•		•	
BLACK	•		•		•		•	•		•	
BOYUM	•		•		•		•	•		•	
• BROKAW			•		•		•	•		•	
CONMY	•		•		•		•	•		•	
CRABTREE	•		•		•		•	•		•	
DICK	•		•		•		•	•		•	
• DIETZ			•		•		•	•		•	
• DOTZENROD			•		•		•	•		•	
• DUBORD			•		•		•	•		•	
• EAGLES			•		•		•	•		•	
• FREGORG			•		•		•	•		•	
GATES	•		•		•		•	•		•	
GERL	•		•		•		•	•		•	
GOETZ	•		•		•		•	•		•	
• GORDER			•		•		•	•		•	
• GUNDERSON			•		•		•	•		•	
• GUNSCH			•		•		•	•		•	
• HANSON, L. #48			•		•		•	•		•	
• HANSON, O. #3			•		•		•	•		•	
• HAUGLAND			•		•		•	•		•	
• HAUSAUER, A. #49			•		•		•	•		•	
• HAUSAUER, R. #15			•		•		•	•		•	
• HEDSTROM			•		•		•	•		•	
• HEIGAARD			•		•		•	•		•	
• HILL			•		•		•	•		•	
• HOFFNER			•		•		•	•		•	
• HORGAN			•		•		•	•		•	
• HOUMANN			•		•		•	•		•	
• HUGHES			•		•		•	•		•	
• HUWE			•		•		•	•		•	
• JACOBSEN, R.			•		•		•	•		•	
• JACOBSON, I.			•		•		•	•		•	
• KELLY			•		•		•	•		•	
• KENT			•		•		•	•		•	
• KINGSBURY			•		•		•	•		•	
• KLCUBEC			•		•		•	•		•	
• KNUDSON			•		•		•	•		•	
• KOLAND			•		•		•	•		•	
• KOSKI			•		•		•	•		•	
• KRETSCHMAR			•		•		•	•		•	
• KUCHERA			•		•		•	•		•	
• LANG			•		•		•	•		•	
• LARSON, B. #12			•		•		•	•		•	
• LARSON, G. #29			•		•		•	•		•	
• LARSON, H. #7			•		•		•	•		•	
• LIPSIEA			•		•		•	•		•	
• MARSDEN			•		•		•	•		•	
• MARTIN			•		•		•	•		•	
• MARTINSON			•		•		•	•		•	
• MATCHIE			•		•		•	•		•	
• MATHENY			•		•		•	•		•	
• MATTSON			•		•		•	•		•	
• MEIERS			•		•		•	•		•	
• MELBY			•		•		•	•		•	
• MERTENS			•		•		•	•		•	
• WETZ			•		•		•	•		•	
• WEYER			•		•		•	•		•	
• WOORE			•		•		•	•		•	
• WOUH			•		•		•	•		•	
• MURPHY			•		•		•	•		•	
• MUSHIK			•		•		•	•		•	
• NAGEL			•		•		•	•		•	
• NICHOLAS			•		•		•	•		•	
• OLAFSON			•		•		•	•		•	
• OLSEN			•		•		•	•		•	
• OLSON, A. #11			•		•		•	•		•	
• OLSON, D. #13			•		•		•	•		•	
• OPEDAHL			•		•		•	•		•	
• PELTIER			•		•		•	•		•	
• PETERSON			•		•		•	•		•	
• POMEROY, E. #21			•		•		•	•		•	
• POMEROY, G. #42			•		•		•	•		•	
• REED			•		•		•	•		•	
• REITEN			•		•		•	•		•	
• RETZER			•		•		•	•		•	
• RICE			•		•		•	•		•	
• RICHARD			•		•		•	•		•	
• RICHIE			•		•		•	•		•	
• RIEHL			•		•		•	•		•	
• RIED			•		•		•	•		•	
• RUES			•		•		•	•		•	
• SCHINDLER			•		•		•	•		•	
• SOLBERG			•		•		•	•		•	
• SORUM			•		•		•	•		•	
• STRINDEN			•		•		•	•		•	
• SWONTEK			•		•		•	•		•	
• THOMPSON			•		•		•	•		•	
• TIMM			•		•		•	•		•	
• UNHJEM			•		•		•	•		•	
• VANDER VORST			•		•		•	•		•	
• VIG			•		•		•	•		•	
• WAGNER			•		•		•	•		•	
• WALD			•		•		•	•		•	
• WENTZ			•		•		•	•		•	
• WHALEN			•		•		•	•		•	
• ZIMBLEMAN			•		•		•	•		•	
• MR. SPEAKER											

So the Senate Concurrent Resolution No. 4035 was declared lost.

Rep. Unhjem moved that the vote by which Senate Concurrent Resolution No. 4035 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution No. 4037. — A concurrent resolution urging the Congress of the United States to exercise its power, granted under section 2 of article III of the United States Constitution, to limit the jurisdiction of the United States Supreme Court to prevent deprivation of the right to life from the moment of conception.

Was read the second time.

The question being on the final adoption of the resolution, so the Senate Concurrent Resolution No. 4037 was declared lost on a voice vote.

Rep. Unhjem moved that the vote by which Senate Concurrent Resolution No. 4037 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

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

The House reconvened at 2:50 p.m., with Speaker Peterson presiding.

SPECIAL ORDER OF BUSINESS

Rep. Hill introduced Dana Wheeler, a student from Concordia College, Moorhead, Minnesota who represented the churches of the United States at a World Council of Churches meeting held on Feb. 28, 1981, through March 7, 1981, in Damascus, Syria.

REMARKS IN THE JOURNAL

Dana Wheeler:

"Thank you Mr. Speaker, ladies and gentlemen of the House of

Representatives:

“It’s an honor for me to be able to address you briefly and, indeed, I think, to be a citizen of the State of North Dakota. As I’ve traveled and met with many youth, I think I’m hearing a new need among the youth of today for a new type of ministry that I’m working with. I’ve been tempted to term it and coin it ‘The Ministry of You’. Or to break the generation gap, I’ll add the King James version, the ‘th’ and say the Ministry of Youth. Or maybe to be a little bit more accurate, I can speak of the Ministry of Youthfulness. As I’ve worked with youth from different parts of the world, indeed we’ve found that other countries term youth different than we do. In Europe and parts of the Middle East youth is considered to start at the age of fifteen and extend all the way up to the age of 45, which, looking at youth or youthfulness in such an aspect literally, a lot of you are included. And when I speak of youthfulness as youthfulness of heart, I think perhaps most of you are included.

“There’s an important aspect that youthfulness and the ministry of youth is adding to our churches and our society today. As I visited several countries from Europe and from the Middle East in this past trip, I was surprised to find out that there are so many people who are so well informed with America, with the United States, with our government and with our system of politics and the economy. I was unfortunately shocked, however, to find out the number of people who, while they imitate the United States and look towards us as a goal setter (as an object or an idol we can copy), they spoke of us with some complaints about the results of the actions we’ve had. Many of the people from different countries asked me to bring back a message that the Americans, the United States government, and us as individuals become reconciled with the results of our actions in their country, which in many cases they feel have led and been the cause of economic oppression and other forms of injustice. At the same time, as I flew over many of the different areas, I noticed that all the countries of the world, or indeed many of them, possess the same sort of wallop that we have. They have the same resources that we have: the land, the labor, the capital and the management. I think that one of the things that has made our country great has been the way we’ve used the resources that we have, the responsibility that the Americans have used since we began our country many years ago.

“During this time and this age of change when we’re faced with new modern technologies and new international communications and interactions, I think that we need, as we have in the past, to continue to use the wealth which we have in a responsive way. One of the interesting comments I bring back from Syria was a comment from the patriarch of the Orthodox Church when he happened to say that we are not called, you and I, as servants of people, of our country, as citizens of towns, states and as members of churches, we are not called to be successful. We’re not called to manipulate, to take for granted, to overpower others, to achieve for our own gain; we’re not called to be successful in that sense. But rather we are called to be faithful. As elected servants we’re called to be faithful to those people who elected us and to our country and to our God. Once we’ve achieved this faithfulness, then the service will follow.

“I think I’ll summarize in the end with the last comment which I bring back. And that’s in our day of reconciliation as we grow toward solidarity with the common people we serve in our country and in all the countries of the world, in our day of reconciliation when we’re

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 20; 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			● HOPFNER			● 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		
● FREBERG	●		● KUCHERA	●		● POMEROY, E. #24		
● GATES			● LANG			● POMEROY, G. #42		
● GERL	●		● LARSON, B. #12			● REED		
● GOETZ			● LARSON, G. #29			● REITEN		
● GORDER			● LARSON, H. #7			● RETZER		
● GUNDERSON	●		● LIPSIEA			● RICE		
● GUNSCHE			● MARSDEN	●		● RICHARD		
● HANSON, L. #48			● MARTIN			● RICHIE		
● HANSON, O. #3			● MARTINSON			● RIEHL	●	
● HAUGLAND			● MATCHIE			● RUED		●
● HAUSAUER, A. #49	●		● MATHENY			● SCHINDLER		
● HAUSAUER, R. #25			● MATTSON			● SOLBERG		
● HEDSTROM			● MEIERS			● SORUM		
● HEIGAARD			● MELBY	●		● STRINDEN		●
● HILL			● MERTENS			● SWIONTEK		

So the bill passed and the title was agreed to.

Senate Bill No. 2189. — A Bill for an Act to amend and reenact section 43-15-01 of the North Dakota Century Code, relating to pharmacy definitions.

Which has been read.

ROLL CALL

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

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOPFNER			● 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		
● FREBERG			● KUCHERA			● POMEROY, E. #24		
● GATES			● LANG			● POMEROY, G. #42		
● GERL			● LARSON, B. #12			● REED		
● GOETZ			● LARSON, G. #29			● REITEN		
● GORDER			● LARSON, H. #7			● RETZER		
● GUNDERSON			● LIPSIEA			● RICE		
● GUNSCHE			● MARSDEN			● RICHARD		
● HANSON, L. #48			● MARTIN			● RICHIE		
● HANSON, O. #3			● MARTINSON			● RIEHL	●	
● HAUGLAND			● MATCHIE			● RUED		
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER		
● HAUSAUER, R. #25			● MATTSON			● SOLBERG		
● HEDSTROM			● MEIERS			● SORUM		
● HEIGAARD			● MELBY			● STRINDEN		
● HILL			● MERTENS			● SWIONTEK		

So the bill passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

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

- House Bill No. 1069
- House Bill No. 1179
- House Bill No. 1196
- House Bill No. 1198
- House Bill No. 1241
- House Bill No. 1254
- House Bill No. 1270
- House Bill No. 1362
- House Bill No. 1420
- House Bill No. 1482
- House Bill No. 1512
- House Bill No. 1558
- House Bill No. 1590
- House Bill No. 1622

and find the same correctly } Enrolled

Chairman

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

MESSAGES FROM THE SENATE
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1025
- House Bill No. 1159
- House Bill No. 1165
- House Bill No. 1455
- House Bill No. 1461
- House Bill No. 1501
- House Bill No. 1584
- House Bill No. 1607
- House Bill No. 1614

LEO LEIDHOLM, Secretary
Senate Chamber

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

Senate Concurrent Resolution No. 4084

LEO LEIDHOLM, Secretary
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

- House Bill No. 1592
- House Bill No. 1613

Very Respectfully,

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

House Bill No. 1093
 Senators:
 Leibhan
 Erickson
 Berube
 Very Respectfully,

LEO LEIDHOLM, Secretary
 MESSAGES TO THE SENATE
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Concurrent Resolution No. 4031
 Senate Concurrent Resolution No. 4035
 Senate Concurrent Resolution No. 4037

