

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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EIGHTH DAY

Bismarck, January 13, 1983

The House convened at 1:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Rev. Douglas Roberts, United Church of Christ, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives O'Shea and Richard.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MADAM SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventh day and finds the same to be correct.

REP. LAUGHLIN, Chairman

REP. HAMERLIK MOVED that the report be adopted, which motion prevailed.

MESSAGES TO THE SENATE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SB 2204

Very respectfully,  
CHARLES FLEMING, 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:

HB 1043, HB 1048, HB 1050, HB 1066, HCR 3006

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2043, SB 2048, SB 2060, SB 2063, SB 2064, SB 2086,  
SB 2105, SB 2107, SB 2117, SB 2122

Very respectfully,  
LEO LEIDHOLM, Secretary

#### REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly engrossed:

HB 1154, HB 1192, HCR 3002

REP. G. MARTIN, Chairman

REP. R. LARSON MOVED that the report be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1044 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 28, overstrike the words "five hundred" and insert immediately thereafter the words "seven hundred fifty"

On page 2, line 1, overstrike the words "fifteen thousand" and insert immediately thereafter the words "seven thousand five hundred"

On page 2, line 9, delete the word "examined" and insert in lieu thereof the words "whose examination has begun"

On page 4, line 23, remove the overstrike over the word "ten" and delete the word "fifteen"

On page 4, line 24, remove the overstrike over the word "one", delete the word "two", and immediately after the word "hundred" insert the word "thirty-five"

On page 5, line 4, delete the word "shall" and insert in lieu thereof the words "may be required to"

On page 5, line 11, delete the word "shall" and insert in lieu thereof the words "may be required to"

On page 6, line 11, delete the words "two hundred" and insert in lieu thereof the words "one hundred thirty-five"

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1044 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1049 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 14, delete the numeral "\$75.00" and insert in lieu thereof the numeral "\$60.00"
- On page 1, line 18, delete the numeral "35.00" and insert in lieu thereof the numeral "25.00"
- On page 1, line 22, delete the numeral "75.00" and insert in lieu thereof the numeral "60.00"
- On page 1, line 27, delete the numeral "75.00" and insert in lieu thereof the numeral "60.00"
- On page 2, line 12, delete the numeral "45.00" and insert in lieu thereof the numeral "40.00"
- On page 2, line 17, delete the numeral "75.00" and insert in lieu thereof the numeral "60.00"
- On page 2, line 27, delete the numeral "35.00" and insert in lieu thereof the numeral "20.00"
- On page 2, line 34, delete the numeral "20.00" and insert in lieu thereof the numeral "10.00"
- On page 4, line 8, delete the numeral "30.00" and insert in lieu thereof the numeral "25.00"
- On page 5, line 5, after the overstruck word "~~twenty-five~~" insert the word "fifty" and remove the overstrike from the word "~~cents~~" and delete the words "one dollar"
- On page 5, line 11, delete the word "fifty" and insert in lieu thereof the word "twenty-five"

And renumber the lines accordingly

REP. L. HANSON, Chairman

HB 1049 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1086 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT

VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the numeral "19-01-09,"

On page 1, line 2, delete the numeral "19-08-02,"

On page 1, delete lines 7 through 28

On page 2, delete lines 1 through 6

On page 2, line 12, immediately after the word "things" delete the underscored comma " , "

On page 2, line 13, delete the words "except intoxicating liquors or cereal or malt beverages,"

On page 3, line 7, delete the words "except intoxicating liquors or cereal or malt"

On page 3, line 8, delete the word "beverages;" and remove the overstrike from the overstruck commas and delete the underscored semicolons

On page 4, delete lines 6 through 16

And renumber the lines, sections, and pages accordingly  
REP. L. HANSON, Chairman

HB 1086 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1112 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 8, delete the words and numerals "nine hundred sixty acres [388.50 hectares]" and insert in lieu thereof the words "eight hundred acres"

On page 1, line 12, delete the word "all" and insert in lieu thereof the words "the north one-half and the southeast quarter"

On page 1, line 20, delete "[647.50 hectares]"

And renumber the lines accordingly  
REP. L. HANSON, Chairman

HB 1112 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1127 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 11, immediately after the word "age" insert the words "or any student deemed financially dependent on his parent or parents"

On page 2, line 14, after the word "his" insert the words "parent or"

On page 2, line 17, after the word "his" insert the words "parent or"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1127 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1130 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 1, delete the words ", but a"

On page 2, delete lines 2 and 3

On page 2, line 4, delete the words "committee hearings"

And renumber the lines accordingly

REP. E. POMEROY, Chairman

HB 1130 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1151 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the words "and a new subsection to section"

On page 1, line 3, delete the numeral "19-03.1-36"

On page 1, line 4, after the word "forfeiture" insert a period

On page 1, delete lines 5 and 6

On page 1, after line 12, insert the words "All money, coin, currency, and"

On page 1, line 13, delete the word "Everything" and insert in lieu thereof the word "everything"

On page 1, line 15, after the comma insert the word "and"

On page 1, line 16, immediately following the word "exchange" delete the comma and insert in lieu thereof a period, and delete the words "and all moneys, negotiable"

On page 1, delete lines 17 through 28

On page 2, delete lines 1 through 5

And renumber the lines, sections, and pages accordingly  
REP. E. POMEROY, Chairman

HB 1151 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1202 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, delete the words "in county court,"

And renumber the lines accordingly  
REP. E. POMEROY, Chairman

HB 1202 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1208 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 6, delete the word "; and"

On page 1, delete lines 7 through 9

On page 1, line 10, delete the words "admission to the bar"

On page 3, line 19, overstrike the word "last"

On page 3, delete the lines 24 through 27

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman

HB 1208 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Industry, Business, and Labor to which was referred HB 1210 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 2, line 17, immediately after the period insert the following new sentence: "This provision shall apply only to those corporations filing articles of incorporation on or after July 1, 1983."

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1210 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Industry, Business, and Labor to which was referred HB 1225 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 28, delete the words "this chapter" and insert in lieu thereof the words "state law"

On page 2, line 4, delete the words "this chapter" and insert in lieu thereof the words "state law"

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1225 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Education to which was referred HCR 3003 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, after the third comma insert the words "physical disability,"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HCR 3003 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1138 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. BROKAW, Chairman

HB 1138 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1140 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. BROKAW, Chairman

HB 1140 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1172 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. BROKAW, Chairman

HB 1172 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1175 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1175 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1205 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1205 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1206 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman



HB 1206 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### SIXTH ORDER OF BUSINESS

REP. R. MEIERS MOVED that the amendments to HB 1114 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 179 and 180 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1176 as recommended by the Committee on Industry, Business, and Labor as printed on page 181 of the House Journal be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1071: A BILL for an Act to amend and reenact subsection 8 of section 57-37.1-01 of the North Dakota Century Code, relating to coordinating state and federal estate tax provisions; providing an effective date; 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 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: None

HB 1071 passed, the title was agreed to, and the emergency clause carried.

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HB 1119: A BILL for an Act to amend and reenact section 15-39.1-24 of the North Dakota Century Code, relating to additional retirement credit for teachers.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Riley

HB 1119 passed and the title was agreed to.

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HB 1136: A BILL for an Act to amend and reenact section 54-05.1-03 of the North Dakota Century Code, relating to registration and fees of lobbyists.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 67 YEAS, 39 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hanson, L.; Haugland; Hausauer; Hill; Hoffner, Serenus; Hoffner, S. F.; Hughes;

Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Swiontek; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Conmy; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Hjelle; Horgan; Kent; Kingsbury; Kretschmar; Kuchera; Lang; Lardy; Martinson; Melby; Murphy; Nicholas; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Rayl; Retzer; Rice; Riley; Rued; Schindler; Shide; Sinner; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Whalen

ABSENT AND NOT VOTING: None

HB 1136 passed and the title was agreed to.

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HB 1144: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the confidentiality of records of law enforcement agencies.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 31 YEAS, 75 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Backes; Dotzenrod; Gunsch; Hanson, O.; Kent; Kloubec; Knudson; Koehn; Lang; Lipsiea; Martin, C.; Melby; Meyer, W.; Moore; O'Connell; Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Strinden; Thompson; Timm; Vander Vorst; Whalen; Williams, A.

NAYS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Olafson; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek;

Unhjem; Vig; Watne; Wentz; Williams, C.; Williams, W.;  
Wold; Madam Speaker

ABSENT AND NOT VOTING: None

HB 1144 was declared lost.

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HB 1148: A BILL for an Act to amend and reenact sections 16.1-11-01 and 16.1-11-05 of the North Dakota Century Code, relating to the primary election; and to repeal sections 16.1-11-02, 16.1-11-03, 16.1-11-04, 16.1-11-07, 16.1-11-23, and 16.1-11-34 of the North Dakota Century Code, relating to the presidential preference primary.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 68 YEAS, 38 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Eagles; Erdman; Gerl; Gorder; Cullickson; Halmrast; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Kretschmar; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Rued; Schindler; Schneider; Shockman; Sinner; Solberg; Stofferahn; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; DuBord; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Larson, R.; Lipsiea; Martinson; Meier, A.; Melby; Moore; Nalewaja; Nicholas; Olsen, D.; Retzer; Rice; Riley; Sanstead; Schoenwald; Shide; Strinden; Swiontek; Thompson; Unhjem; Whalen; Williams, W.

ABSENT AND NOT VOTING: None

HB 1148 was declared lost for lack of a two-thirds majority.

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HB 1154: A BILL for an Act to amend and reenact section 24-15-03 of the North Dakota Century Code, relating to minimum requirements for temporary roadblocks.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill as amended on pages 162 and 163 of the House Journal, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Backes

HB 1154 passed and the title was agreed to.

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HB 1164: A BILL for an Act to amend and reenact section 62-04-04 of the North Dakota Century Code, relating to the disposition of weapons taken or found on persons arrested.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 16 NAYS, 1 ABSENT AND VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd;

Martin, C.; Martinson; Meier, A.; Meiers, R.; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Aubol; Black; Boyle; Brokaw; DeMers; Gerl; Hoffner; Serenus; Kuchera; Martin, G.; Mertens; Mushik; Olsen, D.; Rice; Thompson; Timm; Williams, W.

ABSENT AND NOT VOTING: Sinner

HB 1164 passed and the title was agreed.

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HB 1192: A BILL for an Act to amend and reenact sections 40-40-05, 40-40-08, 40-40-09, and 40-40-21 of the North Dakota Century Code, relating to budget requirements of municipalities; and to repeal section 40-40-19 of the North Dakota Century Code, relating to municipal liabilities that occur before the final appropriation is approved.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 169 of the House Journal, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olson, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Mushik; Peltier; Strinden

HB 1192 passed and the title was agreed to.

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#### MOTION

REP. LARDY MOVED that consideration of HB 1222 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1194: A BILL for an Act to amend and reenact subsection 1 of section 26-41-19 of the North Dakota Century Code, relating to the assigned claims plan.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Strinden

HB 1194 passed and the title was agreed to.

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HB 1195: A BILL for an Act to create and enact a new section to chapter 26-41 of the North Dakota Century Code, relating to the Automobile Reparations Act, and to amend and reenact

section 26-02-42 of the North Dakota Century Code, relating to uninsured motorist coverage.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 83 YEAS, 22 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Melby; Mertens; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, G.; Retzer; Rice; Richard; Riley; Rued; Sanstead; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Backes; Brokaw; DeMers; Gerl; Gorder; Gullickson; Keller; Lardy; Lipsiea; Meiers, R.; Meyer, R.; Meyer, W.; Moore; O'Connell; Pomeroy, E.; Rayl; Riehl; Schindler; Schneider; Schoenwald; Shockman; Williams, W.

ABSENT AND NOT VOTING: Strinden

HB 1195 passed and the title was agreed to.

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HB 1200: A BILL for an Act to amend and reenact subsection 3 of section 57-51.1-01 of the North Dakota Century Code, relating to the definition of property for extraction tax purposes.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 102 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hill; Hjelle; Hoffner, Serenus;



Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Kuchera; Murphy

ABSENT AND NOT VOTING: Haugland; Solberg

HB 1200 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3002: A concurrent resolution directing the Legislative Council to create a special Legislative Council interim committee to conduct a study of the impacts on North Dakota from the proposed Tenneco coal gasification plant at Wibaux, Montana.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 170 of the House Journal, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem;

Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;  
Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Richard

HCR 3002 was declared adopted.

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#### MOTIONS

REP. BACKES MOVED that the absent members be excused, which motion prevailed.

REP. BACKES MOVED that the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Friday, January 14, 1983, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Gullickson, Haugland, Mertens and Sens. Barth, Naaden introduced:

HB 1301: A BILL for an Act to create and enact a new section to chapter 54-02 of the North Dakota Century Code, relating to the establishment of milk as the official state beverage.

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

Rep. Schneider introduced:

HB 1302: A BILL for an Act to amend and reenact section 65-01-08 of the North Dakota Century Code, relating to the liability of an employer under the workmen's compensation law.

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

Rep. Martinson introduced:

HB 1303: A BILL for an Act to amend and reenact section 10-21-13 of the North Dakota Century Code, relating to involuntary dissolution of corporations for failure to commence business and issue shares within two years after the date of the issuance of its certificate of incorporation or certificate of organization.

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

Rep. Hughes and Sen. Wenstrom introduced:

HB 1304: A BILL for an Act to amend and reenact section 6-05-15.1 of the North Dakota Century Code, relating to the investment of trust funds and commingling of funds.

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

Reps. Unhjem, Swiontek introduced:

**HB 1305:** A BILL for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to school district annexation hearings and appeals.  
Was read the first time and referred to the **Committee on Education.**

Rep. Unhjem introduced:

**HB 1306:** A BILL for an Act to amend and reenact sections 57-15-06, 57-15-08, and 57-15-14 of the North Dakota Century Code, relating to county, city, and school district tax levies and limitations, and to provide for petitions and special elections for certain mill levy increases; and to repeal section 57-15-10 of the North Dakota Century Code, and if Senate Bill No. 2065 is approved by the forty-eighth legislative assembly, to repeal section 55 of Senate Bill No. 2065, relating to exceptions to the levy limitations in cities.

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

Reps. R. Meiers, Lardy, O'Connell, Aubol introduced:

**HB 1307:** A BILL for an Act to require that certain information be provided with any payment made to a royalty owner for the purchase of oil, gas, coal, or uranium produced from a royalty owner's interest in land in this state; to provide a penalty; and to declare an emergency.

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

Rep. Lloyd introduced:

**HB 1308:** A BILL for an Act to amend and reenact section 15-53.1-01 of the North Dakota Century Code, relating to the definition of "elector" for purposes of school district elections involving annexation or reorganization matters.

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

Reps. Serenus Hoffner, Haugland, DeMers and Sens. Lashkowitz, Matchie, Wenstrom introduced:

**HB 1309:** A BILL for an Act to amend and reenact sections 50-06.2-01, 50-06.2-02, 50-06.2-03, 50-06.2-04, and 50-06.2-05 of the North Dakota Century Code, relating to comprehensive human service programs and to provide funding for programs to prevent or reduce institutional care.

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

Rep. Riehl introduced:

**HB 1310:** A BILL for an Act to amend and reenact subsection 3 of section 57-39.2-01 of the North Dakota Century Code, relating to definition of "retail sale" for sales tax purposes.

Was read the first time and referred to the **Committee on Finance and Taxation.**

Rep. Mertens introduced:

HB 1311: A BILL for an Act to amend and reenact section 27-08.1-01 of the North Dakota Century Code, relating to garnishment of wages from a judgment of a small claims court.

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

Rep. G. Pomeroy introduced:

HB 1312: A BILL for an Act to amend and reenact section 57-54.1-11 of the North Dakota Century Code, relating to a fee for motor fuel licensees who fail to file reports.

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

Rep. Hughes and Sen. Wenstrom introduced:

HB 1313: A BILL for an Act to amend and reenact section 6-05-15 of the North Dakota Century Code, relating to the investment of trust funds.

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

Reps. Serenus Hoffner, Haugland, Peltier and Sens. Lips, Redlin, Wenstrom introduced:

HB 1314: A BILL for an Act to provide state funding for community alternatives to institutional care on behalf of elderly and disabled persons.

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

Rep. Laughlin introduced:

HB 1315: A BILL for an Act to amend and reenact section 57-40.3-11 of the North Dakota Century Code, relating to penalties for failure to submit a "motor vehicle purchaser's certificate".

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

Rep. Laughlin introduced:

HB 1316: A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-18 of the North Dakota Century Code, relating to sales tax penalties.

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

#### FIRST READING OF SENATE BILLS

SB 2043: A BILL for an Act to amend and reenact sections 15-52-16, 15-52-17, 15-52-18, 15-52-20, and 15-52-22 of the North Dakota Century Code, relating to the medical center loan fund.

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

SB 2048: A BILL for an Act to create and enact a new section to chapter 15-53.1 of the North Dakota Century Code, relating to mill levy authorizations for reorganized school

districts; and to amend and reenact sections 15-53.1-22 and 15-53.1-25 of the North Dakota Century Code, relating to the inclusion of a proposed mill levy in the special election regarding a reorganization plan.

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

SB 2060: A BILL for an Act to amend and reenact section 12.1-17-04 of the North Dakota Century Code, relating to the crime of terrorizing.

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

SB 2063: A BILL for an Act to amend and reenact section 54-35-02.4 of the North Dakota Century Code, relating to the powers and duties of the committee on public employees retirement programs.

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

SB 2064: A BILL for an Act to amend and reenact sections 61-05-01, 61-05-03, 61-05-07, 61-05-08, 61-05-10, 61-05-13, 61-05-14, 61-05-15, 61-05-20, 61-06-01, 61-06-09, 61-06-10, 61-06-13, 61-06-15, 61-06-17, 61-06-21, 61-06-22, 61-07-01, 61-07-03, 61-07-04, 61-07-08, 61-07-09, 61-07-15, 61-07-16, 61-07-18, 61-07-19, 61-07-20, 61-07-33, 61-08-05, 61-08-12, 61-08-25, 61-08-32, 61-09-01, 61-09-02, 61-09-03, 61-09-13, 61-09-20, 61-10-01, 61-10-05, 61-10-12, 61-10-25, 61-10-26, 61-10-32, 61-10-33, 61-10-38, 61-11-03, 61-11-05, 61-11-08, 61-11-11, 61-11-13, 61-13-02, 61-14-01, 61-14-03, 61-14-07, 61-14-08, 61-14-09, and 61-14-15 of the North Dakota Century Code, relating to the organization, government, powers, fiscal affairs, boundaries, and dissolution of irrigation districts, assessments in irrigation districts, flood irrigation districts, organization of corporations for irrigation purposes, and general rules governing irrigation; and to repeal section 61-10-16 of the North Dakota Century Code, relating to exclusion of lands from an irrigation district; and to provide a penalty.

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

SB 2086: A BILL for an Act authorizing the state of North Dakota acting by job service North Dakota to sell and convey lots thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, and forty, block 9, Kelley and Fuller's second addition to Jamestown, Stutsman County, North Dakota.

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

SB 2105: A BILL for an Act to amend and reenact section 16.1-06-04 and subsection 8 of section 16.1-11-22 of the North Dakota Century Code, relating to form and quality of ballots.

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

SB 2107: A BILL for an Act to amend and reenact sections 16.1-11-11 and 16.1-15-22 of the North Dakota Century Code, relating to filing dates for county and legislative district candidates' petitions and the transmittal of the abstract of votes by the county auditor to the secretary of state.

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

SB 2117: A BILL for an Act to amend and reenact section 46-06-03 of the North Dakota Century Code, relating to petition filing deadline to place the newspaper name on the primary election ballot.

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

SB 2122: A BILL for an Act to amend and reenact section 28-32-05 of the North Dakota Century Code, relating to notice requirements for administrative agency hearings.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk