

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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TWENTY-FIRST DAY

Bismarck, February 1, 1983

The House convened at 3:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Pastor Hensel E. Hendrickson, Trinity Lutheran Church, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives W. Meyer, Opedahl, and Strinden.

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 Twentieth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2089, SB 2090

CHARLES FLEMING, Chief Clerk

MESSAGES TO THE SENATE

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SB 2089, SB 2090

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 2017, SB 2103

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 1021, HB 1027, HB 1059, HB 1095, HB 1103, HB 1203,
HB 1296, HB 1301, HB 1340, HB 1392, HB 1393, HB 1412,
HB 1439, HB 1485, HB 1515, HB 1524, HB 1561

Very respectfully,
CHARLES FLEMING, Chief Clerk

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

February 1, 1983

The Honorable Tish Kelly
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Madam Speaker:

This is to inform you that on February 1, 1983, I signed HB 1197.

Sincerely,

ALLEN I. OLSON
Governor

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 2095, SB 2189, SB 2335, SB 2368, SCR 4024

Very respectfully,
LEO LEIDHOLM, Secretary

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:

SCMR 1

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 2086, SB 2096, SB 2130

Very respectfully,
LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. S. F. HOFFNER MOVED that the amendments to HB 1054 as recommended by the Committee on Industry, Business, and Labor as printed on pages 603 and 604 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1078 as recommended by the Committee on Transportation as printed on page 605 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1153 as recommended by the Committee on Judiciary as printed on pages 605 and 606 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1238 as recommended by the Committee on Industry, Business, and Labor as printed on pages 606 and 607 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1278 as recommended by the Committee on Judiciary as printed on pages 607 and 608 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1288 as recommended by the Committee on Agriculture as printed on page 608 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1307 as recommended by the Committee on Natural Resources as printed on pages 608 and 609 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1325 as recommended by the Committee on Industry, Business, and Labor as printed on page 609 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1344 as recommended by the Committee on Judiciary as printed on page 609 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1356 as recommended by the Committee on Judiciary as printed on page 610 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1546 as recommended by the Committee on Agriculture as printed on page 610 of the House Journal be adopted, which motion prevailed.

REPORTS OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill and finds the same correctly enrolled:

HB 1099

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills and finds the same correctly engrossed:

HB 1026, HB 1065, HB 1117, HB 1218, HB 1261, HB 1277,
HB 1327, HB 1377, HB 1428, HB 1472, HCR 3004

REP. G. MARTIN, Chairman

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

SECOND READING OF HOUSE BILLS

HB 1026: A BILL for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 570 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; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; 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: Nicholas; Opedahl; Strinden

HB 1026 passed and the title was agreed to.

HB 1065: A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to an information management program for the review of state forms; and to amend and reenact section 46-01-01 and subsection 5 of section 46-01-02 of the North Dakota Century Code, relating to the purchase of state printing and the legal publications handbook advisory committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 571-574 of the House Journal, the roll was called and there were 101 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Black; Boyle;
 Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles;
 Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch;
 Halmrast; Hamerlik; Hanson, L.; 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; Nowatzki; O'Connell; Olafson; Olsen, D.;
 Olson, A.; 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: Aubol; Hanson, O.

ABSENT AND NOT VOTING: Nicholas; Opedahl; Strinden

HB 1065 passed and the title was agreed to.

MOTIONS

REP. BACKES MOVED that HB 1065 be reprinted, which motion prevailed.

REP. BACKES MOVED to reprint HB 1198, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

REP. WENTZ: Madam Speaker: I rise on a point of personal privilege.

On behalf of Stanley Saugstad, Chairman of the North Dakota Centennial Commission, I move that the report of that Commission to this 48th Legislative Assembly, be printed in the Journal, which motion prevailed.

REPORT TO THE 48TH LEGISLATIVE ASSEMBLY
OF

NORTH DAKOTA CENTENNIAL COMMISSION

In accordance with Section 6 of Chapter 554, 1981 Session Laws, the North Dakota Centennial Commission hereby presents its report and appropriations request to the 48th Legislative Assembly for the State of North Dakota.

While it may seem that seven years is considerable lead time to begin developing plans for the observance of the centennial, the 47th assembly should be commended for its foresight in establishing the Centennial Commission this early. Much of the activity which will, or should, take place during the year 1989, requires a great deal of advance planning and North Dakota has not begun any too soon. The Centennial Commission was given the task of developing an initial plan and did not feel that it would be proper to develop a plan in such detail that subsequent centennial commission members would feel "locked-in" to matters that were developed by their predecessors. Therefore, we have elected to plan in generalities and outline the steps which must be followed if certain activities are going to take place.

Financing is going to be a major problem for many of the proposed activities. Grants from federal and state agencies and foundations, corporate and private donations, and public subscription will be a necessary part of the funding of the commission. All of these sources will require personal contacts and time-consuming effort by a spokesman for the commission. This work must begin at once. It will require travel and public programs that will need a great deal of administration. This can only be done by an executive director.

