

## JOURNAL OF THE HOUSE

## Forty-eighth Legislative Assembly

\* \* \* \* \*

## FOURTEENTH DAY

Bismarck, January 21, 1983

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

The prayer was offered by Rev. Ted Heaston, Assembly of God Evangel Temple, Bismarck.

## ROLL CALL

The roll was called and all members were present, except Representatives Hausauer, Peterson, and Riley.

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 Thirteenth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

## ANNOUNCEMENT

REP. SANSTEAD ANNOUNCED that Mrs. Susan Glick-Shore, Mrs. North Dakota, from Minot was in the chamber.

## MOTION

REP. BACKES MOVED that a committee of two be appointed to escort Mrs. Susan Glick-Shore, Mrs. North Dakota, to the rostrum to address the House, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Wentz and Sanstead to the escort committee.

## RECOGNITION

Mrs. Susan Glick-Shore was escorted to the rostrum, and addressed the assembly.

## REPORTS 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 1003, HB 1072, HB 1121, HB 1167, HB 1180, HB 1182,  
HB 1220

REP. G. MARTIN, Chairman

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

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

HB 1012

REP. G. MARTIN, Chairman

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

MESSAGES 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 2166, SB 2176, SB 2198, SB 2219, SB 2231, SB 2240,  
SB 2275, SB 2281

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2072

Very respectfully,  
LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE  
HOUSE CHAMBER

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

HB 1085, HB 1113, HB 1118, HB 1125, HB 1193, HB 1207,  
HB 1227, HB 1232, HB 1265, HB 1289

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2059

Very respectfully,  
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1012

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGE TO THE SENATE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1012

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Ruell Harrison, and Representative Harrison was thereupon introduced to the House.

## REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1062 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. DOTZENROD, Chairman

HB 1062 was rereferred to the Committee on Appropriations.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1063 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. DOTZENROD, Chairman

HB 1063 was rereferred to the Committee on Appropriations.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1045 has had the same under consideration and recommends by a vote of 15 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 27, delete the word "thirty" and insert in lieu thereof the word "ten"

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

On page 2, line 20, delete the word "thirty" and insert in lieu thereof the word "fifteen"

And renumber the lines accordingly

REP. W. MEYER, Chairman

HB 1045 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 1058 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 12, after the word "sections" insert the numerals "16.1-12-09,"

On page 1, line 14, delete the numerals "26-08-19,"

On page 1, line 18, after the second comma insert the numerals "32-35-04,"

On page 30, after line 12, insert the following new section:

"SECTION 41. AMENDMENT. Section 16.1-12-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-12-09. Filling vacancy existing on no-party ballot - Petition required - Time of filing. Whenever a vacancy shall exist on a no-party ballot for a state office or for judge of a district court, such vacancy may be filled by filing with the secretary of state, at least fifty-five days prior to the general election and before four p.m. on the fifty-fifth day, a written petition as provided in section ~~16.1-11-03~~ 16.1-11-06, stating that the petitioner desires to become a candidate for election to the office for which a vacancy exists. If the petition is mailed, it shall be in the physical possession of the secretary of state before four p.m. on the fifty-fifth day prior to the general election. The petition for the nomination of any person to fill such vacancy shall be signed by qualified electors equal in number to at least two percent of the total vote cast for the office of governor in the state or district, at the most recent general election at which the office of governor was voted upon, but in no case shall more than three hundred signatures be required.

Whenever a vacancy shall exist on a no-party ballot in a county or district within a county, the vacancy may be filled by filing with the county auditor at least fifty-five days prior to the general election and before four p.m. of the fifty-fifth day a written petition as provided in section 16.1-11-11, stating that the petitioner desires to become a candidate for election to the office for which a vacancy exists. If such petition is mailed or otherwise delivered, it shall be in the possession of

the county auditor before four p.m. on the fifty-fifth day prior to the general election. The petition for the nomination of any person to fill the vacancy shall be signed by qualified electors equal in number to at least thirty percent of the total vote cast for the office of governor at the most recent general election in the county or district at which the office of governor was voted upon, but in no case shall more than three hundred signatures be required.

A vacancy in the no-party ballot shall be deemed to exist when:

1. A candidate nominated at the primary election shall die, resign, or otherwise become disqualified to have his name printed on the ballot at the general election.
2. No candidates were nominated at the primary election because the office did not yet exist.
3. The timing of the vacancy in an office makes it impossible to have it placed on the primary ballot."

On page 39, delete lines 12 through 33

On page 49, after line 9, insert the following new section:

"SECTION 68. AMENDMENT. Section 32-35-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

32-35-04. Other laws applicable. The provisions of ~~chapter 32-34~~ sections 32-34-04 through 32-34-13 for the proceeding under the writ of mandamus, ~~except the first three sections thereof,~~ apply to this proceeding."

And renumber the lines, sections, and pages accordingly

REP. E. POMEROY, Chairman

HB 1058 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 1168 has had the same under consideration and recommends by a vote of 9 YEAS, 6 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 1, after the word "sections" insert the numeral "19-01-02.1," and insert a comma immediately after the numeral "19-01-03"

On page 1, line 2, after the second word "the" insert the words "legislative intent that the state laboratories department serve as a consumer protection office and the"

On page 1, line 5, delete the word "sections" and insert in lieu thereof the word "section" and delete the words "and 19-01-02.1"

On page 1, line 7, delete the words "and the legislative intent for the state laboratories"

On page 1, line 8, delete the words "department to serve as a consumer affairs office"

On page 1, after line 10, insert the following new section:

"SECTION 1. AMENDMENT. Section 19-01-02.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-01-02.1. Legislative intent. It is the intent of the legislative assembly that the department serve the public in the capacity of a consumer ~~affairs~~ protection office."

On page 2, line 4, delete the word "governor" and insert in lieu thereof the word "director"

On page 2, line 7, delete the word "governor" and insert in lieu thereof the word "director"

On page 2, line 14, delete the word "governor" and insert in lieu thereof the word "director"

On page 2, line 20, delete the word "sections" and insert in lieu thereof the word "section", and delete the words "and 19-01-02.1"

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

HB 1168 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 1188 has had the same under consideration and recommends by a vote of 13 YEAS, 3 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 13, remove the overstrike over the first word "~~ex~~" and delete the words ", or other bodily substance"
- On page 4, line 4, remove the overstrike over the first word "~~ex~~" and delete the words ", or other bodily"
- On page 4, line 5, delete the word "substance"
- On page 4, line 25, overstrike the words "other bodily substance" and insert immediately thereafter the word "saliva"
- On page 5, line 1, after the period, insert the numeral "6." and indent the language that follows as a new subsection designation
- On page 5, line 22, insert the numeral "7." before the word "Copies" to indicate a new subsection designation
- On page 5, line 22, overstrike the word "above" and after the word "records" insert the phrase "referred to in subsections 5 and 6."
- On page 5, line 23, insert an underscored comma "," after the word "court"
- On page 5, line 30, after the word "subpoena" overstrike the words "the state toxicologist or any"
- On page 5, line 31, overstrike the words "employee thereof to testify at the trial of the issue" and insert immediately thereafter an underscored comma ","
- On page 5, line 32, after the word "defendant" insert the following: ", the person who conducted the chemical analysis referred to in this section to testify at the trial on the issue of the amount of alcohol, drugs, or a combination thereof in the defendant's blood at the time of the alleged act"

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

REP. E. POMEROY, Chairman

HB 1188 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 1217 has had the same under consideration and recommends by a vote of 9 YEAS, 6 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 1, line 26, delete the word "ten" and insert in lieu thereof the word "five"

On page 2, line 6, delete the word "ten" and insert in lieu thereof the word "two"

On page 2, line 16, delete the word "selling"

On page 2, delete lines 17 through 20

On page 2, line 21, delete the words "person or business to which such explosives were directed" and insert in lieu thereof the words "holding a class A permit must maintain accurate records of transactions involving purchase, sale, or disposal of explosives listed under this section, making such records available to the state fire marshal upon request"

On page 2, line 25, immediately following the word "to" insert a colon ":" and delete the second word "the"

On page 2, delete lines 26 and 27

On page 2, line 28, delete the words "federal law or regulation." and insert in lieu thereof the following:

- "a. The United States government or any common carrier transporting explosives in interstate commerce in accordance with federal law or regulation.
- b. The sale, storage or use of sporting ammunition or black or smokeless powder to be used for hand loading of sporting ammunition.
- c. Any person whose operations are subject to the provisions of chapter 38-14.1.
- d. The use of explosives for signaling devices in railroad transportation or water travel.
- e. The use of explosives as pest control for agricultural purposes.
- f. Any person who unknowingly possesses, transports, or stores explosives as defined in this chapter."

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman



HB 1217 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1234 has had the same under consideration and recommends by a vote of 11 YEAS, 4 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 1, line 5, delete the words "; to appropriate moneys to the"

On page 1, delete line 6

On page 1, line 7, delete the words "proration of appropriated moneys"

On page 1, line 16, delete the words "from funds appropriated as provided"

On page 1, line 17, delete the words "in section 3 of this Act"

On page 2, delete lines 1 through 18

And renumber the lines and pages accordingly

REP. DOTZENROD, Chairman

HB 1234 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1046 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. W. MEYER, Chairman

HB 1046 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 1098 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HJELLE, Chairman

HB 1098 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1156 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. DOTZENROD, Chairman

HB 1156 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1169 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. DOTZENROD, Chairman

HB 1169 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 1191 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HJELLE, Chairman

HB 1191 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1273 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HB 1273 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### SIXTH ORDER OF BUSINESS

REP. L. HANSON MOVED that the amendments to HB 1095 as recommended by the Committee on State and Federal Government as printed on pages 338 and 339 of the House Journal be adopted and when so adopted, recommends that HB 1095 be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1095 was rereferred to the Committee on Appropriations.

REP. S. F. HOFFNER MOVED that the amendments to HB 1185 as recommended by the Committee on Industry, Business, and Labor as printed on page 339 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1186 as recommended by the Committee on Industry, Business, and Labor as printed on page 339 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to HB 1270 as recommended by the Committee on State and Federal Government as printed on page 340 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1274 as recommended by the Committee on Judiciary as printed on pages 340 and 341 of the House Journal be adopted, which motion prevailed.

#### MOTIONS

REP. BACKES MOVED that HB 1073 be laid over one legislative day, which motion prevailed.

REP. BACKES MOVED that HB 1003 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to create and enact a new section to chapter 23-16 and a new section to chapter 50-18 of the North Dakota Century Code to allow residents of long-term care facilities to choose their pharmacist.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 64 YEAS, 37 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; Dotzenrod; Eagles; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, O.; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Koski; Kretschmar; Kuchera; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Melby; Meyer, W.; Murphy; Mushik; Nalewaja; O'Connell; O'Shea; Pomeroy, E.; Pomeroy, G.; Rice; Richard; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Vander Vorst; Vig; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Anderson, R.; DeMers; DuBord; Gates; Goetz; Gorder; Gunsch; Hanson, L.; Haugland; Hughes; Kent; Kloubec; Knudson; Koehn; Lang; Larson, B.; Martin, C.; Martinson; Mertens; Meyer, R.; Moore; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Rayl; Retzer; Rued; Schindler; Shide; Timm; Unhjem; Watne; Wentz

ABSENT AND NOT VOTING: Hausauer; Peterson; Riehl; Riley; Strinden

HB 1069 passed and the title was agreed to.

\*\*\*\*\*

## MOTIONS

REP. MOORE MOVED that the House reconsider its action whereby the amendments to HB 1072 were adopted, which motion prevailed.

REP. MOORE MOVED that HB 1072 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1072 was rereferred to the Committee on Finance and Taxation.

## RECOGNITIONS

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Bill Gackle, and Representative Gackle was thereupon introduced to the House.

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Dean Winkjer, and Representative Winkjer was thereupon introduced to the House.

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Bernie Anderson, and Representative Anderson was thereupon introduced to the House.

## SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to require production of oil and gas underlying lands contained in spacing units.

Which has been read.

## REQUEST

REP. O'CONNELL REQUESTED that he be excused from voting on HB 1081, because of a conflict of interest.

## MOTION

REP. BACKES MOVED that Representative O'Connell be allowed to vote on HB 1081, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 77 YEAS, 25 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Goetz; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Koski; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl;

O'Shea; Pomeroy, E.; Richard; Riehl; Sanstead;  
Schindler; Schneider; Schoenwald; Shide; Sinner;  
Solberg; Stofferahn; Thompson; Unhjem; Vander Vorst;  
Vig; Watne; Whalen; Williams, A.; Williams, C.;  
Williams, W.; Madam Speaker

NAYS: Conmy; Eagles; Gates; Gullickson; Hanson, L.;  
Kloubec; Kretschmar; Lang; Lautenschlager; Lipsiea;  
Martinson; Meyer, W.; Moore; Nalewaja; Peltier;  
Pomeroy, G.; Rayl; Retzer; Rice; Rued; Shockman;  
Swiontek; Timm; Wentz; Wold

ABSENT AND NOT VOTING: Hausauer; Peterson; Riley;  
Strinden

HB 1081 passed and the title was agreed to.

\*\*\*\*\*

#### RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Jerroll Erickson, and Representative Erickson was thereupon introduced to the House.

#### SECOND READING OF HOUSE BILLS

HB 1102: A BILL for an Act to amend and reenact section 43-06-15 of the North Dakota Century Code, relating to the grounds for revocation or refusal to grant a license to practice chiropractic.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 33 YEAS, 68 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Boyle; Brokaw;  
Conmy; Dotzenrod; Eagles; Gerl; Goetz; Hamerlik;  
Horgan; Hughes; Keller; Kloubec; Knudson; Lang;  
Laughlin; Lipsiea; Martin, G.; Martinson; Meier, A.;  
Melby; Mertens; Mushik; Rice; Richard; Schneider;  
Shockman; Thompson; Unhjem; Vander Vorst; Vig

NAYS: Aubol; DeMers; DuBord; Erdman; Gates; Gorder;  
Gullickson; Gunsch; Halmrast; Hanson, L.; Hanson, O.;  
Haugland; Hill; Hjelle; Hoffner, Serenus;  
Hoffner, S. F.; Jacobson; Kent; Kingsbury; Koehn;  
Koski; Kretschmar; Kuchera; Lardy; Larson, B.;  
Larson, R.; Lautenschlager; Linderman; Lloyd;  
Martin, C.; Meiers, R.; Meyer, R.; Meyer, W.; Moore;  
Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell;  
Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea;  
Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Riehl;

Rued; Sanstead; Schindler; Schoenwald; Shide; Sinner;  
Solberg; Stofferahn; Swiontek; Timm; Watne; Wentz;  
Whalen; Williams, A.; Williams, C.; Williams, W.; Wold;  
Madam Speaker

ABSENT AND NOT VOTING: Backes; Hausauer; Peterson;  
Riley; Strinden

HB 1102 was declared lost.

\*\*\*\*\*

HB 1121: A BILL for an Act to create and enact four new sections to chapter 55-08 of the North Dakota Century Code, relating to enforcement of park and recreation laws; and to provide a penalty.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 313 and 314 of the House Journal, the roll was called and there were 89 YEAS, 13 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Aubol; Black; Brokaw; Gunsch; Kent; Kingsbury;  
Meiers, R.; Melby; Murphy; Rued; Schneider; Shockman;  
Timm

ABSENT AND NOT VOTING: Goetz; Hausauer; Peterson; Riley

HB 1121 passed and the title was agreed to.

\*\*\*\*\*

HB 1162: A BILL for an Act to repeal subsection 5 of section 25-03.1-25 of the North Dakota Century Code, relating to the emergency mental commitment procedure.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 1 YEA, 101 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Gates

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; 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; 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

ABSENT AND NOT VOTING: Goetz; Hausauer; Peterson; Riley

HB 1162 was declared lost.

\*\*\*\*\*

HB 1167: A BILL for an Act to amend and reenact section 2-05-11 of the North Dakota Century Code, relating to aircraft and ultralight vehicle registration fees, distribution of proceeds; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 314 of the House Journal, the roll was called and there were 95 YEAS, 6 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland;

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.; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Halmrast; Laughlin; Lipsiea; Olafson; Olson, A.; Stofferahn

ABSENT AND NOT VOTING: Goetz; Hausauer; Peterson; Riley; Strinden

HB 1167 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

REP. RICHARD MOVED that HB 1352 be returned to the House floor from the Committee on Appropriations, which motion prevailed.

#### REQUEST

REP. RICHARD REQUESTED the unanimous consent of the House to withdraw HB 1352. There being no objection, it was so ordered by the Speaker.

#### SECOND READING OF HOUSE BILLS

HB 1180: A BILL for an Act to repeal sections 15-21-11, 15-21-12, 15-22-03, 15-22-05, 15-22-19, and 15-38-15 of the North Dakota Century Code, relating to changes in the powers and duties of the county superintendents; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 315 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; 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; 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: Hausauer; Peterson; Riley

HB 1180 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1182: A BILL for an Act to create and enact a new subsection to section 39-06-02 of the North Dakota Century Code, relating to residency for driver's license matters; and to amend and reenact subsection 1 of section 39-06-03.1 and section 39-06-19 of the North Dakota Century Code, relating to the issuance of a nondriver photo identification card at age sixteen and the renewal of drivers' licenses.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 315 of the House Journal, the roll was called and there were 67 YEAS, 35 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Gates; Goetz; Gullickson; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hjelle; Hoffner, S. F.; Horgan; Hughes; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Linderman; Lipsiea; Martin, G.; Martinson; Melby; Mertens; Moore; Mushik; Nicholas; Nowatzki; Olafson; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Rued; Schindler; Shide; Shockman; Sinner; Solberg; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Aubol; Backes; Black; DeMers; Erdman; Gerl; Gorder; Gunsch; Halmrast; Hill; Hoffner; Serenus; Jacobson; Kingsbury; Larson, B.; Laughlin; Lautenschlager; Lloyd;

Martin, C.; Meier, A.; Meiers, R.; Meyer, R.;  
 Meyer, W.; Murphy; Nalewaja; O'Connell; Olsen, D.;  
 Olson, A.; Rayl; Riehl; Sanstead; Schneider;  
 Schoenwald; Stofferahn; Vig; Williams, W.

ABSENT AND NOT VOTING: Hausauer; Peterson; Riley;  
 Strinden

HB 1182 passed and the title was agreed to.

\*\*\*\*\*

HB 1190: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to the audit of political subdivisions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 1 NAY, 5 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; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; 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: Kingsbury

ABSENT AND NOT VOTING: Hausauer; Peterson; Richard; Riley; Strinden

HB 1190 passed and the title was agreed to.

\*\*\*\*\*

HB 1199: A BILL for an Act to amend and reenact section 38-08-09.5 of the North Dakota Century Code, relating to ratification of unit agreements.

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, 0 NAYS, 4 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; 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; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; 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: Hausauer; Mertens; Peterson; Riley

HB 1199 passed and the title was agreed to.

\*\*\*\*\*

HB 1220: A BILL for an Act to create and enact two new sections to chapter 55-03 of the North Dakota Century Code, relating to the protection of cultural resources; and to amend and reenact sections 55-03-01, 55-03-02, 55-03-03, 55-03-04, and 55-03-05 of the North Dakota Century Code, relating to the protection of cultural resources.

Which has been read.

# ROLL CALL

The question being on the final passage of the bill as amended on page 316 of the House Journal, the roll was called and there were 98 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; 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; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Aubol; Gunsch; Watne

ABSENT AND NOT VOTING: Hausauer; Peterson; Rayl; Riley; Strinden

HB 1220 passed and the title was agreed to.

\*\*\*\*\*

HB 1245: A BILL for an Act to amend and reenact section 65-01-09 of the North Dakota Century Code, relating to the workmen's compensation bureau's right of subrogation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 57 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Brokaw; Conmy; DeMers; DuBord; Gerl; Gullickson; Hamerlik; Haugland; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Kretschmar; Lardy; Larson, B.; Lautenschlager; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Murphy; Mushik; O'Connell; Pomeroy, E.; Pomeroy, G.; Richard; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Strinden; Unhjem; Wentz; Wold; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Backes; Boyle; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hill; Hjelle; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Larson, R.; Laughlin; Linderman; Martin, C.; Melby; Meyer, W.; Moore; Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Rayl; Retzer; Rice; Riehl; Rued; Shide; Solberg; Swiontek; Thompson; Timm;

Vander Vorst; Vig; Watne; Whalen; Williams, A.;  
Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Hausauer; Peterson; Riley

HB 1245 was declared lost.

\*\*\*\*\*

HB 1254: A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to assignment of points against motor vehicle operators for speeding violations; and to amend and reenact section 39-06.1-06 of the North Dakota Century Code, relating to the amount of statutory fees for speeding violations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 9 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Backes; Conmy; Kingsbury; Mertens; Mushik; Olafson; Olsen, D.; Olson, A.; Timm

ABSENT AND NOT VOTING: Hanson, O.; Hausauer; Larson, B.; Peterson; Riley

HB 1254 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

REP. BACKES MOVED that HB 1267 be laid over one legislative day, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1294: A BILL for an Act to amend and reenact section 43-07-12 of the North Dakota Century Code, relating to bids on contracts for public projects.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, 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; Halmarst; Hamerlik; Hanson, L.; Hanson, O.; Haugland; 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; 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: Hausauer; Peterson; Riley

HB 1294 passed and the title was agreed to.

\*\*\*\*\*

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3010: A concurrent resolution urging the President and Congress of the United States to stop the use of American funds for the payment of obligations owed by foreign governments.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3010 was declared adopted on a voice vote.

\*\*\*\*\*

## SECOND READING OF SENATE BILLS

SB 2085: A BILL for an Act to amend and reenact sections 4-30-02, 4-30-12, 4-30-52, and 4-30-53 of the North Dakota Century Code, relating to violations of dairy products regulations.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 87 YEAS, 13 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Black; Brokaw; Dotzenrod; Horgan; Kingsbury; Lipsiea; Meier, A.; Murphy; Olson, A.; O'Shea; Retzer; Rued; Shockman

ABSENT AND NOT VOTING: DuBord; Hausauer; Hjelle; Kretschmar; Peterson; Riley

SB 2085 passed and the title was agreed to.

\*\*\*\*\*

SB 2110: A BILL for an Act to amend and reenact subsection 5 of section 39-10-03 of the North Dakota Century Code, relating to the use of emergency lights when stopped upon a highway for the purpose of controlling traffic.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 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; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Hausauer; Kretschmar; Peterson; Riley; Strinden; Whalen

SB 2110 passed and the title was agreed to.

\*\*\*\*\*

SB 2113: A BILL for an Act to amend and reenact sections 4-22-17 and 4-22-22 of the North Dakota Century Code, relating to nominating petitions for supervisors of soil conservation districts and terms of office of soil conservation district supervisors.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 1 NAY, 6 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; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider;



Schoenwald; Shide; Shockman; Solberg; Stofferahn;  
Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;  
Watne; Wentz; Williams, A.; Williams, C.; Williams, W.;  
Wold; Madam Speaker

NAYS: Sinner

ABSENT AND NOT VOTING: Hausauer; Kretschmar; Peterson;  
Riley; Strinden; Whalen

SB 2113 passed and the title was agreed to.

\*\*\*\*\*

#### REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1111 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. R. MEIERS, Chairman

HB 1111 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1120 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. R. MEIERS, Chairman

HB 1120 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 1233 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1233 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1240 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. R. MEIERS, Chairman

HB 1240 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### 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., Monday, January 24, 1983, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Rep. O'Shea introduced:

HB 1572: A BILL for an Act to amend and reenact sections 57-52-16.1, 57-53-06.1, 57-54-21, and 57-54-22 of the North Dakota Century Code, or in the alternative to amend and reenact sections 57-43.1-26, 57-43.1-27, and 57-43.2-22 of the North Dakota Century Code as created by House Bills Nos. 1072 and 1073 as approved by the forty-eighth legislative assembly, relating to deductions allowed to dealers of motor vehicle fuel and special fuel for shrinkage.

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

Reps. O'Shea, Hill introduced:

HB 1573: A BILL for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code, relating to leasing of federal lands for water control.

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

Reps. L. Hanson, Unhjem, W. Williams and Sens. Nething, Todd introduced:

HB 1574: A BILL for an Act to designate the city of Jamestown as the official site for the North Dakota state dairy show, including the state dairy princess contest, and to protect the use of those designations.

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

Reps. D. Olsen, Swiontek and Sen. Grotberg introduced:

HB 1575: A BILL for an Act to amend and reenact section 15-59-07.1 of the North Dakota Century Code, relating to boarding care for handicapped students.

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

Rep. S. F. Hoffner introduced:

HB 1576: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the office of attorney general; and to amend and reenact sections 16.1-11-08, 16.1-11-26, and 16.1-11-37 of the North Dakota Century Code, relating to offices on the no-party ballot.

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

## FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. O'Shea, Hill, Brokaw, Richard introduced:

HCR 3017: A concurrent resolution urging the President and Congress of the United States to cease charging interest to farmers participating in the grain reserve program.

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

## FIRST READING OF SENATE BILLS

SB 2166: A BILL for an Act to amend and reenact section 39-21-44 of the North Dakota Century Code, relating to the transportation of explosives or hazardous materials.

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

SB 2176: A BILL for an Act to create and enact two new sections to chapter 54-30 of the North Dakota Century Code, relating to real estate mortgage backed bonds as legal investments and retroactive application; to amend and reenact sections 54-30-02, 54-30-03, 54-30-04, 54-30-05, 54-30-07, 54-30-11, 54-30-12, 54-30-14, 54-30-15, 54-30-16, 54-30-25, 54-30-27, and 54-30-28 of the North Dakota Century Code, relating to the issuance by the state of real estate mortgage backed bonds and exemption from taxation; and to repeal sections 54-30-13, 54-30-18, 54-30-19, 54-30-21, 54-30-22, 54-30-24, 54-30-30, 54-30-30.1, and 54-30-31 of the North Dakota Century Code, relating to the servicing and the foreclosure of the real estate mortgages assigned to the state treasurer as security for the real estate bonds, the substitution of mortgages securing real estate mortgage backed bonds, and the transfer of real estate to the Bank of North Dakota.

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

SB 2198: A BILL for an Act to amend and reenact sections 57-47-01, 57-47-02, 57-47-03, and 57-47-04 of the North Dakota Century Code, relating to the powers of a county to borrow money to meet deficiencies and to levy a general tax for the repayment of such a loan.

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

SB 2219: A BILL for an Act to amend and reenact section 21-02-13 of the North Dakota Century Code, relating to certificates of indebtedness issued in anticipation of revenues to be received from the state.

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

SB 2231: A BILL for an Act to establish a state bonding fund; to repeal chapter 26-23 of the North Dakota Century Code, relating to the state bonding fund, or in the alternative, to repeal chapter 26.1-21 of the North Dakota Century Code,

as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to the state bonding fund.

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

SB 2240: A BILL for an Act to amend and reenact section 10-23-02 of the North Dakota Century Code, relating to annual report of domestic and foreign corporations.

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

SB 2275: A BILL for an Act to amend and reenact section 15-38.1-11.1 of the North Dakota Century Code, relating to payroll deduction for dues of representative organizations for teachers.

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

SB 2281: A BILL for an Act to authorize the director of institutions to enter into a ninety-nine year lease with the city of Grafton for land for a fire station, and providing that the lease shall terminate if the city ceases to use the property as a fire station; and to declare an emergency.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk