

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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TWELFTH DAY

Bismarck, January 23, 1985

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

The prayer was offered by Pastor Harley Holden, Bethel Assembly of God, Mandan, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Kuchera, Knudson, Opedahl, O. Solberg, Watne, and Wold.

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 examined the Journal of the Eleventh Day and finds the same to be correct.

REP. KENT, Chairman

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

MOTIONS

REP. A. HAUSAUER MOVED that HB 1410 be returned to the House floor from the Committee on Finance and Taxation and be rereferred to the Committee on Judiciary, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1410 was rereferred to the Committee on Judiciary.

REP. A. OLSON MOVED that HB 1077 and HB 1078 be removed from the Eleventh order on the calendar and be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1077 and HB 1078 were rereferred to the Committee on Appropriations.

REP. MARTINSON MOVED that HB 1062, on the Sixth order of business today, be laid over one legislative day, which motion prevailed.

## REPORTS OF PROCEDURAL COMMITTEES

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

HB 1070, HB 1077, HB 1078

REP. HEDSTROM, Chairman

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

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

HB 1166

REP. HEDSTROM, Chairman

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

## RECOGNITION

THE SPEAKER ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Roy Rued, and Representative Rued was thereupon introduced to the House.

THE SPEAKER ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Robert Jacobsen, and Representative Jacobsen was thereupon introduced to the House.

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 2086, SB 2097, SB 2150, SB 2205, SB 2236, SB 2238

LEO LEIDHOLM, Secretary

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 1004, HB 1018, HB 1066, HB 1094, HB 1121, HB 1160,  
HB 1172, HB 1181, HCR 3006, HCR 3007, HCR 3008, HCR 3009

ROY GILBREATH, Chief Clerk

## MOTION

REP. STRINDEN MOVED that the House waive the reading of the title to HB 1070, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1070: A BILL for an Act to create and enact three new sections to chapter 20.1-01 and a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to noncriminal game and fish violations; to amend and reenact sections 20.1-01-05, 20.1-01-07, 20.1-01-09, 20.1-01-10, 20.1-01-25, 20.1-03-01.2, 20.1-03-16, 20.1-03-23, 20.1-03-27, 20.1-04-09, 20.1-04-10, 20.1-04-12, 20.1-04-14, 20.1-05-06, 20.1-06-07, 20.1-07-05, 20.1-08-01, 20.1-10-01, 20.1-13-02, subsection 13 of section 20.1-13-03, sections 20.1-13-03.1, 20.1-13-03.2, 20.1-13-04, subsection 7 of section 20.1-13-05, section 20.1-13-07, subsection 6 of section 20.1-13-10, sections 20.1-13-17 and 27-07.1-17 of the North Dakota Century Code, relating to noncriminal game and fish violations; and to provide penalties.

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 74 YEAS, 28 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Haugland; Hedstrom; Hill; Hughes; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Rice; Riehl; Riley; Rydell; Sauter; Schmidt; Shide; Skjerven; Smette; Solberg, R.; Stofferahn; Strinden; Timm; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Brokaw; Cleveland; Eckroth; Enget; Frey; Hamerlik; Hanson, O.; Hausauer, A.; Hoffner; Keller; Klundt; Linderman; Nowatzki; Oban; O'Connell; O'Shea; Retzer; Richard; Schindler; Schneider; Shaw; Shockman; Solberg, O.; Starke; Thompson; Tollefson; Whalen; Williams, C.

ABSENT AND NOT VOTING: Cullickson; Kuchera; Nicholas; Wold

HB 1070 passed and the title was agreed to.

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## MOTION

REP. MARTINSON MOVED that HB 1111 be laid over one legislative day, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1114: A BILL for an Act to amend and reenact subsection 1 of section 54-14-03.2 of the North Dakota Century Code, relating to claims against the state for acts of residents of the state institutions.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 1 NAY, 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; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; 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.; 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; Speaker Hausauer, R.

NAYS: Hughes

ABSENT AND NOT VOTING: Gullickson; Peterson, J.; Strinden; Wold

HB 1114 passed and the title was agreed to.

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HB 1132: A BILL for an Act to amend and reenact subsection 6 of section 54-52-04 of the North Dakota Century Code, relating to the exclusion of certain professional fees from the public employees retirement system's appropriation; 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 100 YEAS, 3 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; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipslea; 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.; Retzer; Rice; Richard; Riehl; 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; Speaker Hausauer, R.

NAYS: Gunsch; Kingsbury; Riley

ABSENT AND NOT VOTING: Gullickson; Peterson, J.; Wold

HB 1132 passed, the title was agreed to, and the emergency clause carried.

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HB 1150: A BILL for an Act to adopt the Uniform Conflict of Laws-Limitations Act, relating to statute of limitation periods with regard to claims based on another state's law.

Which has been read.

## ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; 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; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipslea; 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; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Hausauer, A.; Kuchera

ABSENT AND NOT VOTING: Gullickson; Wold

HB 1150 passed and the title was agreed to.

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HB 1166: A BILL for an Act to amend and reenact sections 14-13-03, 23-16-08, 50-06-01.4, subsection 1 of section 50-19-01, sections 50-20-01, 50-20-02, and 50-20-04, and subsection 3 of section 50-25.1-02 of the North Dakota Century Code, relating to the divisions of the office of human services and the office of economic assistance and county administration of the department of human services.

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 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; Kuchera; 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, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Solberg, O.; Wold

HB 1166 passed and the title was agreed to.

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HB 1238: A BILL for an Act to create and enact a new section to chapter 29-03 of the North Dakota Century Code, relating to venue of multiple theft offenses involving credit cards.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 0 NAYS, 2 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; Kuchera; 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; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Wold

HB 1238 passed and the title was agreed to.

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HB 1242: A BILL for an Act to amend and reenact section 54-52.1-03 of the North Dakota Century Code, relating to membership in the state employees' uniform group insurance program by former members of the legislative assembly.

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; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; 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; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Melby; Timm;  
Vander Vorst; Wold

HB 1242 passed and the title was agreed to.

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HB 1248: A BILL for an Act to amend and reenact subsection 9 of section 57-43.2-01 and subsection 1 of section 57-43.2-02 of the North Dakota Century Code, relating to imposition of special fuels taxes upon sales of compressed natural gas.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 0 NAYS, 2 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; Kuchera; 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; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Wold

HB 1248 passed and the title was agreed to.

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REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1046 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

HB 1046 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1055 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. CONMY, Chairman

HB 1055 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1056 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. CONMY, Chairman

HB 1056 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1087 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, after the period insert the following sentence: "Loans made prior to actual mining must be preceded by site permitting and by actual construction of the mine or its mine mouth facility."

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

HB 1087 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1133 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 11, immediately following the word "scheduled" insert the word "monthly", and overstrike the words "the actual"

On page 1, line 12, overstrike the words "time devoted" and "to"

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

HB 1133 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1134 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

HB 1134 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1146 has had the same under consideration and recommends by a vote of 13 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 5, line 14, delete the second underscored comma, and insert after the word "unless" an underscored comma

On page 5, line 15, immediately after the numeral "20" insert the word ", grounds"

And renumber the lines accordingly

REP. CONMY, Chairman

HB 1146 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on State and Federal Government to which was referred HB 1173 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

HB 1173 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on State and Federal Government to which was referred HB 1175 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

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

**MR. SPEAKER:** Your Committee on State and Federal Government to which was referred HB 1209 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "and"

On page 1, line 5, immediately after the word "Grafton" insert the words "; and to provide an effective date"

On page 1, after line 24, insert the following new section:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on July 1, 1989."

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

HB 1209 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Education to which was referred HB 1217 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KNUDSON, Chairman

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

**MR. SPEAKER:** Your Committee on Education to which was referred HB 1220 has had the same under consideration and recommends by a

vote of 16 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KNUDSON, Chairman

HB 1220 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1222 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 NOT PASS.

REP. A. HAUSAUER, Chairman

HB 1222 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1224 has had the same under consideration and recommends by a vote of 14 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. HAUSAUER, Chairman

HB 1224 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1228 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. A. HAUSAUER, Chairman

HB 1228 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1234 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 NOT PASS.

REP. A. HAUSAUER, Chairman

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

MR. SPEAKER: Your Committee on Education to which was referred HB 1236 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KNUDSON, Chairman

HB 1236 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HB 1253 has had the same under consideration and recommends by a

vote of 17 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KNUDSON, Chairman

HB 1253 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

POINT OF PERSONAL PRIVILEGE

REP. KINGSBURY: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

Mr. Speaker: On Tuesday, January 22, 1985, the House Appropriations Committee held a hearing on the community services block grant moneys anticipated by the Office of Management and Budget during the period beginning October 1, 1985, and ending September 30, 1987. If any member of the Legislative Assembly desires copies of the minutes and testimony presented to the House Appropriations Committee during the block grant hearing, the House Appropriations Committee Clerk will make copies available to you. I inform you about the availability of the information at this time, since your approval or disapproval of the appropriation for the Office of Management and Budget includes the legislative action regarding the use of the federal block grant funds.

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:

SCR 4029

LEO LEIDHOLM, Secretary

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4029 not be placed on first reading, not be referred to committee, be printed in the Journal in its entirety and placed on tomorrow's calendar for second reading and final passage, which motion prevailed.

Sen. Naaden and Rep. Martinson (Employment Committees) introduced:

SENATE CONCURRENT RESOLUTION NO. 4029

A concurrent resolution providing and designating Senate and House employees and fixing their compensation.

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

That for and during the Forty-ninth Legislative Assembly the following named persons are employed and appointed as employees of the Senate and House and shall be paid the daily wages opposite their respective names in accordance with their positions as shown below:

## SENATE

Leo Leidholm, Secretary of the Senate	\$85.00
Doris McMahan, Desk Reporter	79.00
Olger Sandven, Sergeant-at-Arms	69.00
J. Vernon Asheim, Assistant Secretary of the Senate	75.00
Sandra Boehler, Bill Clerk	69.00
Erma Hauglie, Chief Stenographer & Payroll Clerk	64.00
Jan Burgad, Appropriations Committee Clerk	64.00
Nancy Hayes, Assistant Appropriations Committee Clerk	58.00
Carol Nitschke, Chief Committee Clerk	64.00
Pearl Berget, Committee Clerk	58.00
Jan Mumma, Committee Clerk	58.00
Alice Zako, Committee Clerk	58.00
Barb Klein, Committee Clerk	58.00
Naomi Faul, Committee Clerk	58.00
George Berg, Committee Clerk	58.00
Gloria Johner, Committee Clerk	58.00
Connie Koenig, Committee Clerk	58.00
Esther Beazley, Committee Clerk	58.00
Lori Oswald, Assistant Committee Clerk	55.00
Diane Larson, Chief Page & Bill Book Clerk	55.00
Kevin Cramer, Desk Page	48.00
Jacqueline Schmidt, Journal Page	48.00
Lois J. Scherr, Secretary to Majority Leader	70.00
Sharon Lang, Assistant to Secretary of Majority Leader	64.00
Dee Hanson, Secretary to Minority Leader	70.00
Sandi Kershaw, Assistant to Secretary of Minority Leader	64.00
David Larson, Deputy Sergeant-at-Arms	52.00
Jack Evans, Assistant Sergeant-at-Arms	48.00
Robert Muhs, Assistant Sergeant-at-Arms	48.00
Marshall Gooch, Assistant Sergeant-at-Arms	48.00
Gary Hendrickson, Assistant Sergeant-at-Arms	48.00
Eugene Grenz, Chief Bill & Journal Room Clerk	58.00
LeDores Robey, Bill Room Clerk	48.00
Melvena McLeish, Bill Room Clerk	48.00
Selma Carlson, Bill Room Clerk	48.00
Faye Caya, Bill Room Clerk	48.00
Fred Schulz, Journal Room Clerk	48.00
Nettie Monroe, Journal Room Clerk	48.00
Carrie Hanson, Stenographer	52.00
Sharon Neukircher, Stenographer	52.00
Sue Alexander, Stenographer	52.00
Marge Mosbrucker, Stenographer	52.00
Esther Davis, Information Desk Attendant	48.00
Pamela Davy, Telephone Page	48.00
Thelma Harvey, Telephone Attendant	48.00
Margo Undlin, Telephone Attendant	48.00
Renee Bullinger, Telephone Attendant	48.00

Jim Inman, Parking Lot Attendant	48.00
Kelly Kramer, Page	48.00
Steven Karel, Page	48.00
Reed Boelter, Page	48.00
Jeri Kurle, Page	48.00
Wanda Scheid, Page	48.00
Gary Emineth, Bill Book Clerk	48.00
Mark Wolf, Bill Book Clerk	48.00
Lucy Miller, Bill Book Clerk	48.00
Dick Lang, Janitor (partial pay only)	34.00
Lucas Giesinger, Janitor (partial pay only)	46.00
Kevin Erhardt, Janitor (partial pay only)	28.00

## HOUSE

Roy Gilbreath, Chief Clerk	\$85.00
Barbara Middaugh, Desk Reporter	79.00
David Hillesland, Sergeant-at-Arms	69.00
Skip Sjothun, Assistant Chief Clerk	75.00
Jeane Marschke, Bill Clerk	69.00
Sue Mollison, Chief Stenographer & Payroll Clerk	64.00
Judy Frink, Chief Committee Clerk	64.00
Betty Johnson, Appropriations Committee Clerk	64.00
Jamie Marler, Assistant Appropriations Committee Clerk	58.00
Joan Nelson, Assistant Appropriations Committee Clerk	58.00
Cindy Nelson, Assistant Appropriations Committee Clerk	58.00
Helen Soma, Committee Clerk	58.00
Beverly Diebert, Committee Clerk	58.00
Sonia Vculek, Committee Clerk	58.00
Kim Fricke, Committee Clerk	58.00
Connie Johnsen, Committee Clerk	58.00
Darlyne Clausnitzer, Committee Clerk	58.00
Cheryl Wescott, Committee Clerk	58.00
Peggy Larson, Committee Clerk	58.00
Judy Hoffman, Committee Clerk	58.00
Janice Stein, Committee Clerk	58.00
Maude Grambs, Assistant Committee Clerk	55.00
Tove Mandigo, Chief Page & Bill Book Clerk	55.00
Pam Wheeler, Journal Page	48.00
Barbara Larson, Desk Page	48.00
Leslie Randich, Desk Page	48.00
Lane Landenberger, Desk Page	48.00
Dottie Neils, Secretary to the Speaker	70.00
Mazie Patchen, Secretary to the Majority Leader	70.00
Brenda Blazer, Assistant to Secretary of Majority Leader	64.00
Jan Franklund, Secretary to Minority Leader	70.00
Lorrie Pavlicek-Allison, Assistant to Secretary of Minority Leader	64.00
Daniel O'Neil, Deputy Sergeant-at-Arms	52.00
Harold Unterscher, Assistant Sergeant-at-Arms	48.00
Edgar Beyers, Assistant Sergeant-at-Arms	48.00
Jeff Heider, Assistant Sergeant-at-Arms	48.00
Renae Doan, Assistant Sergeant-at-Arms	48.00
Bill Harter, Assistant Sergeant-at-Arms	48.00
Ed Leno, Assistant Sergeant-at-Arms	48.00

Mark Zimmerman, Assistant Sergeant-at-Arms	48.00
Peggy Ormseth, Information Desk Attendant	48.00
Eli Nemer, Bill Room Clerk	48.00
Fred Banker, Bill Room Clerk	48.00
John Scherf, Bill Room Clerk	48.00
Mary J. Vonasek, Bill Room Clerk	48.00
Neal Schlosser, Bill Room Clerk	48.00
Eugene Oster, Journal Room Clerk	48.00
David Hetland, Jr., Journal Room Clerk	48.00
Flo Feland, Chief Telephone Attendant	52.00
Judy Koch, Telephone Page	48.00
Marilyn Bekkerus, Telephone Attendant	48.00
Barb Gregor, Telephone Attendant	48.00
Shirley Borg, Telephone Attendant	48.00
Gene Larson, Parking Lot Attendant	48.00
Phyllis Johnson, Stenographer	52.00
Jeanne Karhoff, Stenographer	52.00
Donna LaFave, Stenographer	52.00
Bertha Palen, Stenographer	52.00
Vivian Johnson, Stenographer	52.00
Gloriann Fagerland, Typist	52.00
Mary Ziniel, Typist	52.00
Brian Neuhardt, Page and Bill Book Clerk	48.00
Cheri Running, Page and Bill Book Clerk	48.00
David Hougen, Page and Bill Book Clerk	48.00
Judy Koester, Page and Bill Book Clerk	48.00
Richard Stenberg, Page and Bill Book Clerk	48.00
Mary Boardman, Page and Bill Book Clerk	48.00
Theresa Steier, Page and Bill Book Clerk	48.00
Robert Hyliden, Page and Bill Book Clerk	48.00
Tony Gross, Page and Bill Book Clerk	48.00
Adele Leingang, Page and Bill Book Clerk	48.00
Donna Thomas, Page and Bill Book Clerk	48.00
Sandi Hohbein, Page and Bill Book Clerk	48.00
Tonja Turitto, Page and Bill Book Clerk	48.00
Charlotte Lang, Page and Bill Book Clerk	48.00
Judy Tinjum, Page and Bill Book Clerk	48.00
Brooke Lilly, Page and Bill Book Clerk	48.00
Joe Emineth, Janitor (partial pay only)	38.00
Francis Scharosch, Janitor (partial pay only)	33.00
Eugene Reynolds, Janitor (partial pay only)	46.00
Elmer C. Schweigert, Janitor (partial pay only)	38.00

BE IT FURTHER RESOLVED, that in the event any employee resigns, is discharged, or for any other reason terminates employment, the compensation provided for in this resolution ceases, effective the last day of employment.

#### MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be



on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Thursday, January 24, 1985, 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 engrossed:

HB 1043

REP. HEDSTROM, Chairman

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

#### FIRST READING OF HOUSE BILLS

Rep. Tollefson introduced:

HB 1503: A BILL for an Act to create and enact a new subsection to section 25-01-05 of the North Dakota Century Code, relating to general powers and duties of institution superintendents.

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

Rep. Riley and Sen. Olson introduced:

HB 1504: A BILL for an Act to amend and reenact section 6-03-11 of the North Dakota Century Code, relating to consolidation of banking institutions and main banking houses.

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

Reps. Frey, C. Williams, Unhjem introduced:

HB 1505: A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to a comprehensive compensation plan for classified state employees.

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

Reps. Halmrast, Schindler introduced:

HB 1506: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to a requirement for school districts to provide transportation for certain students residing within school districts; to amend and reenact subsection 3 of section 15-40.1-15 and sections 15-40.2-05, 15-40.2-09, 15-47-02.1, 15-53.1-40, and 57-15-55.1 of the North Dakota Century Code, relating to the provision of and reimbursement for family-type transportation of students to schools and school district transportation of students; and to repeal sections 15-34.2-01, 15-34.2-02, 15-34.2-03, 15-34.2-04, 15-34.2-05, 15-34.2-06.1, 15-34.2-07, 15-34.2-08, 15-34.2-09, 15-34.2-10, 15-34.2-11, 15-34.2-12, 15-34.2-13, 15-34.2-14, 15-34.2-15, 15-34.2-16, 15-34.2-18,

15-40.1-16.2, 15-40.1-16.3, and 15-53.1-24 of the North Dakota Century Code, relating to reimbursement for family-type transportation of students to schools and student transportation required in reorganized school districts.

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

#### FIRST READING OF SENATE BILLS

**SB 2045:** A BILL for an Act to create and enact a new section to chapter 36-04 and a new section to chapter 36-05 of the North Dakota Century Code, relating to requiring livestock dealers and livestock auction markets to file releases of financial records.

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

**SB 2046:** A BILL for an Act to amend and reenact section 36-04-05 of the North Dakota Century Code, relating to bond requirements for livestock dealers.

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

**SB 2047:** A BILL for an Act to amend and reenact sections 36-21-16 and 36-21-18 of the North Dakota Century Code, relating to the authority of the public service commission and to filing evidence of solvency and title to livestock remaining in an auction market or seller until settlement is made.

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

**SB 2070:** A BILL for an Act to amend and reenact section 16.1-15-15 of the North Dakota Century Code, relating to the composition of the county canvassing board.

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

**SB 2149:** A BILL for an Act to amend and reenact sections 49-18-13, 49-18-21, 49-18-23, and 49-18-39.1 of the North Dakota Century Code, relating to notice of opportunity for hearing on application for a certificate of public convenience and necessity, notice of opportunity for hearing for a contract motor carrier permit, issuance of a contract carrier permit, and motor vehicle leases.

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

**SB 2191:** A BILL for an Act to create and enact a new subsection to section 6-09.4-10, relating to the requirements of the reserve fund for the North Dakota municipal bond bank; to amend and reenact subsection 2 of section 6-09.4-10 of the North Dakota Century Code, relating to the requirements of the reserve fund for the North Dakota municipal bond bank; and to declare an emergency.

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

**SB 2193:** A BILL for an Act to amend and reenact section 6-09-02 of the North Dakota Century Code, relating to the operation and business of the Bank of North Dakota.

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

**SB 2207:** A BILL for an Act to create and enact a new subsection to section 6-09-35 of the North Dakota Century Code, relating to the confidentiality of Bank records.

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

**SB 2213:** A BILL for an Act to amend and reenact section 39-25-05 of the North Dakota Century Code, relating to the expiration and renewal of commercial driver training school licenses and fees.

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

**SB 2228:** A BILL for an Act to create a new subsection to section 61-03-05 of the North Dakota Century Code, relating to the fees of the state engineer.

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

**SB 2232:** A BILL for an Act to amend and reenact sections 23-09-03, 23-09-05, 23-09-06, and 23-09-07 of the North Dakota Century Code, relating to fire protection measures in hotels, motels, roominghouses, and lodginghouses; and to repeal section 23-09-04 of the North Dakota Century Code, relating to fire escapes in hotels and lodginghouses.

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

**SB 2234:** A BILL for an Act to amend and reenact sections 61-20-01, 61-20-02, and 61-20-03 of the North Dakota Century Code, relating to artesian wells.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

**SCR 4007:** A concurrent resolution expressing support of the state of North Dakota for a regional airport authority serving the areas of Moorhead, Minnesota, and Fargo, North Dakota, and of East Grand Forks, Minnesota, and Grand Forks, North Dakota, and urging the Minnesota Legislature to enact legislation authorizing creation of regional airport authorities serving those two pairs of cities.

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

SCR 4008: A concurrent resolution expressing support of the state of North Dakota for establishing regional airport authorities serving the areas along the border between North Dakota and South Dakota, and urging the South Dakota Legislature to enact legislation authorizing creation of regional airport authorities serving border cities. Was read the first time and referred to the Committee on Political Subdivisions.

SCR 4009: A concurrent resolution expressing support of the state of North Dakota for establishing regional airport authorities serving the areas along the border between North Dakota and Montana, and urging the Montana Legislature to enact legislation authorizing creation of regional airport authorities serving border cities. Was read the first time and referred to the Committee on Political Subdivisions.

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

ROY GILBREATH, Chief Clerk