HISTORY

The centennial observance should revolve around a factual history. It is noted that the 75th anniversary resulted in the publication of a popular history of North Dakota. A chronological history is not now available and work should begin by qualified historians immediately. Even if a popular history

is not completed for publication, there will be considerable need for a history to be furnished to the schools and to others who might need it. This is the foundation work for the development of some of the centennial activities which are felt to be necessary and should be done over the next three years so that it will be available at least four years prior to the observance.

PUBLIC INFORMATION

A T.V. series and centennial minutes on North Dakota history would bring historical awareness in every living room in the state. This would be based on the material developed by the history committee. This material could also then be used as an aid in a course of study in the schools on North Dakota history.

A great deal of the early history of North Dakota should be developed into a popular history to be furnished to the daily and weekly newspapers as special articles or special supplements. Also, brochures carrying information about the celebration of the centennial should be developed.

COURSE OF STUDY

The teaching of North Dakota history, particularly the history of the development of statehood, should be accelerated. The commission will encourage the use of a textbook and course materials which will also have to be developed from material provided by the history committee and the cooperation of the Department of Public Instruction.

ART

The Centennial Commission will commission a major piece of artwork to be paid for by subscription and placed on the North Dakota capitol grounds. Competition among artists would have to begin quite soon so that the selection could be made no later than 1984. This would then allow four years for the development of the work and it would be ready for placement and dedication during the centennial year. This project requires an immediate start and close supervision.

LOGO

The Centennial Commission should coordinate all memorabilia developed around the centennial theme. This would require the Commission to adopt an official logo, after suitable competition and then restrict the use of that logo to approved items. Such items as belt buckles and desk top objects could be produced and sold featuring the official logo. However, to avoid the development of trash, the use of the logo must be very carefully watched and controlled so that it does not become overused or misused.

TRAVELING EXHIBIT, ETC.

Exhibits of historical significance and memorabilia can be prepared by the North Dakota State Historical Society at the Heritage Center and rotated throughout the state to create a greater awareness of North Dakota history in the centennial year.

In the same way, a craft show making items in the manner and with the tools of yesterday. A chautauqua type show could present plays related to our history to the entire state.

LOCAL CELEBRATIONS

The commemoration of the centennial by local homecomings in communities around the state would be encouraged and coordinated by the executive director of the Centennial Commission. It is hoped that a great deal of interest could be created in such local celebrations and that these would constitute much of the activity of the centennial year.

COORDINATION WITH OTHER STATES

South Dakota and Montana were admitted to the Union the same year as North Dakota. It is believed that they will be having centennial events during that same period and it would be appropriate to coordinate our celebration with theirs and would likely lead to a better celebration if we can exchange ideas with the other states. Plans to coordinate and share activities should begin immediately. North Dakota will work with these states to market the region to international markets and group tax operations.

COORDINATION OF STATE EFFORTS

It would be appropriate for many of the state agencies to emphasize the centennial in agency publications or activities. This would be particularly true for Historical Society and Recreation Department. However, many of the activities of the Highway Department, Game and Fish Department, Agricultural Department and others could be used to emphasize the centennial theme.

EXECUTIVE DIRECTOR

The lead time for many of the activities above is at least four years. Some of it is even greater than that. In order that some of the work which must be done right away can be taken care of on a reasonable schedule, it is recommended that a part-time executive director be engaged beginning July 1, 1983, and that he immediately begin to develop more detailed plans for the celebration of the North Dakota Centennial, under the direction of the Centennial Commission.

It is also recommended that the North Dakota Centennial Commission be continued in its present form with expanded appointive membership and that the Superintendent of the State Historical Board, and Director of North Dakota Tourist Promotion be added to the Centennial Commission as ex-officio members.

All of the above activities will require from two to four years production and, when one adds the two years required to develop the North Dakota history, you see that we are at a point that we must begin immediately.

Respectfully submitted by the North Dakota Centennial Commission

Stanley Saugstad, Chairman
Julie Adams
Alan Grindberg
Magnus Geston
Joan VonRueden
Shirley Barcome
Nancy Kaseman
Mike Foster

SECOND READING OF HOUSE BILLS

HB 1089: A BILL for an Act to amend and reenact section 57-51.1-03 of the North Dakota Century Code, relating to exemption of royalty owners from the oil extraction tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 539 of the House Journal, the roll was called and there were 29 YEAS, 75 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Conmy; Goetz; Gorder; Gunsch; Hanson, O.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Lang; Larson, R.; Martinson; Moore; Murphy; Olafson; Olsen, D.; Olson, A.; Rice; Rued; Schindler; Shide; Thompson; Timm; Unhjem; Vander Vorst; Whalen

NAYS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Opedahl; Strinden

HB 1089 was declared lost.

HB 1117: A BILL for an Act to amend and reenact section 15-10-18.3 of the North Dakota Century Code, relating to waiver of tuition and fee charges in North Dakota

institutions of higher education for dependents of disabled or deceased veterans, prisoners of war, or veterans declared missing in action; 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 574 of the House Journal, the roll was called and there were 91 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Opedahl; Strinden

HB 1117 passed, the title was agreed to, and the emergency clause carried.

HB 1166: A BILL for an Act to amend and reenact subdivisions b and c of subsection 1 of section 6-09-15 of the North Dakota Century Code, relating to the power of the Bank of North Dakota to make and participate in loans.

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; Kloube; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; 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: Meier, A.

HB 1166 passed and the title was agreed to.

HB 1174: A BILL for an Act to create and enact section 61-28-06.1 of the North Dakota Century Code, relating to water pollution permit fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 7 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; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kloube; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; 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.; Retzer; Rice; Richard; Riehl; Riley; 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: Gunsch; Hanson, O.; Kent; Kingsbury; Lardy; Rayl;
Rued

ABSENT AND NOT VOTING: Hughes

HB 1174 passed and the title was agreed to.

MOTIONS

REP. GERL MOVED that HB 1218 be moved to the foot of the calendar, which motion prevailed.

REP. BROKAW MOVED that HB 1396 be returned to the House floor from the Committee on Political Subdivisions, which motion prevailed.

REQUEST

REP. BROKAW REQUESTED the unanimous consent of the House to withdraw HB 1396. There being no objection, it was so ordered by the Speaker.

FIRST READING OF SENATE CONCURRENT MEMORIAL RESOLUTION

Sens. Holmberg, Goodman and Reps. Kuchera, Strinden introduced:
SCMR 1: A concurrent memorial resolution honoring the United States Air Force service personnel who in the performance of their duties lost their lives at the Grand Forks Air Force Base.
Was read the first time.

REP. STRINDEN MOVED that the rules be suspended, that SCMR 1 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Holmberg, Goodman and Reps. Kuchera, Strinden introduced:

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1

A concurrent memorial resolution honoring the United States Air Force service personnel who in the performance of their duties lost their lives at the Grand Forks Air Force Base.

WHEREAS, many fine young men and women are serving to protect our country as members of the United States Air Force; and

WHEREAS, on January 27, 1983, at the Grand Forks Air Force Base a B-52G Stratofortress aircraft exploded and burst into flames killing five persons and injuring eight others; and

WHEREAS, it is the intention of the Forty-eighth Legislative Assembly, as representative of all North Dakota citizens, to pay special tribute to those brave, courageous, and loyal persons who have made the supreme sacrifice which men and

women of their stature have been called throughout our country's history to make for the right to be free;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Forty-eighth Legislative Assembly hereby pays solemn tribute to the following individuals for their sacrifice in giving their lives to help keep the United States free:

Airman 1st Class Robin D. Rise, Fremont, Nebraska

Airman 1st Class Michael F. McDonald, Bloomington, Illinois

Sr. Airman Robert W. Gray, Sterling, Virginia

Airman 1st Class Anthony M. Salva, Chicago, Illinois

Sr. Airman Scott A. Wicik, Tony, Wisconsin

BE IT FURTHER RESOLVED, that all North Dakota citizens extend their sorrow and deepest sympathy to the parents, spouses, and relatives of these brave people, and express their firm belief that they did not die in vain; and

BE IT FURTHER RESOLVED, that the Secretary of State send enrolled copies of this resolution to the parents and spouses of these persons to whom the people of North Dakota and this country owe so much, to the Commander of Grand Forks Air Force Base, and to the Commander of the 319th Bomb Wing.

SECOND READING OF SENATE CONCURRENT MEMORIAL RESOLUTION

SCMR 1: A concurrent memorial resolution honoring the United States Air Force service personnel who in the performance of their duties lost their lives at the Grand Forks Air Force Base.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution.

SCMR 1 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SCMR 1 be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SCMR 1

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

REP. GOETZ MOVED that HB 1410 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. GOETZ REQUESTED the unanimous consent of the House to withdraw HB 1410. There being no objection, it was so ordered by the Speaker.

MOTION

REP. LLOYD MOVED that HB 1308 be returned to the House floor from the Committee on Education, which motion prevailed.

REQUEST

REP. LLOYD REQUESTED the unanimous consent of the House to withdraw HB 1308. There being no objection, it was so ordered by the Speaker.

MOTION

REP. UNHJEM MOVED that HB 1305 be returned to the House floor from the Committee on Education, which motion prevailed.

REQUEST

REP. UNHJEM REQUESTED the unanimous consent of the House to withdraw HB 1305. There being no objection, it was so ordered by the Speaker.

MOTION

REP. S. F. HOFFNER MOVED that SB 2081 be returned to the Committee on Industry, Business, and Labor, which motion prevailed.

SPEAKER KELLY ANNOUNCED that SB 2081 was rereferred to the Committee on Industry, Business, and Labor.

MOTION

REP. SANSTEAD MOVED that HB 1483 be returned to the House floor from the Committee on State and Federal Government, which motion prevailed.

REQUEST

REP. SANSTEAD REQUESTED the unanimous consent of the House to withdraw HB 1483. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1261: A BILL for an Act to amend and reenact section 23-24-05 of the North Dakota Century Code, relating to board of commissioners for vector control districts and per diem compensation for commissioners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 575 of the House Journal, the roll was called and there were 99 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; 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; 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.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; 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: Black; Kingsbury; Melby; Olafson; Olson, A.; Rued

ABSENT AND NOT VOTING: Timm

HB 1261 passed and the title was agreed to.

HB 1277: A BILL for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code, relating to the definition of a teacher for nonrenewal purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 575 and 576 of the House Journal, the roll was called and there were 20 YEAS, 82 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Gorder; Gunsch; Hanson, O.; Keller; Knudson; Kretschmar; Laughlin; Lipsiea; Melby;

Meyer, R.; Murphy; Olafson; Olsen, D.; Rice; Shide;
Thompson; Vander Vorst; Vig; Whalen

NAYS: Anderson, C.; Aubol; Black; Boyle; Brokaw; Conmy;
DeMers; Dotzenrodt; DuBord; Eagles; Erdman; Gates; Gerl;
Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.;
Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus;
Hoffner, S. F.; Horgan; Jacobson; Kent; Kingsbury;
Kloubec; Koehn; Koski; Kuchera; Lang; Lardy;
Larson, B.; Larson, R.; Lautenschlager; Linderman;
Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.;
Meiers, R.; Mertens; Meyer, W.; Moore; Mushik;
Nalewaja; Nicholas; Nowatzki; O'Connell; Olson, A.;
Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.;
Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued;
Sanstead; Schindler; Schneider; Schoenwald; Shockman;
Solberg; Stofferahn; Swiontek; Timm; Unhjem; Watne;
Wentz; Williams, A.; Williams, C.; Williams, W.; Wold;
Madam Speaker

ABSENT AND NOT VOTING: Backes; Hughes; Sinner; Strinden

HB 1277 was declared lost.

HB 1293: A BILL for an Act to amend and reenact sections
12.1-30-01, 12.1-30-02, and 12.1-30-03 of the North Dakota
Century Code, relating to operation of certain businesses
on certain holidays.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 78 YEAS, 22 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Black; Boyle; Brokaw; DeMers;
DuBord; Erdman; Gerl; Goetz; Gorder; Gullickson;
Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.;
Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus;
Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson;
Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.;
Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.;
Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens;
Meyer, R.; Meyer, W.; Mushik; Nicholas; Nowatzki;
O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl;
O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer;
Richard; Riehl; Rued; Sanstead; Schindler; Schoenwald;
Shide; Shockman; Solberg; Stofferahn; Thompson; Unhjem;
Vander Vorst; Vig; Watne; Wentz; Williams, A.;
Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, R.; Conmy; Dotzenrod; Eagles; Gates; Kent; Kingsbury; Kloubec; Koehn; Larson, R.; Lipsiea; Martinson; Moore; Murphy; Nalewaja; Peltier; Rayl; Rice; Riley; Schneider; Swiontek; Wold

ABSENT AND NOT VOTING: Backes; Hughes; Sinner; Strinden; Timm; Whalen

HB 1293 passed and the title was agreed to.

HB 1327: A BILL for an Act to create and enact subsection 6 to section 21-04-01 of the North Dakota Century Code, defining financial institutions; to amend and reenact sections 21-04-03, 21-04-05, 21-04-06, 21-04-07, 21-04-08, 21-04-09, 21-04-10, 21-04-12, 21-04-14, 21-04-15, 21-04-17, 21-04-18, and 21-04-21 of the North Dakota Century Code, relating to including financial institutions within class of depositories for public funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 576 of the House Journal, the roll was called and there were 89 YEAS, 10 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Kretschmar; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Eagles; Gorder; Kent; Kingsbury; Kuchera; Lang; O'Connell; Peltier; Schindler; Unhjem

ABSENT AND NOT VOTING: Backes; Hughes; Rued; Sinner; Strinden; Timm; Whalen

HB 1327 passed and the title was agreed to.

HB 1377: A BILL for an Act to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to the minimum standards for grade A milk.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 576 of the House Journal, the roll was called and there were 99 YEAS, 0 NAYS, 7 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, Serenus; Hoffner, S. F.; Horgan; 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; Riley; Rued; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Backes; Hughes; Peterson; Sanstead; Sinner; Strinden; Timm

HB 1377 passed and the title was agreed to.

HB 1409: A BILL for an Act to adopt the Uniform Trade Secrets Act, relating to the protection of trade secrets from misappropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 1 NAY, 7 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;
 Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan;
 Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson;
 Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy;
 Larson, B.; 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; Peterson; Pomeroy, E.; Pomeroy, G.;
 Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued;
 Sanstead; Schindler; Schneider; Schoenwald; Shide;
 Shockman; Solberg; Stofferahn; Swiontek; Thompson;
 Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen;
 Williams, A.; Williams, C.; Williams, W.; Wold;
 Madam Speaker

NAYS: Peltier

ABSENT AND NOT VOTING: Backes; Hausauer; Hughes;
 Larson, R.; Sinner; Strinden; Timm

HB 1409 passed and the title was agreed to.

HB 1428: A BILL for an Act to amend and reenact section 47-10-24
 of the North Dakota Century Code, relating to the
 definition of "minerals" in deeds, grants, or conveyances
 of title to real property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on
 page 577 of the House Journal, the roll was called and there were
 99 YEAS, 2 NAYS, 5 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, Serenus;
 Hoffner, S. F.; Horgan; 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; Solberg;
 Stofferahn; Swiontek; Unhjem; Vander Vorst; Vig; Watne;
 Wentz; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Madam Speaker

NAYS: Thompson; Wold

ABSENT AND NOT VOTING: Backes; Hughes; Sinner; Strinden;
 Timm

HB 1428 passed and the title was agreed to.

HB 1432: A BILL for an Act to amend and reenact section 47-10-25 of the North Dakota Century Code, relating to the definition of "minerals" in deeds, grants, or conveyances of title to real property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 4 NAYS, 6 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.; Haugland; Hausauer;
 Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan;
 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; Peterson; Pomeroy, E.;
 Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley;
 Rued; Sanstead; Schindler; Schneider; Schoenwald;
 Shide; Shockman; Solberg; Stofferahn; Swiontek; Unhjem;
 Vander Vorst; Vig; Watne; Wentz; Williams, A.;
 Williams, C.; Williams, W.; Madam Speaker

NAYS: Hanson, O.; Thompson; Whalen; Wold

ABSENT AND NOT VOTING: Backes; Hughes; Mertens; Sinner;
 Strinden; Timm

HB 1432 passed and the title was agreed to.

HB 1451: A BILL for an Act to create and enact seven new sections to chapter 51-04 of the North Dakota Century Code, relating to transient merchants; to repeal chapter 51-04 of the North Dakota Century Code, relating to transient merchants; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 45 YEAS, 55 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Conmy; DeMers; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Laughlin; Lipsiea; Martinson; Melby; Meyer, R.; Moore; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Peterson; Retzer; Riley; Rued; Schindler; Thompson; Unhjem; Vander Vorst; Vig; Whalen; Williams, A.; Williams, C.

NAYS: Aubol; Boyle; Brokaw; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Gullickson; Halmrast; Hill; Hoffner, S. E.; Horgan; Jacobson; Keller; Kent; Koski; Lardy; Larson, B.; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Murphy; Mushik; O'Connell; Olafson; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Watne; Wentz; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Backes; Hanson, L.; Hughes; Sinner; Strinden; Timm

HB 1451 was declared lost.

HB 1464: A BILL for an Act providing for the marking of item prices in stores that use electronic or magnetic checkout scanners; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; 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; Stofferahn; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Eagles; Solberg; Strinden; Unhjem; Wold

ABSENT AND NOT VOTING: None

HB 1464 passed and the title was agreed to.

HB 1472: A BILL for an Act to amend and reenact section 20.1-03-01.1 of the North Dakota Century Code, relating to firearms and hunting safety instruction courses provided by the state game and fish department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 577 of the House Journal, the roll was called and there were 97 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Larson, R.

HB 1472 passed and the title was agreed to.

HB 1508: A BILL for an Act to amend and reenact sections 15-40.2-08, 15-59-06, and 15-59-07 of the North Dakota Century Code, relating to state payment of excess costs of special education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 32 YEAS, 73 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Conmy; Gorder; Gullickson; Gunsch;
Hanson, O.; Hoffner, Serenus; Hoffner, S. F.; Horgan;
Hughes; Kent; Kingsbury; Knudson; Koski; Lardy;
Larson, B.; Larson, R.; Laughlin; Lautenschlager;
Melby; Nicholas; Olafson; Olson, A.; Richard; Riehl;
Rued; Sanstead; Schoenwald; Solberg; Timm;
Vander Vorst; Whalen

NAYS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw;
DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl;
Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland;
Hausauer; Hill; Hjelle; Jacobson; Keller; Kloubec;
Koehn; Kretschmar; Kuchera; Lang; Linderman; Lipsiea;
Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.;
Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore;
Murphy; Nalewaja; Nowatzki; O'Connell; Olsen, D.;
Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.;
Pomeroy, G.; Rayl; Retzer; Rice; Riley; Schindler;
Schneider; Shide; Shockman; Sinner; Stofferahn;
Strinden; Swiontek; Thompson; Unhjem; Vig; Watne;
Wentz; Williams, A.; Williams, C.; Williams, W.; Wold;
Madam Speaker

ABSENT AND NOT VOTING: Mushik

HB 1508 was declared lost.

HB 1581: A BILL for an Act relating to claims against the state resulting from activities of residents or inmates of state institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 90 YEAS, 16 NAYS, 0 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: None

HB 1581 passed and the title was agreed to.

HB 1699: A BILL for an Act to amend and reenact section 54-14-04.3 of the North Dakota Century Code, relating to severance pay for state employees and officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 24 YEAS, 82 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; DeMers; DuBord; Gerl; Hamerlik; Hanson, L.; Hoffner, Serenus; Horgan; Jacobson; Koski; Larson, B.; Linderman; Martin, G.; Martinson; Meier, A.; Meiers, R.; Pomeroy, G.; Rayl; Sanstead; Schneider; Schoenwald; Watne; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Backes; Boyle; Brokaw; Conmy; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martin, C.; 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.; Retzer; Rice; Richard; Riehl; Riley; Rued; Schindler; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

ABSENT AND NOT VOTING: None

HB 1699 was declared lost.

MOTION

REP. S. F. HOFFNER MOVED that HB 1218 be returned to the Committee on Industry, Business, and Labor, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1218 was rereferred to the Committee on Industry, Business, and Labor.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3004: A concurrent resolution requesting the Legislative Council to conduct a study to determine the adequacy and the appropriateness of the funding of postsecondary education and to develop a long-range plan for future funding of postsecondary education in North Dakota.

Which has been read.

The question being on the final adoption of the resolution as amended.

HCR 3004 was declared adopted on a voice vote.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Koski and Sen. Bakewell introduced:
(Approved by the Committee on Delayed Bills)

HCR 3039: A concurrent resolution to appoint an official photographer for the Forty-eighth Legislative Assembly, to set forth the photography order, and to authorize payment. Was read the first time.

REP. BACKES MOVED that the rules be suspended, that HCR 3039 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Rep. Koski and Sen. Bakewell introduced:

HOUSE CONCURRENT RESOLUTION NO. 3039

A concurrent resolution to appoint an official photographer for the Forty-eighth Legislative Assembly, to set forth the photography order, and to authorize payment.

WHEREAS, for historical purposes it has been the custom of all North Dakota Legislative Assemblies to have composite group pictures made for all members of such assemblies; and

WHEREAS, Renner Studios offers to take six color proof photographs of each Senator, each Representative, the Lieutenant Governor, the Secretary of the Senate, the Assistant Secretary of the Senate, the Senate Desk Reporter, the Senate Sergeant-at-Arms, the Senate Bill Clerk, the Chief Clerk of the House, the Assistant Chief Clerk of the House, the House Desk Reporter, the House Sergeant-at-Arms, and the House Bill Clerk, and to retouch the final prints to compile a composite color picture of all Senate members and named employees, and all House members and named employees, framed and ready to hang, and individual composite photographs to be furnished to each member; all of the foregoing at a total cost of \$2,817;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That Renner Studios of Mandan, North Dakota, be and is hereby appointed official photographer for the Forty-eighth Legislative Assembly of the State of North Dakota; and

BE IT FURTHER RESOLVED, that Renner Studios of Mandan, North Dakota, is hereby awarded the sole privilege of photographing members of the Senate and the House of Representatives, the Lieutenant Governor, and the above-mentioned legislative employees of the Forty-eighth Legislative Assembly, at the total cost of \$2,817 to be charged as a legislative expense; and

BE IT FURTHER RESOLVED, that the photographs shall be delivered pursuant to a contract entered into between Renner Studios, and the photography committees of the Senate and House of Representatives.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3039: A concurrent resolution to appoint an official photographer for the Forty-eighth Legislative Assembly, to set forth the photography order, and to authorize payment.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 97 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; 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.; 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; Unhjem; Vig; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Gorder; Kingsbury; Vander Vorst

ABSENT AND NOT VOTING: Anderson, R.; Gerl; Hughes; Olson, A.; Timm; Wentz

HCR 3039 passed.

SECOND READING OF SENATE BILLS

SB 2193: A BILL for an Act to amend and reenact section 6-09-04 of the North Dakota Century Code, relating to the powers of the industrial commission to appoint the president and other officers, employees, and agents of the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 578 of the House Journal, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; 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; 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.; Opedahl; O'Shea; Peltier; Peterson;
 Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard;
 Riehl; Riley; Rued; 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: None

ABSENT AND NOT VOTING: Anderson, R.; Hughes; Olson, A.;
 Sanstead; Timm

HB 2193 passed and the title was agreed to.

SB 2361: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation and expenses of members of the legislative assembly; to suspend section 54-03-20.1 of the North Dakota Century Code, relating to compensation for attending legislators; providing an expiration date; and to declare 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 86 YEAS, 13 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw;
 Conmy; DuBord; Eagles; Erdman; Gates; Goetz; Gorder;
 Gullickson; Halmrast; Hamerlik; Haugland; Hausauer;
 Hill; Hjelle; Hoffner, Serenus; Hoffner, S.F.; Horgan;
 Jacobson; Keller; Kent; 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.; Mertens; Meyer, R.; Meyer, W.; Murphy;
 Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell;
 Olafson; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson;
 Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl;
 Riley; Sanstead; Schindler; Schneider; Schoenwald;
 Shockman; Sinner; Solberg; Stofferahn; Strinden;
 Swiontek; Thompson; Unhjem; Vig; Watne; Wentz;
 Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: DeMers; Dotzenrod; Gerl; Gunsch; Hanson, O.;
Kingsbury; Kuchera; Melby; Retzer; Rued; Shide;
Vander Vorst; Whalen;

ABSENT AND NOT VOTING: Anderson, R.; Hanson, L.;
Hughes; Moore; Olson, A.; Timm; Williams, A.;

SB 2361 passed, the title was agreed to, and the emergency clause carried.

MOTIONS

REP. BACKES MOVED that the rules be suspended and that SB 2361 be messaged to the Senate immediately, which motion prevailed.

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

REP. BACKES MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, 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 11:45 a.m., Wednesday, February 2, 1983, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Education to which was referred HB 1075 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 3, line 8, delete the words "The legislative"

On page 3, delete lines 9 and 10 and insert in lieu thereof
"The education committee shall be composed of the
standing house and senate education committees."

On page 3, line 11, after the first word "The" insert the word "legislative"

On page 3, line 12, delete the words "of all aspects"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1075 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 1083 has had the same under consideration and recommends by a vote of 11 YEAS, 6 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 4, after the word "owner" and before the period insert the words "and providing for forfeiture of an oil and gas lease by an operator for failure to pay royalties to the mineral owner within a specified time"

On page 1, line 18, delete the words "The operator under an oil and gas lease must deposit"

On page 1, delete lines 19 through 21

On page 1, line 22, delete the words "by the mineral owner in the oil and gas lease." and insert in lieu thereof the following sentences: "If the operator under an oil and gas lease fails to remit earned oil and gas royalties and interest to the mineral owner or assignee within one hundred fifty days after the royalties due to the mineral owner or assignee are in the possession of the operator, the mineral owner or assignee may commence suit in the district court to terminate the lease of the operator. The court shall terminate the lease on a finding that no substantial question as to title in the mineral interests existed one hundred fifty days after earned royalties were in possession of the operator and that earned royalties of the mineral owner or assignee were in the possession of the operator for more than one hundred fifty days."

On page 2, line 10, delete the word "pending"

And renumber the lines accordingly

REP. BROKAW, Chairman

HB 1083 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 1214 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, after line 34, insert the following language:

"12. Mortgage loans purchased from lenders or certificates of indebtedness representing pools of mortgage loans purchased from lenders if the mortgages are made to persons to finance the purchase or substantial rehabilitation of

owner-occupied, single family residential dwellings, including mobile homes and manufactured housing. The loans purchased must be secured by mortgages on real property located in this state. "Lender" means any bank or trust company chartered in this state, any national banking association located in this state, any state or federal savings and loan association located in this state, and any federal housing administration approved mortgagee or other mortgage lending institution engaged in home mortgage lending in this state.

13. Investments enumerated under chapter 15-03 as legal investments for the board of university and school lands."

And renumber the lines and pages accordingly

REP. L. HANSON, Chairman

HB 1214 was placed on the Sixth 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 1236 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 1, delete the numeral "50-18-06.1" and insert in lieu thereof the numeral "50-01-09.2"

On page 1, delete lines 7 through 28 and insert in lieu thereof the following sections:

"SECTION 1. AMENDMENT. Section 50-01-09.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-01-09.2. Reimbursement to counties by state for general assistance provided. Within the limits of legislative appropriations, the department of human services shall reimburse each county upon claim being made by the county, for one-half of the amounts expended on behalf of persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state and for all of the amounts expended to furnish care to mentally retarded persons who reside in boarding homes for the aged and infirm. Claim for reimbursement along with

a certification of amounts paid shall be presented quarterly by the board of county commissioners to the department of human services. An amount not to exceed one-half the appropriate proportion of the sums so certified shall be paid to the county by the department of human services upon the audit and approval of the claim in the manner provided by law.

SECTION 2. AMENDMENT. Section 50-24.1-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-24.1-03. County share of medical assistance - Reimbursement for clinic services not required. Each county in this state shall reimburse the department of human services for amounts expended for medical assistance in that county in excess of the amount provided by the federal government, in the amount of fifteen percent. A county is not required to reimburse the department for services furnished by regional human service centers or intermediate care facilities for developmentally disabled for care provided to mentally retarded persons."

On page 2, delete lines 1 through 8

And renumber the lines, sections, and pages accordingly
REP. R. MEIERS, Chairman

HB 1236 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 1268 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 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 word "fifteen" and overstrike the words "percent of the qualified electors of a county, as determined", and insert immediately thereafter the words "a petition of electors of the county equal in number to twenty-five percent of"

On page 1, line 11, overstrike the word "by", and overstrike the word "vote" and insert immediately thereafter the word "votes", and after the word "cast" insert the words "in the county", and overstrike the word "general" and insert immediately thereafter the word "gubernatorial"

On page 1, line 12, overstrike the word "petition" and insert immediately thereafter the words "be presented to"

And renumber the lines and pages accordingly
REP. DOTZENROD, Chairman

HB 1268 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 1297 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 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, remove the overstrike over the overstruck word "~~er~~"

On page 2, line 12, after the overstruck word "~~convenience~~" insert the words "in cases of extreme family or pupil hardship" and remove the overstrike over the overstruck comma ",~~7~~"

On page 2, line 24, remove th overstrike over the overstruck word "~~er~~"

On page 2, line 25, after the overstruck word "~~convenience~~" insert the words "in cases of extreme family or pupil hardship"

And renumber the lines accordingly
REP. JACOBSON, Chairman

HB 1297 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 1321 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 2, delete the word and numeral "section 26-28-07," and insert in lieu thereof the word "and" and delete the word ", and"

On page 1, line 3, delete the word and numeral "section 26-29-07"

On page 1, line 5, delete the words and numeral "and section 26.1-25-07"

Delete page 2

On page 3, delete lines 1 through 4

On page 3, delete lines 21 through 35

On page 4, delete lines 1 through 18

On page 4, delete lines 34 and 35

And delete the remainder of the bill

And renumber the lines, sections, and pages accordingly
REP. S. F. HOFFNER, Chairman

HB 1321 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 1406 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 17, delete the word "five"

On page 1, line 18, delete the word "hundred"

On page 2, line 12, delete the words "five hundred"

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

On page 2, line 17, delete the word "hundred"

On page 2, line 19, after the period insert the following new sentence:

"If equity requires, the court may allow reasonable expenses to the prevailing party incurred in either prosecuting or defending the claim."

On page 2, line 28, overstrike the word "two" and insert immediately thereafter the word "five"

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

HB 1406 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1452 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "science" insert the words "; and to declare an emergency"

On page 1, after line 11, insert the following new section:

"SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and sections accordingly.

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment is to allow construction of the new student center addition to begin immediately. This enables the construction to be completed by August 15, which will be in time for the new school year.

REP. MERTENS, Chairman

HB 1452 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 SB 2065 has had the same under consideration and recommends by a vote of 10 YEAS, 4 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 1, after the words "A BILL" delete the remainder of the bill, and insert in lieu thereof the following:

"for an Act abolishing all mill levy limitations on political subdivisions having taxing authority, if such political subdivisions are governed by an elected board or commission.

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

SECTION 1. All limitations on mill levies imposed upon political subdivisions having taxing authority are hereby abolished for all such political subdivisions as are governed by an elected board or commission."

And renumber the lines, sections, and pages accordingly

REP. DOTZENROD, Chairman

SB 2065 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 1051 has had the same under consideration and recommends by a

vote of 13 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HB 1051 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 1055 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 1055 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 1165 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1165 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 1242 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1242 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1260 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HB 1260 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 1302 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. S. F. HOFFNER, Chairman

HB 1302 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1318 has had the same under consideration and

recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1318 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1349 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1349 was placed on the Eleventh 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 1401 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1401 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 1422 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. E. POMEROY, Chairman

HB 1422 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 1433 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1433 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1459 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HB 1459 was placed on the Eleventh 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 1463 has had the same under consideration

and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1463 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 1484 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1484 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 1505 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1505 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 1541 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 NOT PASS.

REP. E. POMEROY, Chairman

HB 1541 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 1547 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. E. POMEROY, Chairman

HB 1547 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1580 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

HB 1580 was placed on the Eleventh 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 1595 has had the same under consideration

and recommends by a vote of 7 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1595 was placed on the Eleventh 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 1610 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. L. HANSON, Chairman

HB 1610 was placed on the Eleventh 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 1660 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. L. HANSON, Chairman

HB 1660 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 1694 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 NOT PASS.

REP. E. POMEROY, Chairman

HB 1694 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1722 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

HB 1722 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Jacobson, Martinson introduced:

HCR 3040: A current resolution directing the Legislative Council to study the feasibility and desirability of the recodification of the statutes affecting teacher retirement programs.

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

Rep. Kloubec and Sen. Nelson introduced:

HCR 3041: A concurrent resolution directing the Legislative Council to conduct a study to examine technological

possibilities and methods for improved landfill management and the potential for agricultural and other uses for municipal wastes.

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

Reps. O'Shea, Hill, E. Pomeroy introduced:

HCR 3042: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing for the manufacture by Roughrider Industries of equipment to be used in conducting games of chance.

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

Reps. Backes, Strinden and Sens. Nething, Redlin introduced:

HCR 3043: A concurrent resolution directing the Legislative Council to study all state veterans benefit programs to determine the feasibility, desirability, and fiscal impact of extending those benefits to all honorably discharged military personnel.

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

FIRST READING OF SENATE BILLS

SB 2095: A BILL for an Act to amend and reenact sections 4-14.1-01, 4-14.1-02, 4-14.1-03, 57-50-01, 57-50-03.1, 57-50-05, and 57-54-08 of the North Dakota Century Code, relating to the agriculturally derived alcohol motor vehicle fuel tax fund.

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

SB 2189: A BILL for an Act to create and enact chapter 37-12.1 of the North Dakota Century Code, relating to the state defense force; to repeal section 37-04-05 and chapter 37-12 of the North Dakota Century Code, relating to bonds of officers, and the North Dakota state guard.

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

SB 2335: A BILL for an Act to repeal subsection 5 of section 14-03-17 of the North Dakota Century Code, relating to an application for a marriage license.

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

SB 2368: A BILL for an Act to amend and reenact section 44-08-04.2 of the North Dakota Century Code, relating to travel advances for state officers and employees.

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

TUESDAY, FEBRUARY 1, 1983

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The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk