

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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TWENTY-SECOND DAY

Bismarck, February 6, 1985

The House convened at 12:30 p.m., with Speaker R. Hausauer presiding.

The prayer was offered by Pastor Donald Andrews, McCabe United Methodist Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Kingsbury, Laughlin, Lipsiea, Moore, Nalewaja, Nicholas, Peterson, Rice.

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 Twenty-first Day and finds the same to be correct.

REP. KENT, Chairman

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

SIXTH ORDER OF BUSINESS

REP. KLOUBEC MOVED that the amendments to HB 1123 as recommended by the Committee on Industry, Business and Labor as printed on pages 644-645 of the House Journal be adopted, and when so adopted, recommends that HB 1123 DO PASS, which motion prevailed.

HB 1123 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1169 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 645-646 of the House Journal be adopted, and when so adopted, recommends that HB 1169 DO PASS, which motion prevailed.

HB 1169 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LANG MOVED that the amendments to HB 1315 as recommended by the Committee on Political Subdivisions as printed on page 646 of the House Journal be adopted, and when so adopted, recommends that HB 1315 DO PASS, which motion prevailed.

HB 1315 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1348 as recommended by the **Committee on Natural Resources** as printed on page 646 of the House Journal be adopted, and when so adopted, recommends that HB 1348 DO NOT PASS, which motion failed.

HB 1348 without amendments was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1382 as recommended by the **Committee on Industry, Business and Labor** as printed on pages 647-648 of the House Journal be adopted, and when so adopted, recommends that HB 1382 DO PASS, which motion prevailed.

HB 1382 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1406 as recommended by the **Committee on Industry, Business and Labor** as printed on pages 648-649 of the House Journal be adopted, and when so adopted, recommends that HB 1406 DO PASS, which motion prevailed.

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

RECOGNITION

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

MOTION

REP. HAUGLAND MOVED that HB 1509 and HB 1609 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 1509 and HB 1609 were rereferred to the **Committee on Judiciary**.

MOTION

REP. KINGSBURY MOVED that HB 1459 be returned to the House floor from the **Committee on Appropriations**, which motion prevailed.

REQUEST

REP. MARTINSON REQUESTED the unanimous consent of the House to withdraw HB 1459. There being no objection, it was so ordered by the Speaker.

MOTION

REP. MARTINSON MOVED that HB 1097 be returned to the House floor from the Committee on State and Federal Government, which motion prevailed.

REQUEST

REP. MERTENS REQUESTED the unanimous consent of the House to withdraw HB 1097. There being no objection, it was so ordered by the Speaker.

MOTION

REP. KNUDSON MOVED that HB 1333 be returned to the House floor from the Committee on Education, which motion prevailed.

REQUEST

REP. UNHJEM REQUESTED the unanimous consent of the House to withdraw HB 1333. There being no objection, it was so ordered by the Speaker.

MOTION

REP. KNUDSON MOVED that HB 1626 be returned to the House floor from the Committee on Education, which motion prevailed.

REQUEST

REP. MELBY REQUESTED the unanimous consent of the House to withdraw HB 1626. There being no objection, it was so ordered by the Speaker.

MOTION

REP. NICHOLAS MOVED that HB 1258 be removed from the Eleventh order and be returned to the House floor from the Committee on Agriculture, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1258 was rereferred to the Committee on Agriculture.

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 1047, HB 1064, HB 1144, HB 1188, HB 1232, HB 1258,
HB 1297, HB 1312, HB 1331, HB 1363, HB 1483

REP. HEDSTROM, Chairman

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

MESSAGES 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 2126, SB 2194, SB 2259, SB 2279, SB 2310, SB 2354,
SB 2359, SB 2395, SB 2399

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1061

LEO LEIDHOLM, Secretary

MESSAGES 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 1079, HB 1111, HB 1157, HB 1159, HB 1163, HB 1165,
HB 1183, HB 1205, HB 1206, HB 1207, HB 1251, HB 1278,
HB 1284, HB 1285, HB 1304, HB 1306, HB 1311, HB 1335,
HB 1343, HB 1346, HB 1352

ROY GILBREATH, Chief Clerk

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 1411, HB 1428, HB 1441, HB 1448, HB 1470, HB 1488,
HCR 3010, HCR 3019, HCR 3023

ROY GILBREATH, Chief Clerk

RECOGNITION

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

SECOND READING OF HOUSE BILLS

HB 1158: A BILL for an Act to provide for rates and conditions of service for cogenerators and small power producers.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 26 YEAS, 77 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brokaw; DeMers; Eckroth; Graba; Halmrast;
Hanson, O.; Hausauer, A.; Hedstrom; Hoffner; Klundt;
Kuchera; Lang; Murphy; Oban; O'Shea; Pederson, R.;

Retzer; Rice; Sauter; Schindler; Smette; Starke;
Stofferahn; Unhjem; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Enget;
Frey; Gates; Gerntholz; Goetz; Gunsch; Hamerlik;
Hanson, L.; Haugland; Hill; Hughes; Keller; Kelly;
Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar;
Larson; Laughlin; Lautenschlager; Linderman; Lindgren;
Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore;
Myrdal; Nicholas; Nowatzki; O'Connell; Olsen, D.;
Olson, A.; Olson, V.; Opedahl; Payne; Peterson, J.;
Richard; Riehl; Riley; Rydell; Schmidt; Schneider;
Shaw; Shide; Shockman; Skjerven; Solberg, O.;
Solberg, R.; Strinden; Thompson; Timm; Tollefson;
Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen;
Williams, A.; Williams, C.; Winkelman; Wold;
Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nalewaja

HB 1158 was declared lost.

HB 1249: A BILL for an Act to provide for conversion of
accumulated sick leave to annual leave for state employees.

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 52 YEAS, 50 NAYS, 4 ABSENT AND
NOT VOTING.

YEAS: Berg, G.; Berg, R.; Cleveland; Conmy; Eckroth;
Enget; Frey; Gates; Gerntholz; Graba; Halmrast;
Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hoffner;
Kelly; Kingsbury; Knudson; Koland; Lang;
Lautenschlager; Lindgren; Martin; Martinson; Mertens;
Meyer; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.;
Peterson, J.; Retzer; Richard; Riehl; Rydell; Sauter;
Schindler; Schneider; Shockman; Skjerven; Solberg, R.;
Starke; Thompson; Timm; Unhjem; Wentz; Williams, C.;
Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Brokaw;
Dalrymple; Dorso; Dotzenrod; Goetz; Gunsch; Hanson, O.;
Hedstrom; Hill; Hughes; Keller; Kent; Kloubec; Klundt;
Kretschmar; Kuchera; Larson; Laughlin; Linderman;
Lloyd; Melby; Moore; Murphy; Myrdal; Olsen, D.;
Olson, A.; Opedahl; O'Shea; Payne; Pederson, R.; Rice;
Riley; Schmidt; Shaw; Shide; Smette; Solberg, O.;

Stofferahn; Strinden; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Wold

ABSENT AND NOT VOTING: DeMers; Gullickson; Lipsiea; Nalewaja

HB 1249 was declared lost for want of a Constitutional majority.

HB 1268: A BILL for an Act to amend and reenact sections 27-07.1-34, 27-23-01, 27-23-02, and 40-18-22 of the North Dakota Century Code, relating to changing the name of the commission on judicial qualifications to the commission on judicial conduct.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 80 YEAS, 21 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Berg, G.; Brokaw; Dotzenrod; Enget; Frey; Graba; Halmrast; Hanson, O.; Laughlin; Linderman; O'Connell; Olson, A.; Rice; Richard; Shide; Shockman; Thompson; Watne; Whalen; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Anderson, C.; Gullickson; Lipsiea; Nalewaja; Unhjem

HB 1268 passed and the title was agreed to.

REQUESTS

REP. STRINDEN REQUESTED that the record show that Representative Unhjem would be absent the remainder of the

afternoon attending a meeting on his behalf, which request was granted.

REP. MERTENS REQUESTED that the record show that Representative Kelly would be absent the remainder of the afternoon attending a meeting on his behalf, which request was granted.

SECOND READING OF HOUSE BILLS

HB 1290: A BILL for an Act to amend and reenact sections 44-08-01 and 44-08-02 of the North Dakota Century Code, relating to the preference to North Dakota contractors for public construction contracts.

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, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; 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, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Nalewaja; Nowatzki; Richard; Strinden; Unhjem

HB 1290 passed and the title was agreed to.

HB 1313: A BILL for an Act to provide for the licensure and regulation of respiratory care practitioners; to establish a North Dakota respiratory care examining board; and to provide a penalty.

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 95 YEAS, 4 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.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; 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; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hanson, O.; Melby; Murphy; Whalen

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Nalewaja; Strinden; Thompson; Unhjem

HB 1313 passed and the title was agreed to.

HB 1385: A BILL for an Act to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to abandoned objects loaned to museums which have closed.

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, 1 NAY, 8 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin;

Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Thompson

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Nalewaja; Peterson, J.; Riley; Strinden; Unhjem

HB 1385 passed and the title was agreed to.

HB 1420: A BILL for an Act to amend and reenact section 51-07-15 of the North Dakota Century Code, relating to item pricing of certain retail goods.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 1 NAY, 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; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hamerlik

ABSENT AND NOT VOTING: Gullickson; Kelly; Kuchera;
Lipsiea; Nalewaja; Peterson, J.; Riley; Strinden;
Unhjem

HB 1420 passed and the title was agreed to.

HB 1486: A BILL for an Act to create and enact a new section to chapter 14-05 and a new section to chapter 14-06 of the North Dakota Century Code, relating to orders dividing property in divorce and separation enforceable by contempt and removing exemptions from process upon execution of divorce or separation judgments ordering division of property; and to amend and reenact section 28-22-01 of the North Dakota Century Code, relating to property exempt from process.

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; 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; 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, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kelly; Kuchera;
Lipsiea; Mertens; Nalewaja; Riley; Strinden; Unhjem

HB 1486 passed and the title was agreed to.

SPECIAL ORDER OF BUSINESS

The following Boy Scouts and Explorer Scouts were introduced to the Assembly:

Life Scout - Joe Kraft, Ryder, North Dakota
 Cub Scout - Brian Inman, Bismarck, North Dakota
 Explorer - Tad Pritchett, Bismarck, North Dakota
 Life Scout - Darrell Scott, Williston, North Dakota
 Explorer - Yolanda O'Brien, Bismarck, North Dakota
 Life Scout - Jason Bunch, Hettinger, North Dakota
 Cub Scout - Michael Drong, Lisbon, North Dakota

They were participating in the 1984 Scouting Report to the Governor held at the Bismarck Rotary Club meeting today.

SECOND READING OF HOUSE BILLS

HB 1047: A BILL for an Act to amend and reenact sections 25-16-01, 25-16-02, and 25-16-03 of the North Dakota Century Code, relating to the ownership and operation of treatment and care centers for developmentally disabled persons.

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 85 YEAS, 16 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Enget; Halmrast; Haugland; Hoffner; Keller; Laughlin; Oban; O'Connell; Richard; Riehl; Sauter; Schneider; Solberg, O.; Solberg, R.; Stofferahn; Ulmer

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Nalewaja; Unhjem

HB 1047 passed and the title was agreed to.

HB 1064: A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to the setoff of collateral source payments from the damages recoverable in medical malpractice actions.

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 65 YEAS, 32 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, R.; Cleveland; Conny; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Olson, V.; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Skjerven; Smette; Solberg, R.; Thompson; Timm; Tollefson; Vander Vorst; Wald; Whalen; Williams, A.; Williams, C.; Winkelman; Speaker Hausauer, R.

NAYS: Belter; Berg, G.; Brokaw; Dalrymple; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Klundt; Laughlin; Lautenschlager; Linderman; Lloyd; Mertens; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Richard; Riehl; Sauter; Schneider; Solberg, O.; Starke; Stofferahn; Watne; Wentz; Williams, W.; Wold

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Nalewaja; Olsen, D.; Shockman; Strinden; Ulmer; Unhjem

HB 1064 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that HB 1105 be laid over one legislative day, which motion prevailed.

REQUEST

REP. MERTENS REQUESTED that the record show that Representative Ulmer would be attending the same meeting that Representatives Unhjem and Kelly were attending, which request was granted.

SECOND READING OF HOUSE BILLS

HB 1144: A BILL for an Act to amend and reenact section 55-02-07 of the North Dakota Century Code, relating to historical,

archaeological, and paleontological artifacts or sites found or located on land owned by the state or its political subdivisions and the procedures for determining significance and mitigating proposed actions affecting those artifacts or sites.

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 92 YEAS, 3 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nicholas; Nowatzki; 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; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Kingsbury; Murphy; Wald

ABSENT AND NOT VOTING: Cleveland; Dorso; Gullickson; Kelly; Lipsiea; Nalewaja; Oban; Shockman; Strinden; Ulmer; Unhjem

HB 1144 passed and the title was agreed to.

HB 1188: A BILL for an Act to amend and reenact subsections 7, 8, and 9 of section 19-02.1-14.1 of the North Dakota Century Code, relating to the identification of drugs.

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 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; 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; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Cleveland; Dorso; Goetz; Gullickson; Kelly; Lipsiea; Nalewaja; Nowatzki; Shockman; Strinden; Ulmer; Unhjem; Wald

HB 1188 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that HB 1189 be removed from the calendar and be rereferred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1230: A BILL for an Act to amend and reenact section 27-08.1-01 of the North Dakota Century Code, relating to the venue of proceedings in small claims court.

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 10 YEAS, 84 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Cleveland; Enget; Hoffner; Kuchera; Larson; Laughlin; Lindgren; Oban; O'Shea; Stofferahn

NAYS: Anderson, R.; Belter; Berg, G.; Brokaw; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kent;

Kingsbury; Kloubec; Klundt; Knudson; Koland;
 Kretschmar; Lang; Lautenschlager; Linderman; Lloyd;
 Martin; Martinson; Mertens; Meyer; Moore; Murphy;
 Myrdal; Nicholas; Nowatzki; O'Connell; Olsen, D.;
 Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.;
 Peterson, J.; Retzer; Rice; Richard; Riehl; Riley;
 Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw;
 Shide; Skjerven; Smette; Solberg, R.; Starke; Thompson;
 Timm; Tollefson; Vander Vorst; Wald; Watne; Wentz;
 Whalen; Williams, A.; Williams, C.; Williams, W.;
 Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Anderson, C.; Berg, R.;
 Gullickson; Kelly; Lipsiea; Melby; Nalewaja; Shockman;
 Solberg, O.; Strinden; Ulmer; Unhjem

HB 1230 was declared lost.

HB 1232: A BILL for an Act to establish a nongame wildlife fund and provide for uses of the fund; to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an optional contribution to the nongame wildlife fund to be included on North Dakota individual income tax returns; and to provide an effective date.

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 49 YEAS, 47 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy;
 DeMers; Frey; Gates; Gerntholz; Graba; Halmrast;
 Hamerlik; Hanson, L.; Hoffner; Kent; Kloubec; Klundt;
 Koland; Kretschmar; Kuchera; Lang; Linderman; Lindgren;
 Lloyd; Martin; Martinson; Mertens; Moore; Nicholas;
 Oban; Olson, V.; Opedahl; O'Shea; Payne; Peterson, J.;
 Riley; Rydell; Sauter; Schneider; Shaw; Solberg, R.;
 Starke; Stofferah; Timm; Vander Vorst; Williams, C.;
 Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple;
 Dorso; Dotzenrod; Eckroth; Enget; Goetz; Gunsch;
 Hanson, O.; Haugland; Hedstrom; Hill; Hughes; Keller;
 Kingsbury; Knudson; Larson; Laughlin; Lautenschlager;
 Melby; Meyer; Murphy; Myrdal; Nowatzki; O'Connell;
 Olsen, D.; Olson, A.; Pederson, R.; Retzer; Rice;
 Richard; Riehl; Schindler; Schmidt; Shide; Skjerven;
 Smette; Solberg, O.; Thompson; Tollefson; Wald; Watne;
 Whalen; Williams, A.; Wold

ABSENT AND NOT VOTING: Gullickson; Hausauer, A.; Kelly; Lipsiea; Nalewaja; Shockman; Strinden; Ulmer; Unhjem; Wentz

HB 1232 was declared lost for want of a Constitutional majority.

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.

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 95 YEAS, 1 NAY, 10 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Kretschmar

ABSENT AND NOT VOTING: Gullickson; Hausauer, A.; Kelly; Lipsiea; Nalewaja; Shockman; Strinden; Ulmer; Unhjem; Speaker Hausauer, R.

HB 1297 passed and the title was agreed to.

HB 1312: A BILL for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to improvements by special assessment in municipalities.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 45 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers; Dorso; Dotzenrod; Frey; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Klundt; Knudson; Koland; Kuchera; Lautenschlager; Lloyd; Martin; Mertens; Meyer; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; O'Shea; Pederson, R.; Retzer; Rice; Riehl; Sauter; Shide; Solberg, O.; Starke; Stofferahn; Thompson; Timm; Wald; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; Eckroth; Enget; Gates; Gerntholz; Hamerlik; Hughes; Kent; Kingsbury; Kloubec; Kretschmar; Lang; Larson; Laughlin; Linderman; Lindgren; Martinson; Melby; Moore; Olson, A.; Olson, V.; Opedahl; Payne; Peterson, J.; Riley; Rydell; Schindler; Schmidt; Schneider; Shaw; Skjerven; Smette; Solberg, R.; Tollefson; Vander Vorst; Watne; Wentz; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Hausauer, A.; Kelly; Lipsiea; Nalewaja; Richard; Shockman; Strinden; Ulmer; Unhjem

HB 1312 was declared lost for want of a Constitutional majority.

HB 1331: A BILL for an Act to amend and reenact section 39-08-09, subsection 6 of section 39-08-13, and section 39-16-05 of the North Dakota Century Code, relating to accidents involving motor vehicles for which a report to law enforcement agencies is required.

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 95 YEAS, 0 NAYS, 11 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang;

Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Hausauer, A.; Kelly; Lipsiea; Nalewaja; Opedahl; Richard; Shockman; Strinden; Ulmer; Unhjem

HB 1331 passed and the title was agreed to.

HB 1359: A BILL for an Act to create and enact a new section to chapter 5-03 of the North Dakota Century Code, relating to the taxation of alcoholic beverage wholesalers.

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 8 YEAS, 87 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Eckroth; Enget; Hanson, O.; Laughlin; Pederson, R.; Retzer; Shaw; Stofferahn

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

ABSENT AND NOT VOTING: Gullickson; Hausauer, A.; Kelly; Lipsiea; Nalewaja; Peterson, J.; Rydell; Shockman; Strinden; Ulmer; Unhjem

HB 1359 was declared lost.

HB 1363: A BILL for an Act to create and enact a new subsection to section 39-04-12 of the North Dakota Century Code, relating to fleet registration of motor vehicles.

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 95 YEAS, 2 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; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hill; O'Shea

ABSENT AND NOT VOTING: Gullickson; Halmrast; Kelly; Lipsiea; Nalewaja; Shockman; Ulmer; Unhjem; Wald

HB 1363 passed and the title was agreed to.

HB 1405: A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to a limitation on the amount of electricity which may be carried by an electric transmission line which crosses the state.

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, 96 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Peterson, J.

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; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Kelly; Lipsiea; Nalewaja; Shockman; Ulmer; Unhjem; Wald

HB 1405 was declared lost.

HB 1483: A BILL for an Act to amend and reenact section 4-28-05 of the North Dakota Century Code, relating to compensation of the members of the North Dakota state wheat commission.

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 92 YEAS, 5 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; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin;

Martinson; Melby; Mertens; Meyer; Moore; Myrdal;
 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; Schindler; Schmidt; Schneider;
 Shaw; Shide; Skjerven; Smette; Solberg, R.; Starke;
 Stofferahn; Strinden; Thompson; Timm; Tollefson;
 Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.;
 Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hanson, L.; Laughlin; Murphy; Solberg, O.;
 Williams, A.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Kelly;
 Lipsiea; Nalewaja; Sauter; Shockman; Ulmer; Unhjem

HB 1483 passed and the title was agreed to.

HB 1524: A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to exemption from the sales tax of receipts from sales of tickets or admissions to museums, historical sites, or other attractions operated by county historical societies or their affiliates.

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 35 YEAS, 62 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, R.; Cleveland; Dalrymple; Dorso;
 Eckroth; Hamerlik; Haugland; Hughes; Kingsbury;
 Kloubec; Klundt; Koland; Larson; Lindgren; Lloyd;
 Martin; Moore; Myrdal; Olsen, D.; Payne; Peterson, J.;
 Retzer; Riley; Schmidt; Shide; Starke; Stofferahn;
 Strinden; Thompson; Timm; Wentz; Whalen; Williams, A.;
 Wold

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Brokaw;
 Conmy; DeMers; Dotzenrod; Enget; Frey; Gates;
 Gerntholz; Goetz; Graba; Gunsch; Hanson, L.;
 Hanson, O.; Hausauer, A.; Hedstrom; Hill; Hoffner;
 Keller; Kent; Knudson; Kretschmar; Kuchera; Lang;
 Laughlin; Lautenschlager; Linderman; Martinson; Melby;
 Mertens; Meyer; Murphy; Nicholas; Nowatzki; Oban;
 O'Connell; Olson, A.; Opedahl; O'Shea; Pederson, R.;
 Rice; Richard; Riehl; Rydell; Sauter; Schindler;
 Schneider; Shaw; Skjerven; Smette; Solberg, O.;
 Solberg, R.; Tollefson; Vander Vorst; Wald; Watne;

Williams, C.; Williams, W.; Winkelman;
 Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Kelly;
 Lipsiea; Nalewaja; Olson, V.; Shockman; Ulmer; Unhjem

HB 1524 was declared lost.

MOTIONS

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

REP. KRETSCHMAR 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 12:30 p.m., Thursday, February 7, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Education to which was referred HB 1051 has had the same under consideration and recommends by a vote of 13 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KNUDSON, Chairman

HB 1051 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 1279 has had the same under consideration and recommends by a vote of 12 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 4, line 20, immediately after the word "of" insert the word "proposed"

And renumber the lines accordingly

REP. CONMY, Chairman

HB 1279 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 1302 has had the same under consideration and recommends by a vote of 9 YEAS, 8 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 17, overstrike the words "during the pleasure of the board"

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HB 1302 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 1314 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. KNUDSON, Chairman

HB 1314 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Education to which was referred HB 1324 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 2 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 24, after the second word "is" insert the words "less than", and delete the words "or less"

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HB 1324 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1350 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. HAUSAUER, Chairman

HB 1350 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 1408 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1408 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 1424 has had the same under consideration and recommends by a vote of 11 YEAS, 2 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 13, delete the word "proceedings" and insert in lieu thereof the word "proceeding"

And renumber the lines accordingly

REP. CONMY, Chairman

HB 1424 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1427 has had the same under consideration and recommends by a vote of 14 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 14, overstrike the word "which" and insert immediately thereafter the word "that", and overstrike the word "not" and insert immediately thereafter the word "no"

On page 1, line 19, overstrike the word "which" and insert immediately thereafter the word "that"

And renumber the lines accordingly

REP. CONMY, Chairman

HB 1427 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1450 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 1450 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 1485 has had the same under consideration and recommends by a vote of 14 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 19, remove the overstrike over the comma, and delete the words "... The judge shall order a default judgment if the defendant"

On page 1, line 20, delete the words "does not file and deliver the answer"

And renumber the lines and pages accordingly

REP. CONMY, Chairman

HB 1485 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1493 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

HB 1493 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1497 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

HB 1497 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 1522 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

HB 1522 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 1548 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. A. HAUSAUER, Chairman

HB 1548 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 1614 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 1614 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that House Bill No. 1645 be introduced.

REP. STRINDEN, Chairman

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

FIRST READING OF A HOUSE BILL

Rep. J. Peterson introduced:

(Approved by the Committee on Delayed Bills)

HB 1645: A BILL for an Act to create a national statutory hall commission for the purpose of placing a statue of the honorable Milton R. Young in the national statutory hall in Washington, D.C., and to provide for the placement of a statue of the honorable Brynhild Haugland on the state capitol grounds; and to provide an appropriation.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. D. Olsen, Hoffner, Klundt, Rydell introduced:

HCR 3060: A concurrent resolution directing the Legislative Council to study methods of attracting and retaining qualified teachers in North Dakota public schools.

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

Rep. Strinden introduced:

HCR 3061: A concurrent resolution directing a Legislative Council study of the formula for state distribution of personal property tax replacement revenues to political subdivisions.

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

Rep. Strinden introduced:

HCR 3062: A concurrent resolution directing the Legislative Council to study the need for comprehensive in-home and community support services to maintain, enhance, or prolong the independence and self-support of the partially dependent elderly population, and the possibility of making additional county funds available for such services by eliminating the county contributions to the medical assistance program under Medicaid.

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

Rep. Strinden introduced:

HCR 3063: A concurrent resolution directing the Legislative Council to conduct a study of the structure of the state law enforcement system in North Dakota.

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

Rep. Strinden introduced:

HCR 3064: A concurrent resolution directing the Legislative Council to study the feasibility of establishing an enhanced 911 emergency telecommunications system for the state.

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

Reps. Strinden, Mertens and Sens. Nething, Heigaard introduced:

HCR 3065: A concurrent resolution directing the Legislative Council to study North Dakota's wetlands.

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

Reps. Strinden, Mertens and Sens. Nething, Heigaard introduced:

HCR 3066: A concurrent resolution requesting the United States Congress and the United States Army Corps of Engineers to assume the responsibility for Missouri River bank erosion in North Dakota and to complete a program of bank stabilization and maintenance along the Missouri River between the Garrison Dam and the Oahe Reservoir.

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

FIRST READING OF SENATE BILLS

SB 2127: A BILL for an Act to amend and reenact section 6-03-59 of the North Dakota Century Code, relating to bank loan limitations.

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

SB 2129: A BILL for an Act to amend and reenact section 6-08-08.1 of the North Dakota Century Code, relating to notices of changes in control of associations, banking institutions, and their holding companies.

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

SB 2226: A BILL for an Act to create and enact section 12.1-21-03.1 of the North Dakota Century Code, relating to the provision of a criminal penalty for a negligent act resulting in a fire in any hotel, motel, roominghouse, lodginghouse, or other place of public abode; and to provide a penalty.

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

SB 2290: A BILL for an Act to amend and reenact section 32-19.1-01 of the North Dakota Century Code, relating to the number of acres of property in a real estate mortgage which is governed by the Short-Term Mortgage Redemption Act.

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

SB 2297: A BILL for an Act to create and enact a new section to chapter 40-05.1 of the North Dakota Century Code, relating to definitions of the terms "city officers", "executive officer", and "governing body"; to amend and reenact subsection 4 of section 40-05.1-06 of the North Dakota Century Code, to allow a home rule city the power to provide for its own form and structure of government; and to declare an emergency.

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

SB 2305: A BILL for an Act to amend and reenact sections 48-08-07 and 54-40-02.1, relating to term limitations on the lease of public buildings.

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

SB 2318: A BILL for an Act to amend and reenact section 4-33-11 of the North Dakota Century Code, relating to financing of local pest control programs.

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

SB 2325: A BILL for an Act to amend and reenact section 40-24-11 of the North Dakota Century Code, relating to the payment of special assessments.

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

SB 2342: A BILL for an Act to amend and reenact sections 40-08-07 and 40-09-06 of the North Dakota Century Code, relating to the compensation of city aldermen and commissioners.

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

SB 2374: A BILL for an Act to create and enact a new subsection to section 43-41-02 and a new subsection to section 43-41-06 of the North Dakota Century Code, relating to exceptions to the social work practice licensing requirements and the waiver of licensing requirements for certain social workers; and to amend and reenact subsection 5 of section 43-41-01 and section 43-41-05 of the North Dakota Century Code, relating to the definition of social work practice and licensing requirements for the private practice of social work.

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

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

ROY GILBREATH, Chief Clerk