ROY GILBREATH, Chief Clerk
 House Chamber

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

House Concurrent Resolution No. 3080

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2047
 Senate Bill No. 2074
 Senate Bill No. 2076
 Senate Bill No. 2147
 Senate Bill No. 2185
 Senate Bill No. 2283
 Senate Bill No. 2312
 Senate Bill No. 2328
 Senate Bill No. 2342
 Senate Bill No. 2359
 Senate Bill No. 2379
 Senate Bill No. 2398
 Senate Bill No. 2410
 Senate Bill No. 2422

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary
 SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2047
 Senate Bill No. 2074
 Senate Bill No. 2076
 Senate Bill No. 2147
 Senate Bill No. 2185
 Senate Bill No. 2283
 Senate Bill No. 2312
 Senate Bill No. 2328
 Senate Bill No. 2342
 Senate Bill No. 2359
 Senate Bill No. 2379
 Senate Bill No. 2398

Senate Bill No. 2410
Senate Bill No. 2422

ROY GILBREATH, Chief Clerk
MESSAGE TO THE SENATE
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2047
Senate Bill No. 2074
Senate Bill No. 2076
Senate Bill No. 2147
Senate Bill No. 2185
Senate Bill No. 2283
Senate Bill No. 2312
Senate Bill No. 2328
Senate Bill No. 2342
Senate Bill No. 2359
Senate Bill No. 2379
Senate Bill No. 2398
Senate Bill No. 2410
Senate Bill No. 2422

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following,
which the Senate has amended:

House Bill No. 1189
Very Respectfully,

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1189

On page 1, of the engrossed bill, line 1, after the words "A BILL", delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact subsections 12, 13, and 14 to section 43-15-10 and a new section to chapter 43-15 of the North Dakota Century Code, relating to powers of the board of pharmacy and to disciplinary penalties for pharmacists; and to amend and reenact subsection 1 of section 43-15-10 of the North Dakota Century Code, relating to powers of the board of pharmacy."

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

SECTION 1. Subsections 12, 13 and 14 to section 43-15-10 of the 1979 Supplement to the North Dakota Century Code are hereby created and enacted to read as follows:

12. To regulate and control the practice of pharmacy in North Dakota.
13. To adopt, amend, and repeal rules for the regulation of pharmacies and pharmacists providing radio-pharmaceutical services, including special training, education, and experience for pharmacists and physical design of space, safeguards and equipment for pharmacies.
14. To make, adopt, amend, and repeal rules as may be deemed necessary by the board from time to time for the proper administration and enforcement of this chapter.

SECTION 2. AMENDMENT. Subsection 1 of section 43-15-10 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. To cancel, revoke, or suspend the certificate and registration of any registered pharmacist who To refuse to issue or renew, or may suspend, revoke or restrict the certificate, registration or permit of any pharmacist or registered pharmacist, upon one or more of the following grounds:
 - a. Is addicted to any drug habit.
 - b. Uses any advertising statements of a character tending to deceive or mislead the public.
 - c. Is a chronic or persistent inebriate.
 - d. Permits or engages in the unauthorized sale of narcotic drugs or controlled substances.
 - e. Permits or engages an unauthorized person to practice pharmacy.
 - f. Is mentally or physically incompetent to handle his pharmaceutical duties.
 - g. Is guilty of fraud, deception, or misrepresentation in passing his pharmacist examination.
 - h. Willfully and repeatedly violates Is found by the board in violation of any of the provisions of the laws regulating pharmacists or the rules and regulations established by the board.
 - i. Unprofessional conduct as that term is defined by the rules and regulations of the board.
 - j. Incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, competence, and safety to the public.
 - k. Is found guilty by a court of competent jurisdiction of one or more of the following:
 - (1) A felony, as defined by the statutes of North Dakota.
 - (2) Any act involving moral turpitude or gross immorality.
 - (3) Violations of the pharmacy or the drug laws of North Dakota or rules and regulations pertaining thereto, or of statutes, rules or regulations of any other state, or of the federal government.
1. Fraud or intentional misrepresentation by a pharmacist in securing the issuance or renewal of a certificate of registration or pharmacy permit.

SECTION 3. A new section to chapter 43-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

PENALTIES, REINSTATEMENT, CRIMINAL PROSECUTIONS, AND JUDICIAL REVIEW.

1. Upon the finding of the existence of grounds for discipline of any person holding, seeking, or renewing a certificate of registration, permit, or license under this chapter, the board may impose one or more of the following penalties:
 - a. Suspension of the offender's certificate of registration, permit, or license for a term to be determined by the board.
 - b. Revocation of the offender's certificate of registration, permit, or license.
 - c. Restriction of the offender's certificate of registration, permit, or license to prohibit the offender from performing certain acts or from engaging in the practice of pharmacy in a particular manner for a term to be determined by the board.
 - d. Imposition of a fine not to exceed two thousand dollars for each offense.
 - e. Refusal to renew offender's certificate of registration, permit, or license.
 - f. Placement of the offender on probation and

supervision by the board for a period to be determined by the board.

2. Any person whose certificate of registration, permit, or license to practice pharmacy in North Dakota has been suspended, revoked, or restricted pursuant to this chapter, whether voluntarily or by action of the board, shall have the right, at reasonable intervals, to petition the board for reinstatement of such certificate of registration, permit, or license. A petition shall be made in writing and in the form prescribed by the board. Upon investigation and hearing, the board may in its discretion grant or deny such petition, or it may modify its original finding to reflect any circumstances which have changed sufficiently to warrant such modifications.
3. Nothing herein shall be construed as barring criminal prosecutions for violations of this chapter where such violations are deemed as criminal offenses in other statutes of North Dakota or of the United States.
4. All final decisions by the board shall be subject to judicial review pursuant to chapter 28-32."

And renumber the lines and pages accordingly

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2073
 Senate Bill No. 2115
 Senate Bill No. 2123
 Senate Bill No. 2138
 Senate Bill No. 2173
 Senate Bill No. 2225
 Senate Bill No. 2229
 Senate Bill No. 2264
 Senate Bill No. 2266
 Senate Bill No. 2292
 Senate Bill No. 2335
 Senate Bill No. 2384
 Senate Bill No. 2387
 Senate Bill No. 2388
 Senate Bill No. 2408
 Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4034
 Senate Concurrent Resolution No. 4045
 Senate Concurrent Resolution No. 4054

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2073
 Senate Bill No. 2115
 Senate Bill No. 2123
 Senate Bill No. 2138
 Senate Bill No. 2173
 Senate Bill No. 2225
 Senate Bill No. 2229
 Senate Bill No. 2264
 Senate Bill No. 2266
 Senate Bill No. 2292

Senate Bill No. 2335
 Senate Bill No. 2384
 Senate Bill No. 2387
 Senate Bill No. 2388
 Senate Bill No. 2408
 Senate Concurrent Resolution No. 4009
 Senate Concurrent Resolution No. 4034
 Senate Concurrent Resolution No. 4045
 Senate Concurrent Resolution No. 4054
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1069
 House Bill No. 1179
 House Bill No. 1196
 House Bill No. 1198
 House Bill No. 1241
 House Bill No. 1254
 House Bill No. 1270
 House Bill No. 1362
 House Bill No. 1420
 House Bill No. 1482
 House Bill No. 1512
 House Bill No. 1558
 House Bill No. 1590
 House Bill No. 1622

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1069
 House Bill No. 1179
 House Bill No. 1196
 House Bill No. 1198
 House Bill No. 1241
 House Bill No. 1254
 House Bill No. 1270
 House Bill No. 1362
 House Bill No. 1420
 House Bill No. 1482
 House Bill No. 1512
 House Bill No. 1558
 House Bill No. 1590
 House Bill No. 1622

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

Senate Bill No. 2237
 Rep. Wentz
 Rep. Moore
 Rep. Kelly

Very Respectfully,

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2220

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2049

Senate Bill No. 2288

Senate Bill No. 2325

Senate Bill No. 2339

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2188

Senate Bill No. 2226

Senate Bill No. 2263

Senate Bill No. 2329

Senate Bill No. 2368

Senate Bill No. 2400

Senate Bill No. 2409

Senate Concurrent Resolution No. 4011

Senate Concurrent Resolution No. 4038

Senate Concurrent Resolution No. 4039

Senate Concurrent Resolution No. 4044

Senate Concurrent Resolution No. 4048

Senate Concurrent Resolution No. 4058

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2200. — A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code, relating to the definition of the word "teacher".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 28; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•		•			•			
•	ANDERSON, C. #7		•	HOFFNER	•	METZ		•	THOMPSON		
•	ANDERSON, R. #24		•	HORGAN	•	MEYER		•	TIMM		
•	BACKES		•	HOUMANN	•	MOORE		•	UNHJEM		
•	BERG	•	•	HUGHES	•	MOUM		•	VANDER VORST		
•	BERGER		•	HUWE	•	MURPHY		•	VIG	•	
•	BLACK		•	JACOBSEN, R.	•	MUSHIK	•	•	WAGNER		
•	BOYUM		•	JACOBSON, I.	•	NAGEL	•	•	WALD		
•	BROKAW		•	KELLY	•	NICHOLAS	•	•	WEHTZ	•	
•	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					
•	FREDBORG		•	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	• HANSON, L. #14	• HAUGLAND	• HAUSAUER, A. #19	• HAUSAUER, R. #25	• HEDSTROM	• HEIGAARD	• HILL	• HANSDEN	• MARTIN	• MARTINSON	• MATCHIE	• MATHENY	• MATTSON	• MEIERS	• MELBY	• MERTENS	RICHARD	• RICHIE	• RIEHL	• RUED	• SCHINDLER	• SOLBERG	• SORUM	• STRINDEN	• SWIONTEK
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So the bill passed and the title was agreed to.

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 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, 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	YEAS	N-V	NAYS			
• ANDERSON, C. #7			• HOFFNER			• WETZ			• THOMPSON					
• ANDERSON, R. #36			• HORGAN			• WEYER			• TIMM					
• BACKES			• HOUMANN			• MOORE			• UNHJEM					
• BERG			• HUGHES			• HOUM			• 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			• POWEROY, E. #24								
• GATES			• LANG			• POWEROY, G. #42								
• GERL			• LARSON, B. #12			• REED								
• GOETZ			• LARSON, G. #29			• REITEN								
• GORDER			• LARSON, H. #7			• RETZER								
• GUNDERSON			• LIPSIEA			• RICE								
• GUNSCH			• HANSDEN			• RICHARD								
• HANSON, L. #14			• MARTIN			• RICHIE								
• HANSON, R. #3			• MARTINSON			• RIEHL								
• HAUGLAND			• MATCHIE			• RUED								
• HAUSAUER, A. #19			• MATHENY			• SCHINDLER								
• HAUSAUER, R. #25			• MATTSON			• SOLBERG								
• HEDSTROM			• MEIERS			• SORUM								
• HEIGAARD			• MELBY			• STRINDEN								
• HILL			• MERTENS			• SWIONTEK								

So the bill passed and the title was agreed to.

Senate Bill No. 2257. — A Bill for an Act defining adult establishments and providing for county and city regulation of adult establishments; 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, 51; nays, 45; 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			• WETZ			• THOMPSON					
• ANDERSON, R. #36			• HORGAN			• WEYER			• TIMM					
• BACKES			• HOUMANN			• MOORE			• UNHJEM					
• BERG			• HUGHES			• HOUM			• 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	• POWEROY, E. #24
• GATES	• LANG	• POWEROY, G. #42
• GERL	• LARSON, B. #12	• REED
• GOETT	• 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	• STRINDE
• HILL	• MERTENS	• SWIONTEK

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

Senate Bill No. 2291. — A Bill for an Act to amend and reenact section 23-06-03 of the North Dakota Century Code, relating to the duty of burial.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 17; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #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		
• 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			• POWEROY, E. #24					
• GATES			• LANG			• POWEROY, G. #42					
• GERL		•	• LARSON, B. #12			• REED					
• GOETT			• 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			• STRINDE					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

Senate Bill No. 2300. — A Bill for an Act to amend and reenact section 16.1-03-01 of the North Dakota Century Code, relating to the time and manner for holding a precinct caucus to elect precinct committeemen; 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, 91; nays, 2; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #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. #21	
• 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, # #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, and the emergency clause was declared carried.

Senate Bill No. 2333. — A Bill for an Act to create and enact section 6-03-37.2 of the North Dakota Century Code, relating to state bank maintenance of reserves required under the Federal Reserve Act with the Bank of North Dakota; and to amend and reenact section 6-09-11 of the North Dakota Century Code, relating to the deposits of state banks in the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 81; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36		•	• HORGAN		•	• MEYER		•	• TIMM		•
• BACKES		•	• HOUMANN		•	• MOORE		•	• UNHJEM		•
• BERG		•	• HUGHES		•	• MOJUM		•	• 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. #21		•			
• 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, # #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.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to Senate Bill No. 2367, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2367. — A Bill for an Act to create and enact

subsection 6 of section 43-10.1-01 of the North Dakota Century Code, relating to definitions used in pre-need funeral service contracts; and to amend and reenact section 23-06-03.1, subsections 2 and 3 of section 43-10.1-01, and subsection 4 of section 43-10.1-03 of the North Dakota Century Code, relating to the deposit of funds collected from and the definitions used in pre-need funeral service contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 3; 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. #24			• HORGAN			• MEYER			• TIMM			
• BACKES			• HOUHANN			• MOORE			• UNHJEM			
• BERG		•	• HUGHES			• MOUR			• 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. #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, J. #48			• MARTIN			• RICHIE						
• HANSON, O. #7			• MARTINSON			• RIEHL						
• HAUGLAND			• MATCHIE			• RUTCH						
• HAUSAUER, A. #44			• MATHEWY			• SCHINDLER						
• HAUSAUER, R. #25	•		• MATTSON			• SOLBERG						
• HEDSTROM			• MEIERS			• SORUM						
• HEIGAARD			• MELBY			• STRINDEK						
• HILL			• MERTENS			• SWIONTEK						

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4042. — A concurrent resolution directing the Legislative Council to study state statutes and regulatory requirements relating to all financial institutions.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 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	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #24			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUHANN			• MOORE			• UNHJEM		
• BERG		•	• HUGHES			• MOUR			• 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. #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. #7	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #9	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the Senate Concurrent Resolution No. 4042 was declared adopted.

Senate Concurrent Resolution No. 4051. — A concurrent resolution directing the Legislative Council to conduct a study of the Sunday closing law.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 54; nays, 40; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
• ANDERSON, C. #7		•	• HOFFNER		• METZ			• THOMPSON		•	
• ANDERSON, R. #34		•	• 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		•	
• 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		•				
• GUNSCHE		•	• MARSDEN		• RICHARD		•				
• HANSON, L. #48		•	• MARTIN		• RICHIE		•				
• HANSON, O. #7		•	• MARTINSON		• RIEHL		•				
• HAUGLAND		•	• MATCHIE		• RUED		•				
• HAUSAUER, A. #9		•	• MATHENY		• SCHINDLER		•				
• HAUSAUER, R. #25		•	• MATTSON		• SOLBERG		•				
• HEDSTROM		•	• MEIERS		• SORUM		•				
• HEGAARD		•	• MELBY		• STRINDEN		•				
• HILL		•	• MERTENS		• SWIONTEK		•				

So the Senate Concurrent Resolution No. 4051 was declared adopted.

SIXTH ORDER OF BUSINESS

Rep. Swiontek moved that the amendments to House Concurrent Resolution No. 3005 as recommended by the Committee on Joint Constitutional Revision as printed on pages 1560 through 1562 of the House Journal be adopted, which motion prevailed.

Rep. Swiontek moved that the amendments to House Concurrent Resolution No. 3035 as recommended by the Committee on Joint Constitutional Revision as printed on page 1562 of the House Journal be adopted, which motion prevailed.

Rep. Swiontek moved that the amendments to House Concurrent Resolution No. 3055 as recommended by the Committee on Joint Constitutional Revision as printed on page 1563 of the House Journal be adopted, which motion prevailed.

Rep. Swiontek moved that the amendments to House Concurrent Resolution No. 3069 as recommended by the Committee on Joint Constitutional Revision as printed on page 1563 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to Senate Bill No. 2021 as

recommended by the Committee on Appropriations as printed on pages 1564 through 1566 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to Senate Bill No. 2038 as recommended by the Committee on Appropriations as printed on pages 1566 and 1567 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2118 as recommended by the Committee on Political Subdivisions as printed on page 1568 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2122 as recommended by the Committee on Political Subdivisions as printed on pages 1568 and 1569 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2153 as recommended by the Committee on Education as printed on pages 1569 through 1571 of the House Journal be adopted, and when so adopted, recommends that Senate Bill No. 2153 be rereferred to the Committee on Appropriations, which motion prevailed.

ANNOUNCEMENT

Speaker Peterson announced that Senate Bill No. 2153 was rereferred to the Committee on Appropriations.

MOTIONS

Rep. Kloubec moved that the amendments to Senate Bill No. 2184 as recommended by the Committee on Natural Resources as printed on page 1572 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to Senate Bill No. 2204 as recommended by the Committee on Transportation as printed on page 1573 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to Senate Bill No. 2247 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1574 of the House Journal be adopted, which motion prevailed.

Rep. Knudson moved that the amendments to Senate Bill No. 2274 as recommended by the Committee on Education as printed on page 1575 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2286 as recommended by the Committee on Political Subdivisions as printed on page 1575 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to Senate Bill No. 2296 as recommended by the Committee on Transportation as printed on pages 1575 and 1576 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to Senate Bill No. 2299 as recommended by the Committee on Transportation as printed on page 1576 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2377 as recommended by the Committee on Political Subdivisions as printed on page 1577 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2419 as recommended by the Committee on Natural Resources as printed on page 1578 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to Senate Concurrent Resolution No. 4043 as recommended by the Committee on Agriculture as printed on pages 1578 and 1579 of the House Journal be adopted, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1069
 House Bill No. 1179
 House Bill No. 1196
 House Bill No. 1198
 House Bill No. 1241
 House Bill No. 1254
 House Bill No. 1270
 House Bill No. 1362
 House Bill No. 1420
 House Bill No. 1482
 House Bill No. 1512
 House Bill No. 1558
 House Bill No. 1590
 House Bill No. 1622

Which the President has signed.

LEO LEIDHOLM, Secretary

SIGNING OF BILL

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

This is to inform you that on March 10, 1981, I signed House Bill 1088.

Sincerely,
ALLEN I. OLSON
 Governor

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H. B. No. 1069
 H. B. No. 1179
 H. B. No. 1196
 H. B. No. 1198
 H. B. No. 1241
 H. B. No. 1254
 H. B. No. 1270
 H. B. No. 1362
 H. B. No. 1420
 H. B. No. 1482
 H. B. No. 1512
 H. B. No. 1558
 H. B. No. 1590
 H. B. No. 1622

were delivered to the ^{Governor} ~~Secretary of State~~ for his approval at the hour of
4:03 o'clock P.M., March 10, 1981

Craig M. Richie
Rep. Craig Richie Chairman.

MOTIONS

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

Rep. Kretschmar moved that the House be on the fifth order of business, and at the conclusion of the fifth order that the House stand adjourned until 1:30 p.m., Wednesday, March 11, 1981, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred SENATE

Bill No. 2056, 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.

A. Hausauer
Rep. A. Hausauer
Chairman

SENATE Bill No. 2056 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE

Bill No. 2078, has had the same under consideration and recommends, by a vote of

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

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

be amended as follows:

On page 5, line 16, of the engrossed bill, after the word "boards" insert the words "and poll clerks"

On page 5, line 17, of the engrossed bill, overstrike the word "section", and on the same line delete the numerals "16-10-17" and insert in lieu thereof the word "law"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass

Conny
Rep. Conny
Chairman

SENATE Bill No. 2078 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

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to whom was referred SENATE

Bill No. 2097, has had the same under consideration and recommends, by a vote of

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

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

Rep. Rued Chairman

SENATE Bill No. 2097 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred SENATE

Bill No. 2142, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 1; Absent, 6, that the same

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

be amended as follows:

On page 2, after line 8 of the engrossed bill, insert the following sentence: "The person is also liable for collection fees or costs, not in excess of ten dollars, which are recoverable by civil action by the holder of the instrument."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Rep. Nicholas Chairman

SENATE Bill No. 2142 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred SENATE

Bill No. 2193, has had the same under consideration and recommends, by a vote of

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

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

Rep. A. Hausauer Chairman

SENATE Bill No. 2193 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred SENATE

Bill No. 2214, 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 4 of the engrossed bill, line 9, overstrike the words "for the"
On page 4 of the engrossed bill, line 10, overstrike the words
"year in which the sale occurred"

And renumber the lines accordingly

And when so amended, recommends the same do pass.


Rep. Nicholas

Chairman


SENATE Bill No. 2214 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 2259, has had the same under consideration and recommends, by a vote of

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

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


Rep. Vernon E. Wagner
Chairman

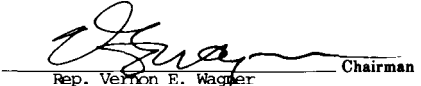
Senate Bill No. 2259 was placed on the 14th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 2261, has had the same under consideration and recommends, by a vote of

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

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


Rep. Vernon E. Wagner
Chairman

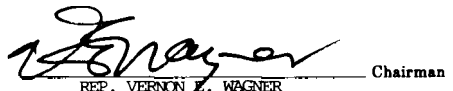
Senate Bill No. 2261 was placed on the 14th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 2276, 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.


REP. VERNON E. WAGNER
Chairman

Senate Bill No. 2276 was placed on the 14th
order of business on the calendar for the succeeding legislative day.

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

Bill No. 2281, 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.

Vernon E. Wagner
Rep. Vernon E. Wagner

Chairman

Senate Bill No. 2281 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred SENATE

Bill No 2301, has had the same under consideration and recommends, by a vote of

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

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

be amended as follows:

On page 1, line 9 of the engrossed bill, delete the word "applicant" and insert in lieu thereof the word "individual"

On page 1, line 11 of the engrossed bill, delete the word "applicant" and insert in lieu thereof the word "individual"

On page 1, line 19 of the engrossed bill, following the period, delete the words "For the purpose of"

On page 1 of the engrossed bill delete lines 20 and 21

On page 1, line 19 of the engrossed bill, following the period insert the following sentence: "For the purposes of this section, an individual means any person, including his or her spouse, and dependents thereof within the meaning of the Internal Revenue Code (26 U.S.C. 152)."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Rep. Nicholas

Chairman

Rep. Nicholas

SENATE Bill No. 2301 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 SENATE

Bill No. 2303, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

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

A. Hausauer

Chairman

Rep. A. Hausauer

SENATE Bill No. 2303 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE

Bill No. 2306, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 2; Absent, 1, that the same

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

be amended as follows:

On page 2, line 4, of the engrossed bill, delete the word "three" and insert in lieu thereof the word "five"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass



SENATE Bill No. 2306 Rep. Conmy Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE

Bill No. 2322, 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 23, of the engrossed bill, delete the word "the"

On page 1, line 24, of the engrossed bill, delete the words "greater of" and insert in lieu thereof the words "at least"

On page 1, line 25, of the engrossed bill, delete the words "or signatures from a majority of the counties"

On page 1 of the engrossed bill, delete lines 26 through 28

On page 2, line 1, of the engrossed bill, delete the words "federal decennial census"

On page 2, line 3, of the engrossed bill, delete the word "forty-sixth" and insert in lieu thereof "fifty-fifth"

On page 2, line 8, of the engrossed bill, delete the word "forty-sixth" and insert in lieu thereof "fifty-fifth"

On page 3, line 20, of the engrossed bill, delete the word "replied" and insert in lieu thereof "rearranged"

On page 3, line 21, of the engrossed bill, delete the word "repiling" and insert in lieu thereof "rearrangement"

On page 3, line 22, of the engrossed bill, delete the word "poliltical" and insert in lieu thereof "political"

On page 3, line 25, of the engrossed bill, delete the word "repiling" and insert in lieu thereof "rearrangement"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



SENATE Bill No. 2322 Rep. Conmy Chairman was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 2338, 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 1, after the 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 1 and subsection 2 of section 7 of initiated measure No. 6 as enacted by the people of the state of North Dakota, to provide a statement of legislative intent concerning water development and providing for creation of a resources trust fund; providing an appropriation and transfer; and declaring an emergency.

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

SECTION 1. AMENDMENT. Section 1 of initiated measure No. 6 as adopted at the general election in 1980 is hereby amended and reenacted to read as follows:

SECTION 1. INTENT. It is the intent of the electors of the state of North Dakota and the legislative assembly to increase the funding of educational opportunities for students in the elementary and secondary schools in North Dakota, to provide funds for Grafton state school, to provide for water development and utilization and energy conservation and development programs, and to equalize the tax structure and revenue sources of the state by enactment of an excise tax to be known as the "oil extraction tax" and enactment of an income tax credit and a credit for the county's twenty-one mill property tax levy for schools.

The legislative assembly has determined that many areas within the state of North Dakota do not have adequate water supplies for municipal, domestic, livestock, light industrial, and other uses. However, adequate water supplies are essential for the social and economic stability of municipalities and rural areas. It is, therefore, declared to be in the best interest of the people of the state of North Dakota to establish a resources trust fund to be used to construct, or assist in the construction of, multiple use water supply facilities. The legislative assembly also recognizes that appropriate planning to meet current and long-range water needs for the benefit of all of the citizens of the state of North Dakota is a matter of concern and high priority. The legislative assembly further intends that revenues, generated by use of any facilities constructed, in whole or in part, with financing from the resources trust fund, shall be deposited in the resources trust fund.

SECTION 2. AMENDMENT. Subsection 2 of section 7 of initiated measure No. 6 as adopted by the people at the general election in 1980 is hereby amended and reenacted to read as follows:

2. Ten percent shall be allocated and credited to a special trust fund, to be known as the resources trust fund, to be established in the state treasury and shall be deposited and invested as are other state funds to earn the maximum amount permitted by law, ~~provided that~~ which income shall be deposited in the

resources trust fund. Provided, the first fifteen million dollars allocated and credited to this special resources trust fund shall be appropriated by the legislative assembly for Grafton state school for the remodeling or reconstruction and equipping of existing buildings and other facilities, for the construction and equipping of new buildings and other facilities, and for providing additional staffing for that institution, as shall be provided by the legislative assembly. The principal of this special trust fund shall not be used for any other purpose, but the income therefrom shall be administered by the state industrial commission pursuant to appropriations made by the legislative assembly for the following: The principal and income of the resources trust fund may be expended only pursuant to legislative appropriation and shall be available to:

- a. The state water conservation commission for planning for and construction of water supply facilities; and
- b. The industrial commission for the funding of programs for development of energy conservation and renewable energy sources; for studies for development of cogeneration systems that increase the capacity of a system to produce more than one kind of energy from the same fuel; for studies for development of waste products utilization; and for the making of grants and loans in connection therewith. Any income earned by the special trust fund that is not appropriated by the legislative assembly or if appropriated but not expended or loaned by the state industrial commission by the end of a fiscal biennium shall be transferred to the state's general fund.

SECTION 3. APPROPRIATION.

1. There is hereby appropriated from any moneys in the general fund the sum of \$983,000, or so much thereof as may be necessary, to the state water conservation commission for the biennium beginning July 1, 1981, and ending June 30, 1983. This appropriation is not subject to the provisions of section 54-27-10.
2. The moneys appropriated by this section shall be used by the state water conservation commission to contract for preliminary designs for a water supply facility for supplementation of the water resources of Dickinson and the area of North Dakota south and west of the Missouri River with water supplies from the Missouri River for multiple purposes including domestic, rural water district, and municipal uses. The plan shall utilize a pipeline delivery system. The preliminary designs shall be submitted to the legislative council, or its designee, on or before October 1, 1982.
3. The state water commission may use all or any part of the moneys herein appropriated to match any federal funds available for such purposes.
4. The first nine hundred eighty-three thousand dollars allocated and credited to the resources trust fund, following the collection and

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transfer of fifteen million dollars as provided for in section 2 of this Act, shall be transferred by the state treasurer to the general fund.

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

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

[Signature] Chairman

Rep. Vernon E. Wagner

Senate Bill No. 2238 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE

Bill No. 2344, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 0, that the same

do pass. [X] do not pass. be placed on calendar without recommendation.

[Signature] Chairman

Rep. Conny

SENATE Bill No. 2344 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred SENATE

Bill No. 2385, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 1, that the same

do pass. [X] do not pass. be placed on calendar without recommendation.

[Signature] Chairman

Rep. A. Hausauer

SENATE Bill No. 2385 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred SENATE

Bill No. 2416, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

[XXX] do pass. do not pass. be placed on calendar without recommendation.

[Signature] Chairman

Rep. A. Hausauer

SENATE Bill No. 2416 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred SENATE

Bill No. 2432, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 1; Absent, 5, that the same

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

be amended as follows:

- On page 1, line 4 of the reengrossed bill, delete the word and comma "default," and after the third comma insert the word "and"
- On page 1, line 5 of the reengrossed bill, delete the comma and words ", and tax penalties"
- On page 2, line 2 of the reengrossed bill, delete the word "currently"
- On page 2, line 3 of the reengrossed bill, delete the word "and" and insert in lieu thereof the word "or"
- On page 2, line 8 of the reengrossed bill, delete the word "aquisition" and insert in lieu thereof the word "purchase"
- On page 2, line 8 of the reengrossed bill, delete the word "and" and insert in lieu thereof the word "or"
- On page 2, after line 9 of the reengrossed bill, insert the following new subsections:
8. "Farming" means cultivating land for production of agricultural crops and livestock, or the raising or producing of livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit or horticultural products, or aquaculture or fish products.
9. "Bonds" means bonds, notes, or other securities including refunding bonds.
10. "Mortgage" means a mortgage, mortgage deed, deed of trust, or other instrument creating a first lien, subject only to title exceptions and encumbrances acceptable to the commission, including any other mortgage liens of equal standing with or subordinate to the mortgage loan retained by a seller or conveyed to a mortgage lender, on a fee interest in agricultural land and agricultural improvements.
11. "Mortgage Loan" means a financial obligation secured by a mortgage."
- On page 2, line 16 of the reengrossed bill, delete the word "and" and insert in lieu thereof the word "or"
- On page 2, line 24 of the reengrossed bill, after the word "loans", insert the words "or participate in mortgage loans"
- On page 4, line 2 of the reengrossed bill, delete the words "During the first five years of the loan,"
- On page 4 of the reengrossed bill delete lines 3 and 4
- On page 4, line 16 of the reengrossed bill, delete the words "Eligible beginning farmer applicants for down"
- On page 4 of the reengrossed bill delete lines 17 through 19
- On page 4, line 20 of the reengrossed bill, delete the words "section. In addition,"
- On page 4, line 20 of the reengrossed bill, delete the word "the" and insert in lieu thereof the word "The"

On page 4, line 32 of the reengrossed bill, delete the word "lender" and insert in lieu thereof the word "seller"

On page 5, after line 4 of the reengrossed bill, insert the following new subsection:

"3. The industrial commission shall adopt rules pursuant to chapter 28-32 defining a default."

On page 5 of the reengrossed bill delete lines 5 through 35

On page 6 of the reengrossed bill delete lines 1 through 7

On page 6, line 8 of the reengrossed bill, delete the numeral "7" and insert in lieu thereof the numeral "6"

On page 6, line 8 of the reengrossed bill, delete the words "-TAX PENALT

On page 6 of the reengrossed bill delete lines 26 through 35

On page 7 of the reengrossed bill delete lines 1 through 22

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

And when so amended, recommends the same do pass.

Roy Nichols
Rep. Nicholas Chairman

SENATE Bill No. 2432 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4001, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 0; Absent, 3, that the same

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

Bob Conny
Rep. Conny Chairman

SENATE CONCURRENT RESOLUTION No. 4001 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4021, 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.

Bob Conny
Rep. Conny Chairman

SENATE CONCURRENT RESOLUTION No. 4021 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4033, has had the same under consideration and recommends, by a vote of

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

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



Chairman

REP. CONMY

SENATE CONCURRENT RESOLUTION No. 4033 was placed on the 14th order of business on the calendar for the succeeding legislative day.

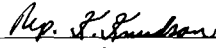
Mr. Speaker: Your Committee on EDUCATION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4050 , has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 1 ; Absent, 3 , that the same

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



Chairman

Rep. Knudson

SENATE CONCURRENT RESOLUTION No. 4050 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4055 , has had the same under consideration and recommends, by a vote of

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

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



Chairman

Rep. Rued

SENATE CONCURRENT RESOLUTION No. 4055 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4056 , has had the same under consideration and recommends, by a vote of

Ayes, 11 ; Nays, 0 ; Absent, 5 , that the same

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



Chairman

Rep. Rued

SENATE CONCURRENT RESOLUTION No. 4056 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4057 , has had the same under consideration and recommends, by a vote of

Ayes, 16 ; Nays, 0 ; Absent, 0 , that the same

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

A. Hausauer

Chairman

SENATE CONCURRENT RESOLUTION No. 4057 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4059, has had the same under consideration and recommends, by a vote of Ayes, 11; Nays, 1; Absent, 4, that the same

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

Rep. S. Knudson
Rep. Knudson

Chairman

SENATE CONCURRENT RESOLUTION No. 4059 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4062, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 2; Absent, 1, that the same

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

Rep. S. Knudson
Rep. Knudson

Chairman

SENATE CONCURRENT RESOLUTION No. 4062 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4064, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 2; Absent, 2, that the same

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

Rep. Rued
Rep. Rued

Chairman

SENATE CONCURRENT RESOLUTION No. 4064 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4065, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 2, that the same

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

Rep. S. Knudson
Rep. Knudson

Chairman

SENATE CONCURRENT RESOLUTION No. 4065 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4068, has had the same under consideration and recommends, by a vote of

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

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

Chairman

SENATE CONCURRENT RESOLUTION No. 4068 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4069, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

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

Chairman

SENATE CONCURRENT RESOLUTION No. 4069 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4078, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

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

Chairman

SENATE CONCURRENT RESOLUTION No. 4078 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE AND TAXATION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4083, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

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

Chairman

SENATE CONCURRENT RESOLUTION Rep. A. Hausauer No. 4083 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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