

FRIDAY, JANUARY 18, 1985

247

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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NINTH DAY

Bismarck, January 18, 1985

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

The prayer was offered by Rev. A. Ben Dove, Jr., First Presbyterian Church, Mandan, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Kuchera, and Martinson.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully reexamined the Journal of the Seventh Day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 211, line 10, delete "HB 1180"

REP. KENT, Chairman

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

REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighth Day and finds the same to be correct.

REP. KENT, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HCMR 2

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HCMR 2

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HCMR 2

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

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

HB 1098, HB 1113, HB 1118, HB 1122, HB 1136

REP. HEDSTROM, Chairman

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

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1045, HB 1058, HB 1059, HB 1063, HB 1068, HB 1107,
HB 1124, HB 1125, HB 1131, HB 1137, HB 1139, HB 1164,
HB 1178, HB 1214, HCR 3013

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SB 2067, SB 2071, SB 2072, SB 2081, SB 2082, SB 2132,
SB 2158, SB 2209, SB 2241, SCR 4019

LEO LEIDHOLM, Secretary

MOTION

REP. TIMM MOVED that HB 1208 be returned to the House floor from the Committee on Transportation, which motion prevailed.

REQUEST

REP. A. HAUSAUER REQUESTED the unanimous consent of the House to withdraw HB 1208. There being no objection, it was so ordered by the Speaker.

MOTION

REP. HAUGLAND MOVED that HB 1145 and HB 1152 be returned to the House floor from the Committee on Social Services and Veterans Affairs and be rereferred to the Committee on Judiciary, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1145 and HB 1152 were rereferred to the Committee on Judiciary.

SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to HB 1066 as recommended by the Committee on Judiciary as printed on page 232 of the House Journal be adopted, and when so adopted, recommends that HB 1066 DO PASS, which motion prevailed.

HB 1066 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. A. HAUSAUER MOVED that the House reconsider its action by which the committee report on HB 1081 was accepted, which motion prevailed.

REP. A. HAUSAUER MOVED that HB 1081 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1081 was referred to the Committee on Finance and Taxation.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1094 as recommended by the Committee on Finance and Taxation as printed on page 236 of the House Journal be adopted, and when so adopted, recommends that HB 1094 DO PASS, which motion prevailed.

HB 1094 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1121 as recommended by the Committee on Industry, Business and Labor as printed on page 237 of the House Journal be adopted, and when so adopted, recommends that HB 1121 DO PASS, which motion prevailed.

HB 1121 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. KLOUBEC MOVED that the House reconsider its action by which the committee report on HB 1123 was accepted, which motion prevailed.

REP. KLOUBEC MOVED that HB 1123 be rereferred to the Committee on Industry, Business and Labor, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1123 was referred to the Committee on Industry, Business and Labor.

SIXTH ORDER OF BUSINESS

REP. KNUDSON MOVED that the amendments to HB 1172 as recommended by the Committee on Education as printed on page 238 of the House Journal be adopted, and when so adopted, recommends that HB 1172 DO PASS, which motion prevailed.

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

REP. KLOUBEC MOVED that the amendments to HB 1181 as recommended by the Committee on Industry, Business and Labor as printed on page 238 of the House Journal be adopted, and when so adopted, recommends that HB 1181 DO PASS, which motion prevailed.

HB 1181 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HCMR 2

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1075: A BILL for an Act to amend and reenact section 16.1-13-27 of the North Dakota Century Code, relating to voter assistance due to the disability of an elector.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 70 YEAS, 34 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Berg, G.; Berg, R.; Brokaw;
Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Frey;
Gates; Gerntholz; Graba; Halmrast; Hamerlik;
Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill;
Hoffner; Keller; Kelly; Kloubec; Klundt; Kretschmar;
Lang; Larson; Laughlin; Lautenschlager; Linderman;
Lindgren; Lipsiea; Lloyd; Martinson; Mertens; Meyer;

Moore; Murphy; Nalewaja; Nowatzki; Oban; O'Connell;
 Olsen, D.; Olson, V.; Opedahl; O'Shea; Peterson, J.;
 Richard; Riehl; Riley; Rydell; Sauter; Schindler;
 Schmidt; Schneider; Shaw; Shide; Shockman; Solberg, O.;
 Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Wentz;
 Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Belter; Dorso; Dotzenrod; Enget;
 Goetz; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury;
 Knudson; Koland; Martin; Melby; Myrdal; Nicholas;
 Olson, A.; Payne; Pederson, R.; Retzer; Rice; Skjerven;
 Smette; Strinden; Thompson; Timm; Tollefson; Unhjem;
 Vander Vorst; Wald; Whalen; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kuchera

HB 1075 passed and the title was agreed to.

HB 1095: A BILL for an Act to amend and reenact subsection 1 of
 section 30.1-10-01 and section 47-11.1-01 of the North
 Dakota Century Code, relating to the right of a personal
 representative of a deceased person to renounce property.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
 Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;
 Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;
 Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik;
 Hanson, L.; Hanson, O.; Haugland; Hausauer, A.;
 Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;
 Kingsbury; Kloubec; Klundt; Knudson; Koland;
 Kretschmar; Lang; Larson; Laughlin; Lautenschlager;
 Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson;
 Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja;
 Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;
 Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;
 Pederson, R.; Peterson, J.; Retzer; Rice; Richard;
 Riehl; Riley; Rydell; Sauter; Schindler; Schmidt;
 Schneider; Shaw; Shide; Shockman; Skjerven; Smette;
 Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson;
 Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald;
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Strinden

HB 1095 passed and the title was agreed to.

HB 1098: A BILL for an Act to create and enact a new subsection to section 9-06-04 of the North Dakota Century Code, relating to contracts for loans or credit under the statute of frauds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Conmy; Gullickson; Kuchera; Meyer

HB 1098 passed and the title was agreed to.

HB 1099: A BILL for an Act to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of elected state officials; and to provide an effective date.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 93 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Gunsch; Hanson, O.; Kingsbury; Melby; Myrdal; Shaw; Solberg, O.; Thompson

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Conmy; Gullickson; Kuchera; Whalen

HB 1099 was declared lost.

HB 1108: A BILL for an Act to amend and reenact subsection 3 of section 54-44.2-02 of the North Dakota Century Code, relating to the purchase of data processing equipment; and to repeal section 54-44.2-03 of the North Dakota Century Code, relating to the transfer of electronic data processing equipment acquired by state agencies prior to July 1, 1969.

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, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren;

Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Conmy; Gullickson; Kuchera; Mertens; Strinden; Unhjem; Whalen; Williams, C.; Wold

HB 1108 passed and the title was agreed to.

HB 1113: A BILL for an Act to amend and reenact section 26.1-23-06 of the North Dakota Century Code, relating to the unsatisfied judgment fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Hanson, O.; Kuchera; Mertens; Strinden; Unhjem; Whalen; Williams, C.; Wold

HB 1113 passed and the title was agreed to.

HB 1118: A BILL for an Act to amend and reenact section 43-09-21 of the North Dakota Century Code, relating to standards for electrical wiring and equipment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Mertens; Strinden; Timm; Whalen; Williams, C.

HB 1118 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that the House reconsider its action by which the amendments to HB 1122 were adopted, which motion prevailed.

REP. KLOUBEC MOVED that HB 1122 be rereferred to the Committee on Industry, Business and Labor, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1122 was referred to the Committee on Industry, Business and Labor.

SECOND READING OF HOUSE BILLS

HB 1136: A BILL for an Act to amend and reenact section 10-06-01 of the North Dakota Century Code, relating to farm corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Whalen; Williams, C.

HB 1136 passed and the title was agreed to.

HB 1174: A BILL for an Act to amend and reenact section 40-40-05 of the North Dakota Century Code, relating to the preparation of municipal budgets.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;

Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Cullickson; Kuchera; Wald; Whalen; Williams, C.

HB 1174 passed and the title was agreed to.

HB 1185: A BILL for an Act to amend and reenact sections 50-24.1-02.3 and 50-24.1-07 of the North Dakota Century Code, relating to medical assistance for needy persons.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 1 YEA, 100 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Unhjem

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette;

Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson;
Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne;
Wentz; Whalen; Williams, A.; Williams, W.; Winkelman;
Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kuchera; Martinson;
Strinden; Williams, C.

HB 1185 was declared lost.

HB 1187: A BILL for an Act to amend and reenact section 24-02-13
of the North Dakota Century Code, relating to highway
department estimates for payment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;
Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;
Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik;
Hanson, L.; Hanson, O.; Haugland; Hausauer, A.;
Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;
Kingsbury; Kloubec; Klundt; Knudson; Koland;
Kretschmar; Lang; Larson; Laughlin; Lautenschlager;
Linderman; Lindgren; Lipsiea; Lloyd; Martinson; Melby;
Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja;
Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;
Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;
Pederson, R.; Peterson, J.; Retzer; Rice; Richard;
Riehl; Riley; Sauter; Schindler; Schmidt; Schneider;
Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.;
Solberg, R.; Stofferahn; Strinden; Thompson; Timm;
Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne;
Wentz; Whalen; Williams, A.; Williams, W.; Winkelman;
Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Martin;
Rydell; Starke; Williams, C.

HB 1187 passed and the title was agreed to.

HB 1203: A BILL for an Act to amend and reenact subsection 6 of
section 43-17-31 of the North Dakota Century Code, relating

to the grounds for suspension or revocation of a license to practice medicine.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hamerlik; Laughlin; Wentz

ABSENT AND NOT VOTING: Gullickson; Kuchera; Starke; Williams, C.

HB 1203 passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3002: A concurrent resolution urging Congress to review the Farmers Home Administration's limited resource loan programs and provide for more Farmers Home Administration personnel.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3002 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that HCR 3016 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3016: A concurrent resolution urging Congress to enact, and urging the United States Department of Agriculture, the Farm Credit Association, and the Farmers Home Administration to enforce, legislation to alleviate the crisis in the farm industry in this country.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3016 was declared adopted on a voice vote.

DOCTOR OF THE DAY SCHEDULE

January 21: Keith Rau, M.D. - Fargo
January 22: Marlin Johnson, M.D. - Bismarck
January 23: Michael Schmidt, M.D. - Grand Forks
January 24: Bernard Altenburg, M.D. - Fargo
January 25: Herbert Wilson, M.D. - New Town

MOTIONS

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

REP. STRINDEN 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 1:30 p.m., Monday, January 21, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on House Appropriations to which was referred HB 1004 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

HB 1004 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on House Appropriations to which was referred HB 1005 has had the same under consideration and recommends by a vote of 19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

HB 1005 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on House Appropriations to which was referred HB 1018 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. PETERSON, Chairman

HB 1018 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on House Appropriations to which was referred HB 1026 has had the same under consideration and recommends by a vote of 21 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 18, delete the words "During the year ending"

On page 1, delete lines 19 through 28

On page 2, delete lines 1 through 5

And renumber the lines and sections accordingly

STATEMENT OF PURPOSE OF AMENDMENT: The amendment deletes the provisions of the bill relating to proration of the appropriation provided in this Act.

REP. PETERSON, Chairman

HB 1026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1086 has had the same under consideration and recommends by a vote of 14 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 22, after the word "existing" insert the words "and future"

On page 1, line 26, after the overstruck word "~~computed~~" insert the words "to an existing retiree of similar status"

And renumber the lines and pages accordingly

REP. LANG, Chairman

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

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1160 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. TIMM, Chairman

HB 1160 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1196 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. HAUGLAND, Chairman

HB 1196 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1213 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. HAUGLAND, Chairman

HB 1213 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1225 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 NOT PASS.

REP. NICHOLAS, Chairman

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

FIRST READING OF HOUSE BILLS

Reps. Nalewaja, DeMers, Haugland and Sens. Mushik, Todd introduced:

HB 1293: A BILL for an Act to amend and reenact sections 50-11.1-01, 50-11.1-02, 50-11.1-02.1, 50-11.1-03, 50-11.1-04, 50-11.1-06.1, 50-11.1-07, 50-11.1-07.1, 50-11.1-07.2, 50-11.1-07.3, 50-11.1-07.4, 50-11.1-07.5, 50-11.1-07.7, 50-11.1-08, 50-11.1-09, 50-11.1-11, and 50-11.1-12 of the North Dakota Century Code, relating to early childhood programming, license requirements for early childhood facilities, and penalties; to repeal section 50-11.1-04.1 of the North Dakota Century Code, relating to applications for child care home licenses; and to provide an appropriation.

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

Reps. Martinson, Gates, Hoffner, Moore, Gullickson introduced:

HB 1294: A BILL for an Act to create and enact two new subsections to section 6-06-06 of the North Dakota Century Code, relating to providing missing endorsements by credit unions and granting incidental powers to credit unions; to amend and reenact subsection 4 of section 6-06-08, sections 6-06-14 and 6-06-20 of the North Dakota Century Code,

relating to the date of payment of examination fees by credit unions, unsecured loan limits for credit unions, and borrowing by officers, directors, and committee members of credit unions.

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

Reps. Oban, Conmy and Sens. Heinrich, Stenehjem introduced:

HB 1295: A BILL for an Act to amend and reenact section 27-09.1-02, subsection 1 of section 27-09.1-07, and subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification from jury service by physical disability or inability to communicate and understand English given reasonable accommodations.

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

Rep. Lindgren and Sen. Holmberg introduced:

HB 1296: A BILL for an Act to amend and reenact section 16.1-07-06 of the North Dakota Century Code, relating to an application for absent voter's ballot.

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

Rep. Wold introduced:

HB 1297: A BILL for an Act to amend and reenact section 35-03-04 of the North Dakota Century Code, relating to the prerequisites for recordation of a mortgage.

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

Reps. Retzer, Moore, O. Hanson and Sens. Todd, Wright introduced:

HB 1298: A BILL for an Act to amend and reenact section 54-03-01.8 of the North Dakota Century Code, relating to staggering the four-year terms of members of the senate and house of representatives; and to provide an effective date.

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

Reps. D. Olsen, Laughlin, Kent and Sens. Vosper, W. Meyer, Bakewell introduced:

HB 1299: A BILL for an Act to create and enact a new chapter to title 60 of the North Dakota Century Code, relating to a grain warehouse indemnity fund; and to amend and reenact section 60-02-10.1 of the North Dakota Century Code, relating to suspension or revocation of a warehouse license.

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

Rep. Schneider introduced:

HB 1300: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to extensions of time to perform sales tax audits; and to amend and reenact subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to the imposition of the sales tax.

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

Rep. Schneider introduced:

HB 1301: A BILL for an Act to create and enact a new subsection to section 5-02-02 of the North Dakota Century Code, relating to qualifications for a retail license for sale of alcoholic beverages.

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

Reps. Oban, Knudson and Sen. Freborg introduced:

HB 1302: A BILL for an Act to amend and reenact sections 15-29-03, 15-29-03.1, 15-29-04, 15-29-06, subsection 12 of section 15-29-08, sections 15-29-09, 15-29-10, 15-29-11, and 15-29-13 of the North Dakota Century Code, relating to changing references from school district clerk to school district business manager; and to change statutory references from clerk of the school district to business manager of the school district.

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

Reps. Wald, Whalen and Sen. Tallackson introduced:

HB 1303: A BILL for an Act to create and enact a new section to chapter 26-17.1 of the North Dakota Century Code, or in the alternative a new section to chapter 26.1-26 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to prohibiting negotiation of certain insurance policies for financial institutions; and to provide a penalty.

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

Reps. Timm, Hill and Sen. Kelsh introduced:

HB 1304: A BILL for an Act to amend and reenact subsection 13 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of guides or outfitters under the game and fish laws.

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

Reps. Unhjem, Larson, Dotzenrod and Sens. Krauter, Parker, Kilander introduced:

HB 1305: A BILL for an Act to amend and reenact sections 51-14-02 and 51-14-03 of the North Dakota Century Code, relating to the minimum fees and credit service charges allowed for revolving charge account agreements; and to repeal section 51-14-04 of the North Dakota Century Code, relating to the effective date of the chapter.

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

Rep. Wentz and Sen. Ingstad introduced:

HB 1306: A BILL for an Act to amend and reenact section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of publications available through North Dakota state university.

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

Reps. W. Williams, D. Olsen, R. Solberg, Hoffner, Kingsbury introduced:

HB 1307: 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 the state payment of the excess costs of special education.

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

Rep. O'Shea introduced:

HB 1308: A BILL for an Act to amend and reenact section 11-14-12 of the North Dakota Century Code, relating to statements concerning payments from the county treasurer to a township treasurer.

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

Rep. C. Anderson introduced:

HB 1309: A BILL for an Act to create and enact a new section to chapter 15-38.1 and a new section to chapter 34-11 of the North Dakota Century Code, relating to representation of teachers and public employees in collective bargaining.

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

Reps. Whalen, Lipsiea, Martinson and Sen. Lodoen introduced:

HB 1310: A BILL for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, relating to use of a standard application form for local and state licenses for retail sale of alcoholic beverages; and to amend and reenact sections 5-02-02, 5-02-03, and 5-02-04 of the North Dakota Century Code, relating to development of a standard application form by the attorney general, and simultaneous expiration of local and state licenses for retail sale of alcoholic beverages.

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

Rep. Unhjem introduced:

HB 1311: A BILL for an Act to amend and reenact sections 43-01-04, 43-01-07, 43-01-10, 43-01-11, and 43-01-14 of the North Dakota Century Code, relating to the abstracters' board of examiners.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Conmy introduced:

HCR 3024: A concurrent resolution for the amendment of section 6 of article IX of the Constitution of the State of North Dakota, relating to the exchange of state coal mineral interests with federal coal mineral interests.

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

FIRST READING OF SENATE BILLS

SB 2051: 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.

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

SB 2058: A BILL for an Act to amend and reenact section 53-06.1-09 of the North Dakota Century Code, relating to the operation of sports pools.

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

SB 2074: A BILL for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, relating to health council membership.

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

SB 2106: A BILL for an Act to amend and reenact section 15-19-06 of the North Dakota Century Code, relating to a scholarship fund administered through the state board of public school education for the award of grants to independent study students, and providing a standing and continuing appropriation.

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

SB 2112: A BILL for an Act to amend and reenact section 37-18.1-01 of the North Dakota Century Code, relating to the administrative committee on veterans' affairs.

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

SB 2157: A BILL for an Act to create and enact a new subdivision to subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to certain college teachers under the teachers' fund for retirement; and to declare an emergency.

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

SB 2161: A BILL for an Act to amend and reenact subsection 4 of section 55-10-02 of the North Dakota Century Code, relating to the state historic sites registry, additions to or deletions from that list, and the discretionary powers of the state historical board regarding that list.

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

SB 2162: A BILL for an Act to amend and reenact subsection 2 of section 55-10-08 of the North Dakota Century Code, relating to the responsibilities of the state or instrumentalities of state government regarding demolition or alteration of any site listed in the state historic sites registry and the procedure for approval or mitigation of any proposed demolition or alteration.

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

SB 2199: A BILL for an Act to amend and reenact subsection 8 of section 57-37.1-01 and subsection 1 of section 57-37.1-13 of the North Dakota Century Code, relating to definitions for estate tax purposes and depository notices of transfer of decedent's assets.

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

The House stood adjourned pursuant to Representative Strinden's motion.

ROY GILBREATH, Chief Clerk