

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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TWENTY-THIRD DAY

Bismarck, February 3, 1983

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

The prayer was offered by Rev. Richard Hagestuen, First Lutheran Church, Mandan.

ROLL CALL

The roll was called and all members were present, except Representatives Brokaw, Gorder, Horgan, Keller, Koehn, Kretschmar, B. Larson, R. Larson, Linderman, W. Meyer, Nowatzki, Rice, Shide, Shockman, Vander Vorst, Watne, Whalen, and A. Williams.

A quorum was declared by the Speaker.

REQUEST

REP. BACKES REQUESTED that the record show that the members of the Committee on Agriculture are attending a meeting of that Committee.

REVISION AND CORRECTION OF THE JOURNAL

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

REP. LAUGHLIN, Chairman

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

MESSAGES TO THE SENATE  
HOUSE CHAMBER

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

HB 1026, HB 1065, HB 1117, HB 1166, HB 1174, HB 1261,  
HB 1293, HB 1327, HB 1377, HB 1409, HB 1428, HB 1432,  
HB 1464, HB 1472, HB 1581, HCR 3004, HCR 3039

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

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

SB 2193

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SCMR 1, SB 2127

CHARLES FLEMING, Chief Clerk

## MESSAGE TO THE SENATE

## HOUSE CHAMBER

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

SCMR 1, SB 2127

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## MESSAGES FROM THE SENATE

## SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the Senate has passed unchanged:

HCR 3024

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:

SB 2274, SB 2277, SB 2301, SB 2303, SB 2323, SB 2367,  
SB 2369, SB 2391, SB 2403, SB 2413, SB 2434, SB 2461,  
SCR 4016

Very respectfully,  
LEO LEIDHOLM, Secretary

## REPORTS OF PROCEDURAL COMMITTEE

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

HB 1075, HB 1083, HB 1214, HB 1236, HB 1268, HB 1297,  
HB 1321, HB 1406, HB 1452

REP. G. MARTIN, Chairman

REP. R. LARSON 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 bill and finds the same correctly enrolled:

HB 1171

REP. G. MARTIN, Chairman

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

#### MOTION

REP. STRINDEN MOVED that HB 1243 be returned to the House floor from the Committee on Appropriations, which motion prevailed.

#### REQUEST

REP. STRINDEN REQUESTED the unanimous consent of the House to withdraw HB 1243. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. G. MARTIN MOVED that HB 1684 be returned to the House floor from the Committee on State and Federal Government, which motion prevailed.

#### REQUEST

REP. G. MARTIN REQUESTED the unanimous consent of the House to withdraw HB 1684. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. UNHJEM MOVED that HB 1414 be returned to the House floor from the Committee on Appropriations, which motion prevailed.

#### REQUEST

REP. UNHJEM REQUESTED the unanimous consent of the House to withdraw HB 1414. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. KOSKI MOVED that HB 1441 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

#### REQUEST

REP. KOSKI REQUESTED the unanimous consent of the House to withdraw HB 1441. There being no objection, it was so ordered by the Speaker.

#### REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1070 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0

ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

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

On page 2, delete lines 28 through 35

And renumber the lines accordingly

REP. R. MEIERS, Chairman

HB 1070 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1435 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete lines 12 through 24

And renumber the lines accordingly

REP. HJELLE, Chairman

HB 1435 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 1496 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS and be rereferred to the Committee on Appropriations:

On page 1, line 13, after the word "one" insert the word "farmer"

And renumber the lines accordingly

REP. W. MEYER, Chairman

HB 1496 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 1678 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 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 6, delete the words "; and to provide and appropriation"

On page 5, delete lines 17 through 25

And renumber the lines accordingly

REP. BROKAW, Chairman

HB 1678 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. BACKES MOVED that consideration of the amendments to HB 1224 be laid over to the conclusion of the Eleventh order today, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. L. HANSON MOVED that the amendments to HB 1429 as recommended by the Committee on State and Federal Government as printed on pages 697 and 698 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1449 as recommended by the Committee on Finance and Taxation as printed on page 699 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1675 as recommended by the Committee on Finance and Taxation as printed on page 701 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to HB 1421 as recommended by the Committee on State and Federal Government as printed on page 697 of the House Journal be adopted and when so adopted, recommends that HB 1421 be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1421 was rereferred to the Committee on Appropriations.

REP. JACOBSON MOVED that the amendments to HB 1507 as recommended by the Committee on Education as printed on page 699 of the House Journal be adopted and when so adopted, recommends that HB 1507 be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1507 was rereferred to the Committee on Appropriations.

REP. SINNER MOVED that the amendments to HB 1518 as recommended by the Committee on Finance and Taxation as printed on page 700 of the House Journal be adopted and when so adopted, recommends that HB 1518 be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1518 was rereferred to the Committee on Appropriations.

REP. JACOBSON MOVED that the amendments to HB 1597 as recommended by the Committee on Education as printed on page 701 of

the House Journal be adopted and when so adopted, recommends that HB 1597 be referred to the **Committee on Appropriations**, which motion prevailed.

**SPEAKER KELLY ANNOUNCED** that HB 1597 was rereferred to the **Committee on Appropriations**.

**REP. JACOBSON MOVED** that the amendments to HB 1725 as recommended by the **Committee on Education** as printed on page 701 of the House Journal be adopted and when so adopted, recommends that HB 1725 be referred to the **Committee on Appropriations**, which motion prevailed.

**SPEAKER KELLY ANNOUNCED** that HB 1725 was rereferred to the **Committee on Appropriations**.

#### MOTION

**REP. BACKES MOVED** that the rules be suspended, that the amendments to HB 1070, HB 1435, HB 1496, and HB 1678 be considered at this time, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

**REP. R. MEIERS MOVED** that the amendments to HB 1070 as recommended by the **Committee on Social Services and Veterans Affairs** be adopted, which motion prevailed.

**REP. HJELLE MOVED** that the amendments to HB 1435 as recommended by the **Committee on Transportation** be adopted, which motion prevailed.

**REP. W. MEYER MOVED** that the amendments to HB 1496 as recommended by the **Committee on Agriculture** be adopted and when so adopted, recommends that HB 1496 be referred to the **Committee on Appropriations**, which motion prevailed.

**SPEAKER KELLY ANNOUNCED** that HB 1496 was rereferred to the **Committee on Appropriations**.

**REP. BROKAW MOVED** that the amendments to HB 1678 as recommended by the **Committee on Natural Resources** be adopted, which motion prevailed.

#### REPORT 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.

HCR 3024

**REP. G. MARTIN, Chairman**

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

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HCR 3024

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:

HCR 3024

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## SECOND READING OF HOUSE BILLS

HB 1039: A BILL for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 84 YEAS, 1 NAY, 21 ABSENT AND NOT VOTING.

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

NAYS: Aubol

ABSENT AND NOT VOTING: Backes; Brokaw; Gorder;  
Hanson, L.; Horgan; Keller; Koehn; Kretschmar;  
Larson, B.; Larson, R.; Lautenschlager; Linderman;

Meyer, W.; Rice; Shide; Shockman; Vander Vorst; Vig;  
Watne; Whalen; Williams, A.

HB 1039 passed and the title was agreed to.

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HB 1040: A BILL for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Brokaw; Horgan; Kretschmar;  
Meyer, W.

HB 1040 passed and the title was agreed to.

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#### MESSAGE FROM THE SENATE SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the President has signed:

HCR 3024

Very respectfully,  
LEO LEIDHOLM, Secretary



## REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that the following bill was delivered to the Secretary of State at the hour of 3:52 p.m., February 3, 1983:

HCR 3024

REP. G. MARTIN, Chairman

## SECOND READING OF HOUSE BILL

HB 1075: A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, requiring the appointment of an education committee of the legislative council; and to amend and reenact sections 15-10-12.1, 15-10-18, and 15-59-05.2, and subsection 4 of section 15-65-03 of the North Dakota Century Code, relating to involvement of the education committee of the legislative council with acceptance of buildings and campus improvements, nonresident tuition at institutions of higher education, interagency agreement reports, and authority of the educational broadcasting council.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 643 of the House Journal, the roll was called and there were 32 YEAS, 68 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Conmy; Goetz; Hamerlik; Hanson, O.; Hughes; Kent; Kloubec; Koehn; Lang; Larson, R.; Martinson; Melby; Moore; Murphy; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Opedahl; Peltier; Retzer; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Solberg; Swiontek; Timm

NAYS: Anderson, C.; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kingsbury; Knudson; Koski; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Mushik; Nowatzki; O'Connell; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Rued; Shockman; Sinner; Stofferahn; Thompson; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Horgan; Kretschmar; Meyer, W.; Olafson; Strinden; Unhjem

HB 1075 was declared lost.

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## MOTION

REP. G. POMEROY MOVED that HB 1083 be returned to the Committee on Natural Resources, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1083 was rereferred to the Committee on Natural Resources.

## SECOND READING OF HOUSE BILL

HB 1126: A BILL for an Act to amend and reenact subsections 11 and 12 of section 52-06-02 of the North Dakota Century Code, relating to denial of unemployment compensation benefits to nonprofessional employees of an institution of higher education between academic terms.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 43 YEAS, 53 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Eagles; Gates; Goetz; Gorder; Gunsch; Hanson, L.; Hanson, O.; Hausauer; Hughes; Kent; Kloubec; Knudson; Lang; Larson, R.; Lipsiea; Martin, C.; Melby; Meyer, R.; Moore; Murphy; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Thompson; Unhjem; Vander Vorst; Whalen; Wold

NAYS: Anderson, R.; Aubol; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Jacobson; Keller; Kingsbury; Koski; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; Mushik; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Stofferahn; Timm; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: Backes; Black; Horgan; Koehn; Kretschmar; Linderman; Martinson; Meyer, W.; Nowatzki; Olafson

HB 1126 was declared lost.

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## MOTION

REP. E. POMEROY MOVED that HB 1143 be rereferred to the Committee on Judiciary, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1143 was rereferred to the Committee on Judiciary.

### SECOND READING OF HOUSE BILLS

HB 1208: A BILL for an Act to amend and reenact sections 27-02-07, 27-11-01, 27-11-13, 27-11-17, and 27-11-22 of the North Dakota Century Code, relating to the supreme court's authority to adopt rules relating to the practice of law, the penalty for practicing law without a license, the certificate of admission and licensure fee requirements for the practice of law, and the powers of the state bar board.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 54 YEAS, 47 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Backes; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gates; Gerl; Gullickson; Halmrast; Haugland; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Kuchera; Lang; Lardy; Larson, B.; Laughlin; Linderman; Martin, C.; Meiers, R.; Meyer, R.; Moore; Nalewaja; Nicholas; Nowatzki; O'Connell; Peltier; Pomeroy, E.; Rayl; Retzer; Riehl; Riley; Rued; Schindler; Shockman; Strinden; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Aubol; Boyle; Eagles; Goetz; Gorder; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hill; Hughes; Kingsbury; Koski; Larson, R.; Lautenschlager; Lipsiea; Lloyd; Martin, G.; Meier, A.; Melby; Mertens; Murphy; Mushik; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pomeroy, G.; Rice; Richard; Sanstead; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Whalen; Williams, W.

ABSENT AND NOT VOTING: Horgan; Kretschmar; Martinson; Meyer, W.; Peterson

HB 1208 passed and the title was agreed to.

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HB 1214: A BILL for an Act to amend and reenact section 21-10-07 of the North Dakota Century Code, relating to legal investments of the state investment board.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 644 and 645 of the House Journal, 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; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koski; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Brokaw

**ABSENT AND NOT VOTING:** Haugland; Horgan; Koehn; Kretschmar; Larson, B.; Whalen

HB 1214 passed and the title was agreed to.

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**HB 1268:** A BILL for an Act to amend and reenact sections 11-04-04 and 11-04-05 of the North Dakota Century Code, relating to county seat removal petition signatures and the affidavit of verification of the petition.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 646 and 647 of the House Journal, 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.; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Knudson; 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; 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: Hausauer; Horgan; Kent; Koehn;  
 Kretschmar; Strinden

HB 1268 passed and the title was agreed to.

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HB 1297: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to convenience as a consideration for determining tuition payments.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 647 of the House Journal, the roll was called and there were 92 YEAS, 11 NAYS, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Anderson, R.; Horgan; Kretschmar

HB 1297 passed and the title was agreed to.

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#### MOTION

REP. MURPHY MOVED that HB 1082 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

#### REQUEST

REP. MURPHY REQUESTED the unanimous consent of the House to withdraw HB 1082. There being no objection, it was so ordered by the Speaker.

#### RECOGNITION

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

#### SECOND READING OF HOUSE BILLS

HB 1321: A BILL for an Act to amend and reenact subsection 2 of section 26-28-04, and subsection 2 of section 26-29-04 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 2 of section 26.1-25-04 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to insurance rate filings made by insurance rating organizations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 647 and 648 of the House Journal, 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; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloube; 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; 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; Whalen; Williams, A.;  
Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Horgan; Kretschmar; Strinden;  
Wentz

HB 1321 passed and the title was agreed to.

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HB 1326: A BILL for an Act to establish a state poison control  
system; and to provide an appropriation.

Which has been read.

#### ROLL CALL

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

YEAS: Black; DeMers; Lang; Martinson; Peltier; Wold

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle;  
Brokaw; Conmy; 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.; Hughes; Jacobson; Keller; Kent;  
Kingsbury; Kloubec; Knudson; Koehn; Koski; Kuchera;  
Lardy; Larson, B.; Larson, R.; Laughlin;  
Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;  
Martin, G.; 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; Sinner; Solberg; Stofferahn; Strinden;  
Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;  
Watne; Whalen; Williams, A.; Williams, C.;  
Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: Horgan; Kretschmar; Wentz

HB 1326 was declared lost.

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HB 1331: A BILL for an Act to amend and reenact sections  
15-40.1-09 and 15-47-33 of the North Dakota Century Code,  
relating to parent-teacher conference days included in the

required one hundred eighty days of elementary and secondary school terms.

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, 12 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Gorder; Knudson; Lang; Lipsiea; Melby; Olafson; Olsen, D.; Olson, A.; Rice; Schindler; Shide; Watne

ABSENT AND NOT VOTING: Horgan; Kretschmar

HB 1331 passed and the title was agreed to.

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HB 1337: A BILL for an Act to amend and reenact section 52-04-06 of the North Dakota Century Code, relating to unemployment compensation contribution rates; to provide an effective 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 53 YEAS, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Brokaw; DeMers; Dotzenrod; DuBord; Gerl; Gullickson; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kingsbury; Koski; Lang; Lardy; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.;



Meyer, W.; Mushik; Nowatzki; O'Shea; Pomeroy, E.;  
Pomeroy, G.; Rayl; Richard; Riehl; Rued; Sanstead;  
Schneider; Schoenwald; Shockman; Solberg; Stofferahn;  
Vig; Watne; Wentz; Williams, A.; Williams, W.;  
Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Boyle; Conmy; Eagles;  
Erdman; Gates; Goetz; Gorder; Gunsch; Hamerlik;  
Hanson, O.; Hausauer; Hughes; Kent; Kloubec; Knudson;  
Koehn; Kuchera; Larson, R.; Lipsiea; Martinson; Melby;  
Moore; Murphy; Nalewaja; Nicholas; O'Connell; Olafson;  
Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson;  
Retzer; Rice; Riley; Schindler; Shide; Sinner;  
Strinden; Swiontek; Thompson; Timm; Unhjem;  
Vander Vorst; Whalen; Williams, C.; Wold

ABSENT AND NOT VOTING: Backes; Horgan; Kretschmar;  
Larson, B.

HB 1337 was declared lost for lack of a constitutional majority.

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HB 1406: A BILL for an Act to amend and reenact sections  
27-08.1-01 and 27-08.1-03 of the North Dakota Century Code,  
relating to jurisdictional limits of small claims courts.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on  
page 648 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.; Aubol; Black; Boyle;  
Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman;  
Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast;  
Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle;  
Hoffner; Serenus; Hoffner, S. F.; Hughes; Jacobson;  
Keller; Kent; 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;  
Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; 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: Brokaw; Hanson, O.; Kingsbury

ABSENT AND NOT VOTING: Backes; Gerl; Horgan; Kretschmar;  
Rued

HB 1406 passed and the title was agreed to.

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HB 1427: A BILL for an Act to amend and reenact subsection 2 of section 23-13-02.3 of the North Dakota Century Code, relating to assistance for handicapped persons using self-service motor fuel dispensing facilities at filling stations where pump island service is otherwise available.

Which has been read.

#### ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; 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; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; 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.; Madam Speaker

NAYS: Peltier; Rice; Wold

ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar;  
Kuchera; Richard; Rued

HB 1427 passed and the title was agreed to.

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#### RECOGNITION

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

## SECOND READING OF HOUSE BILLS

HB 1438: A BILL for an Act to provide a civil action to utilities against persons who engage in bypassing, tampering, or unauthorized metering of electricity, gas, water, or any other service.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 2 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koski; 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.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Meier, A.; Pomeroy, E.

ABSENT AND NOT VOTING: Gerl; Hill; Horgan; Koehn; Kretschmar; Kuchera; Olson, A.; Richard; Whalen

HB 1438 passed and the title was agreed to.

\*\*\*\*\*

HB 1452: A BILL for an Act to provide an appropriation for the construction of an addition to the student center building at the state school of science; 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 649 of the House Journal, the roll was called and there were 95 YEAS, 4 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; 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.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koski; 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; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Anderson, C.; Gorder; Murphy; Retzer

**ABSENT AND NOT VOTING:** Gerl; Horgan; Koehn; Kretschmar; Kuchera; Mushik; Wentz

HB 1452 passed, the title was agreed to, and the emergency clause carried.

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**HB 1461:** A BILL for an Act to provide an addition to section 15-29-02 of the North Dakota Century Code, relating to regular and special meetings of board and notice of special meetings.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 40 YEAS, 63 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Brokaw; Dotzenrod; Gates; Goetz; Gorder; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Lang; Larson, R.; Melby; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Retzer; Rice; Riley; Schindler; Shide; Strinden; Thompson; Timm; Vander Vorst; Wentz; Whalen; Wold

**NAYS:** Aubol; Backes; Black; Boyle; Conmy; DeMers; DuBord; Eagles; Erdman; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Koski; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;

Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Mushik; Nowatzki; O'Connell; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Rued; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Unhjem; Vig; Watne; Williams, A.; Williams, C.; Williams, W.;  
Madam Speaker

ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar

HB 1461 was declared lost.

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#### MOTION

REP. BACKES MOVED that HB 1224, which was on the Sixth order, be moved to the head of the calendar, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. JACOBSON MOVED that the amendments to HB 1224 as recommended by the Committee on Education as printed on pages 695 and 696 of the House Journal be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1510: A BILL for an Act to amend and reenact section 25-01.2-17 of the North Dakota Century Code, relating to attorney's fees in administrative proceedings concerning the developmentally disabled.

Which has been read.

#### MOTION

REP. DUBORD MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 43 YEAS, 60 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Dotzenrod; Eagles; Gates; Goetz; Gorder; Gunsch; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Larson, R.; Lipsiea; Melby; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Whalen

NAYS: Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.;

Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore;  
 Murphy; Mushik; Nowatzki; O'Connell; O'Shea; Peltier;  
 Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl;  
 Sanstead; Schneider; Schoenwald; Shockman; Sinner;  
 Stofferahn; Vig; Watne; Wentz; Williams, A.;  
 Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar

HB 1510 was declared lost.

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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.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 94 YEAS, 5 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle;  
 Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman;  
 Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast;  
 Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill;  
 Hjelle; Hoffner, Serenus; Hoffner, S. F.; 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.; Mertens; Meyer, R.; Meyer, W.;  
 Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell;  
 Olafson; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson;  
 Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard;  
 Riehl; Rued; Sanstead; Schindler; Schneider; Shide;  
 Shockman; Sinner; Solberg; Strinden; Swiontek;  
 Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne;  
 Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Madam Speaker

NAYS: Backes; Conmy; Murphy; Schoenwald; Stofferahn

ABSENT AND NOT VOTING: Gerl; Hausauer; Horgan;  
 Kretschmar; Melby; Olson, A.; Riley

HB 1574 passed and the title was agreed to.

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HB 1578: A BILL for an Act to provide for the establishment of a North Dakota-Saskatchewan boundary advisory committee.

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, 2 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; 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; 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.; Wold; Madam Speaker

**NAYS:** Hanson, L.; Williams, W.

**ABSENT AND NOT VOTING:** Cerl; Horgan; Kretschmar; Peterson; Richard; Riley

HB 1578 passed and the title was agreed to.

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**HB 1613:** A BILL for an Act to provide that state employees receive payroll checks on a semimonthly basis; to amend and reenact section 27-06-02, subsection 2 of section 27-20-05, sections 54-23-42, 54-23-43, 54-52-06, 54-52-06.1, and 54-52.1-06 of the North Dakota Century Code, relating to the payment of salaries and retirement contributions.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 27 YEAS, 72 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Aubol; Black; Boyle; Brokaw; DeMers; Halmrast; Hamerlik; Hanson, L.; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Koski; Lardy; Larson, B.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Pomeroy, E.; Pomeroy, G.; Riehl; Schneider; Schoenwald; Sinner; Swiontek; Williams, W.

**NAYS:** Anderson, C.; Anderson, R.; Backes; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Hanson, O.; Haugland; Hausauer; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Retzer; Rice; Richard; Rued; Sanstead; Schindler; Shide; Shockman; Solberg; Stofferahn; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

**ABSENT AND NOT VOTING:** Gerl; Horgan; Kretschmar; Nicholas; Peterson; Rayl; Riley

HB 1613 was declared lost.

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**HB 1632:** A BILL for an Act to amend and reenact sections 27-15-01, 27-15-02, and 27-15-10 of the North Dakota Century Code, relating to the membership and expenses of the judicial council.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 85 YEAS, 15 NAYS, 6 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, R.; Gorder; Gunsch; Hanson, O.; Hughes; Kingsbury; Lardy; Melby; Murphy; Olafson; Olsen, D.; Olson, A.; Retzer; Rice; Whalen



ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar;  
Peterson; Riley; Rued

HB 1632 passed and the title was agreed to.

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HB 1664: A BILL for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, relating to any provision in any accident or sickness insurance policy denying the insured the right to consult or employ the doctor or chiropractor, or to enter the hospital or sanitarium of his or her choice.

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: Boyle; Dotzenrod; DuBord; Erdman; Halmrast; Hanson, L.; Hill; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Meier, A.; Meiers, R.; O'Connell; O'Shea; Pomeroy, E.; Retzer; Richard; Sanstead; Schneider; Schoenwald; Solberg; Vig; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Brokaw; Conmy; DeMers; Eagles; Gates; Goetz; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Larson, R.; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Pomeroy, G.; Rayl; Rice; Riehl; Riley; Rued; Schindler; Shide; Shockman; Sinner; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wold; Madam Speaker

ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar;  
Peterson; Strinden

HB 1664 was declared lost.

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HB 1669: A BILL for an Act making an appropriation to the industrial commission to defray the expenses of the farmers payment-in-cash program; and declaring an emergency.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 36 YEAS, 65 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Black; Brokaw; Gorder; Hamerlik; Hanson, O.; Hausauer; Hjelle; Hughes; Kent; Kingsbury; Kloubec; Knudson; Lang; Laughlin; Martin, C.; Meier, A.; Meyer, W.; Nicholas; Olafson; Olson, A.; Peterson; Retzer; Richard; Schindler; Shockman; Strinden; Swiontek; Timm; Unhjem; Vig; Watne; Williams, C.; Williams, W.

**NAYS:** Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gullickson; Gunsch; Halmrast; Hanson, L.; Haugland; Hill; Hoffner; Serenus; Hoffner, S. F.; Jacobson; Keller; Koehn; Koski; Kuchera; Lardy; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Thompson; Vander Vorst; Wentz; Whalen; Williams, A.; Wold; Madam Speaker

**ABSENT AND NOT VOTING:** Gerl; Goetz; Horgan; Kretschmar; Rued

HB 1669 was declared lost.

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## SECOND READING OF SENATE BILLS

**SB 2065:** A BILL for an Act to create and enact thirteen new sections to chapter 57-15 of the North Dakota Century Code, relating to tax levies and limitations; to amend and reenact sections 2-06-15, 4-02-26, 4-02-27, 4-02-27.1, 4-02-27.2, 4-02-32, 4-02-37, 4-08-15, 4-08-15.1, 4-16-02, 4-33-11, 11-11-24, 11-11-46, 11-11-53, 11-11-60, 11-28-06, 11-28.2-04.2, 11-28.3-03, 15-18-04.2, 15-18-05, 15-20.1-08, 15-34.2-06, 15-39.1-28, 15-47-21, 15-59-08, 18-06-10, 18-07-01, 18-10-07, 18-10-14, subsection 4.1 of section 21-03-06, sections 23-18-01, 23-18.2-12, subsection 10 of section 23-24-08, sections 23-24-09, 23-30-07, 24-05-01, 32-12.1-08, 32-12.1-11, 40-05-09.1, 40-05-09.2, subsection 1 of section 40-38-02, sections 40-38.1-02, 40-43-01, 40-45-01, 40-45-02, 40-46-02, 40-46-02.1, 40-48-07, 40-49-22, 40-57.2-04, 40-59-01, 49-17.2-21, 49-17.2-23, subsection 3 of section 52-09-08, subsection 3 of section 57-15-06, subsection 1 of section 57-15-06.3, sections 57-15-06.4, 57-15-06.5, 57-15-06.6, 57-15-10, 57-15-10.1, 57-15-15, 57-15-18.1, 57-15-18.2, 57-15-19.4, 57-15-19.5, 57-15-19.6, 57-15-28, 57-15-36, 57-15-37, 57-15-37.1,

57-15-38, 57-15-42, 57-15-43, 57-15-44, 57-15-48, 57-15-49, 57-15-50, 57-15-51.1, 57-15-52, 57-15-52.1, 57-15-53, 57-15-54, 57-15-55, 57-15-56, 57-15-57, 57-19-04, 57-47-04, 58-17-02, 61-16.1-06, and 61-24.2-08 of the North Dakota Century Code, relating to tax levies and limitations of political subdivisions.

Which has been read.

#### MOTION

REP. MUSHIK MOVED that the House waive the reading of the title to SB 2065, which motion prevailed.

#### ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; 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; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; 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: None

ABSENT AND NOT VOTING: Gerl; Horgan; Kent; Kretschmar; Rued

SB 2065 passed and the title was agreed to.

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SB 2186: A BILL for an Act to amend and reenact subsection 2 of section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 55 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Conmy; DeMers; Eagles; Gates; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S.F.; Jacobson; Koski; Kuchera; Lardy; Lautenschlager; Linderman; Martin, G.; Martinson; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Riley; Sanstead; Schoenwald; Sinner; Strinden; Swiontek; Unhjem; Vander Vorst; Watne; Wentz; Williams, C.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Backes; Brokaw; Dotzenrod; DuBord; Erdman; Goetz; Gorder; Gullickson; Gunsch; Hanson, O.; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Lang; Larson, B.; Larson, R.; Laughlin; Lipsiea; Lloyd; Martin, C.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; O'Connell; Olafson; Olsen, D.; O'Shea; Retzer; Rice; Richard; Riehl; Schindler; Schneider; Shide; Shockman; Solberg; Stofferahn; Thompson; Timm; Vig; Whalen; Williams, A.; Williams, W.; Wold

ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar; Rued

SB 2186 was declared lost.

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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.

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; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; 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; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; 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: None

ABSENT AND NOT VOTING: Gerl; Horgan; Kretschmar; Rued

SB 2281 passed, the title was agreed to, and the emergency clause carried.

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#### MOTION

REP. VIG MOVED that HB 1603 be returned to the House floor from the Committee on Transportation, which motion prevailed.

#### REQUEST

REP. VIG REQUESTED the unanimous consent of the House to withdraw HB 1603. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. STOFFERAHN MOVED that HB 1682 be returned to the House floor from the Committee on State and Federal Government, which motion prevailed.

#### REQUEST

REP. STOFFERAHN REQUESTED the unanimous consent of the House to withdraw HB 1682. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. B. LARSON MOVED that HB 1475 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

#### REQUEST

REP. B. LARSON REQUESTED the unanimous consent of the House to withdraw HB 1475. There being no objection, it was so ordered by the Speaker.

#### MOTIONS

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 3:00 p.m., Friday, February 4, 1983, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1068 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 25, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

On page 3, delete lines 18 through 20 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 3, delete lines 25 through 27 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 4, line 17, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

On page 9, delete lines 22 through 24 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 9, delete lines 29 through 31 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 10, line 22, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1068 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 1319 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 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 21, delete the word "a"

On page 1, line 22, delete the words "person authorized in writing by the owner" and insert in lieu thereof the words "the owner's authorized agent"

On page 2, line 1, delete the words "in writing"

On page 2, line 5, after the word "than" insert the words "an authorized agent of"

On page 2, line 10, after the word "than" insert the words "an authorized agent of"

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1319 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 1364 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 18, delete the words "debt due"

On page 1, delete lines 19 through 23

On page 1, line 24, delete the words "may be set by the court" and insert in lieu thereof the following:

"presumption that such payment equals the reasonable value of physical and custodial care or support"

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman

HB 1364 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 1420 has had the same under consideration and recommends by a vote of 11 YEAS, 3 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 7, delete the second word "and" and insert in lieu thereof the word "to"

On page 1, line 8, delete the word "providing" and insert in lieu thereof the word "provide" and immediately after the word "penalty" insert the words "; and to provide an effective date"

On page 10, after line 31, insert the following new section:

"SECTION 14. EFFECTIVE DATE. This Act becomes effective on January 1, 1984."

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman

HB 1420 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 1437 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 1, delete the word "six" and insert in lieu thereof the word "seven"

On page 1, line 12, delete the word "January" and insert in lieu thereof the words "the expiration date of the license"

On page 1, line 13, delete the words "first of each year"

On page 3, line 9, delete the word "twenty-one" and insert in lieu thereof the word "twenty"

On page 3, line 18, delete the word "twenty-one" and insert in lieu thereof the word "twenty"

On page 3, line 26, delete the word "twenty-one" and insert in lieu thereof the word "twenty"



On page 3, line 34, delete the word "twenty-one" and insert in lieu thereof the word "eighteen"

On page 4, line 7, delete the word "twenty" and insert in lieu thereof the word "eighteen"

On page 4, line 16, delete the word "nineteen" and insert in lieu thereof the word "eighteen"

On page 5, line 28, after the period delete the remainder of the line and insert in lieu thereof the words "A low pressure steam boiler rated at ten horsepower or less."

On page 5, delete line 29

On page 5, after line 32, insert the following:

"10. For electrical utilities and electrical generating plants."

On page 6, after line 3, insert the following new section:

"SECTION 7. A new section to chapter 65-12 of the North Dakota Century Code is hereby created and enacted to read as follows:

**Permanent variances.** The chief boiler inspector, upon individual application from petroleum companies, chemical plants, public utilities, or other industries as having superior training programs and approved controlled boiler operators' qualification documentation, may accept the documentation in lieu of the certification required by this Act. Applications shall be reviewed by the chief boiler inspector and must be in writing. The applications must include a curriculum outline of classroom studies, description of practical exercises, and a copy of the examinations used for evaluation purposes.

The employer must provide the chief boiler inspector with sufficient documentation to determine that all boiler operators employed by the employer have successfully completed the training program that meets industry standards prior to the assignment of boiler operator's duties."

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1437 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 1455 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 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 15, delete the word "between" and insert in lieu thereof the word "for" and after the word "agency" insert a period and delete the words "and a"

On page 1, delete line 16

On page 2, line 13, after the word "give" insert the word "first"

On page 2, line 19, after the word "wages" insert the words ", fringe benefits, and travel allowances"

On page 3, line 11, after the word "wages" insert the words ", benefits, and allowances"

On page 3, line 13, after the word "wage" insert the words ", benefit, and allowance"

On page 3, line 17, after the word "wages" insert the words ", benefits, and allowances"

On page 3, line 18, delete the words "If no work of a similar character"

On page 3, delete lines 19 through 25

On page 3, line 28, after the word "wages" insert the words "and benefits"

On page 3, line 30, after the word "wages" insert the words ", benefits, and allowance"

On page 4, line 8, after the word "wages" insert the words ", benefits, and allowances"

On page 4, line 22, after the word "wage" insert the words ", benefit, and allowance"

On page 5, line 2, after the word "wages" insert the words ", benefits, and allowances"

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1455 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 1470 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 2, line 25, delete the word "shall" and insert in lieu thereof the word "may"

REP. S. F. HOFFNER, Chairman

HB 1470 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 1598 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 2, delete the words "conference call"

On page 2, line 5, remove the overstrike over the words "and which have requested to be so notified of such special or"

On page 2, line 6, remove the overstrike over the words "emergency meetings"

On page 2, line 8, insert the new sentence "Preannounced conference call meetings will be considered meetings for the purpose of this section."

And renumber lines and pages accordingly

REP. L. HANSON, Chairman

HB 1598 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 1633 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 16, overstrike the word "by" and insert immediately thereafter the words

"either:

a. By" to create a subdivision

On page 1, line 18, immediately following the word "association" insert the following language:

"; or

- b. By the attorney for a party with the permission of the party, in which event the attorney shall file with the demand a certificate that the attorney has mailed a copy of the demand to such party"

On page 1, line 27, delete the word "to" and insert in lieu thereof the words "for trial of"

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

HB 1633 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 1645 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 10, after the comma insert the words "or of a property listed in the national register of historic places, as contemplated in section 55-10-11,"

On page 2, line 27, after the word "thereon" insert the words ", or property listed in the national register of historic places,"

On page 2, line 34, after the comma insert the words "or property listed in the national register of historic places,"

On page 2, line 35, after the word "site" insert the words ", or property listed in the national register of historic places,"

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

HB 1645 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 1658 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same be placed on the calendar without recommendation:

On page 1, line 17, overstrike the words "within fourteen days of" and insert immediately thereafter the words "as soon as practicable after the"

On page 2, line 1, delete the words "The review or appeal will be heard only if three justices"

On page 2, delete line 2

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman

HB 1658 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 1672 has had the same under consideration and recommends by a vote of 14 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the word "seven" and insert in lieu thereof the word "five"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the appropriation from seven hundred dollars to five hundred dollars. In lieu of the economic condition of the state, it could not warrant an increase of more than the two hundred dollars.

REP. MERTENS, Chairman

HB 1672 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 1674 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, delete lines 18 through 35

On page 3, delete lines 1 through 12

On page 3, line 13, remove the overstrike over "g." and delete "h."

On page 3, line 17, remove the overstrike over "h." and delete "i."

On page 3, line 24, remove the overstrike over "i-" and delete "j."

On page 3, after line 31, insert the following new subsection:

"2. A determination of preponderance may not be based on whether or not a numerical majority of the materials depict, present, describe, or relate to specified sexual activities or specified anatomical areas. When making a determination as to whether an adult bookstore displays, sells, distributes, or exhibits a preponderance of materials which depict, present, describe, relate to, and emphasize specified sexual activities or specified anatomical areas the governing body or factfinder may consider, among other things deemed relevant, the following factors:

- a. Different costs of materials.
- b. Secondary effects to the neighborhood.
- c. Externalities of the materials.
- d. Obtrusive characteristics of the materials which tend to distract from and dominate the other classes of material.
- e. Total impression.
- f. Display of the materials.
- g. Whether it appears that the nature of the materials are not intended for minors.
- h. Advertising."

On page 3, line 32, overstrike the numeral "2." and insert immediately thereafter the numeral "3."

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman

HB 1674 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 1688 has had the same under consideration and recommends by a vote of 12 YEAS, 4 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 21, delete the word "eight" and insert in lieu thereof the word "twelve"

And renumber the lines accordingly

REP. E. POMEROY, Chairman

HB 1688 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 1187 has had the same under consideration and recommends by a vote of 19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

HB 1187 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred HB 1251 has had the same under consideration and recommends by a vote of 18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

HB 1251 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1256 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. BROKAW, Chairman

HB 1256 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 1324 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. SINNER, Chairman

HB 1324 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 1329 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. SINNER, Chairman

HB 1329 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 1330 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. SINNER, Chairman

HB 1330 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 1351 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. W. MEYER, Chairman

HB 1351 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 1380 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. R. MEIERS, Chairman

HB 1380 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 1418 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. SINNER, Chairman

HB 1418 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 1424 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1424 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 1442 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman



HB 1442 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 1466 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. W. MEYER, Chairman

HB 1466 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 1552 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 PASS.

REP. DOTZENROD, Chairman

HB 1552 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 1587 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman

HB 1587 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 1604 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1604 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1636 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. BROKAW, Chairman

HB 1636 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1700 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 PASS.

REP. BROKAW, Chairman

HB 1700 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 1454 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 and be rereferred to the Committee on Appropriations.

REP. R. MEIERS, Chairman

HB 1454 was rereferred to the Committee on Appropriations.

**MADAM SPEAKER:** Your Committee on Agriculture to which was referred HB 1692 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS and be rereferred to the Committee on Appropriations.

REP. W. MEYER, Chairman

HB 1692 was rereferred to the Committee on Appropriations.

**MADAM SPEAKER:** Your Committee on Transportation to which was referred HB 1695 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS and be rereferred to the Committee on Appropriations.

REP. HJELLE, Chairman

HB 1695 was rereferred to the Committee on Appropriations.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Murphy introduced:

**HCR 3045:** A concurrent resolution to direct the Legislative Council to conduct a study of the oil and gas laws.

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

Rep. Wold introduced:

**HCR 3046:** A concurrent resolution directing the Legislative Council to analyze the needs of this state for a safe disposal site for low-level radioactive waste generated in this state and to make a recommendation whether this state should become a member of an Interstate Low-Level Radioactive Waste Compact.

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

#### FIRST READING OF SENATE BILLS

**SB 2274:** A BILL for an Act to amend and reenact section 15-39.1-05 of the North Dakota Century Code, relating to the board of trustees of the teachers' fund for retirement. Was read the first time and referred to the Committee on Education.

SB 2277: A BILL for an Act to amend and reenact section 15-40.1-07 of the North Dakota Century Code, relating to high school per-pupil payments.

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

SB 2301: A BILL for an Act to amend and reenact section 57-39.2-15 of the North Dakota Century Code, relating to length of time for sales tax determination.

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

SB 2303: A BILL for an Act to amend and reenact sections 28-14-03.1 and 29-17-12 of the North Dakota Century Code, relating to the size of the jury in civil and criminal cases.

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

SB 2323: A BILL for an Act to amend and reenact section 57-38-29.1 of the North Dakota Century Code, relating to the energy cost relief credit; and to provide an effective date.

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

SB 2367: A BILL for an Act to require a felon summoned to court to submit to the sheriff for identification purposes; and to amend and reenact section 12-60-10 of the North Dakota Century Code, relating to records of the bureau of criminal investigation.

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

SB 2369: A BILL for an Act to amend and reenact section 39-08-08 of the North Dakota Century Code, relating to the duty to report motor vehicle damage to someone else's property.

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

SB 2391: A BILL for an Act to amend and reenact section 6-09.2-08 of the North Dakota Century Code, relating to the disposition of earnings from certain bond funded reserve accounts and debt service accounts held by the economic development commission; and to declare an emergency.

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

SB 2403: A BILL for an Act to amend and reenact section 57-38-33 of the North Dakota Century Code, relating to assessment of additional income tax.

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

SB 2413: A BILL for an Act to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication.

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

SB 2434: A BILL for an Act to amend and reenact section 15-07-20 of the North Dakota Century Code, relating to the leasing of nongrant lands by the board of university and school lands.

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

SB 2461: A BILL for an Act to amend and reenact section 15-39.1-26 of the North Dakota Century Code, relating to legal investments for the teachers' fund for retirement.

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4016: A concurrent resolution urging Congress to repeal the withholding at the source provision of the Tax Equity and Fiscal Responsibility Tax Act of 1982.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk