

FRIDAY, FEBRUARY 8, 1985

713

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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TWENTY-FOURTH DAY

Bismarck, February 8, 1985

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

The prayer was offered by Pastor Doug Roberts, United Church of Christ, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Lipsiea, Nalewaja, R. Pederson, J. Peterson, Shockman, O. Solberg, W. Williams.

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-third Day and finds the same to be correct.

REP. KENT, Chairman

REP. MELBY 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 2037, SB 2090, SB 2227, SB 2303, SB 2337, SB 2339,
SB 2340, SB 2344, SB 2356, SB 2372, SB 2377, SB 2384,
SB 2393, SB 2406, SB 2409, SB 2416, SB 2425, SB 2426,
SCR 4024, SCR 4027, SCR 4030

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1214, HB 1248, HCR 3005

LEO LEIDHOLM, Secretary

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 1279, HB 1302, HB 1324, HB 1424, HB 1427, HB 1485
REP. HEDSTROM, Chairman

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

SIXTH ORDER OF BUSINESS

REP. KNUDSON MOVED that the amendments to HB 1241 as recommended by the Committee on Education as printed on pages 695-697 of the House Journal be adopted, and when so adopted, recommends that HB 1241 DO PASS and be referred to the Committee on Appropriations, which motion prevailed.

HB 1241 was rereferred to the Committee on Appropriations.

REP. CONMY MOVED that the amendments to HB 1274 as recommended by the Committee on Judiciary as printed on pages 697-698 of the House Journal be adopted, and when so adopted, recommends that HB 1274 DO PASS, which motion prevailed.

HB 1274 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1277 as recommended by the Committee on Finance and Taxation as printed on page 698 of the House Journal be adopted, and when so adopted, recommends that HB 1277 DO PASS, which motion prevailed.

HB 1277 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1283 as recommended by the Committee on Judiciary as printed on page 699 of the House Journal be adopted, and when so adopted, recommends that HB 1283 DO PASS, which motion prevailed.

HB 1283 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1289 as recommended by the Committee on Judiciary as printed on page 699 of the House Journal be adopted, and when so adopted, recommends that HB 1289 DO PASS, which motion prevailed.

HB 1289 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1318 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 699-700 of the House Journal be adopted, and when so adopted, recommends that HB 1318 DO PASS, which motion prevailed.

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

REP. A. HAUSAUER MOVED that the amendments to HB 1345 as recommended by the Committee on Finance and Taxation as printed on pages 700-701 of the House Journal be adopted, and when so adopted, recommends that HB 1345 DO PASS, which motion prevailed.

HB 1345 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KNUDSON MOVED that the amendments to HB 1347 as recommended by the Committee on Education as printed on pages 701-703 of the House Journal be adopted, and when so adopted, recommends that HB 1347 DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1347 was rereferred to the Committee on Appropriations.

REP. A. OLSON MOVED that the amendments to HB 1394 as recommended by the Committee on Natural Resources as printed on pages 703-704 of the House Journal be adopted, and when so adopted, recommends that HB 1394 DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1394 was rereferred to the Committee on Appropriations.

REP. CONMY MOVED that the amendments to HB 1431 as recommended by the Committee on Judiciary as printed on pages 705-706 of the House Journal be adopted, and when so adopted, recommends that HB 1431 DO PASS, which motion prevailed.

HB 1431 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1484 as recommended by the Committee on Finance and Taxation as printed on pages 706-707 of the House Journal be adopted, and when so adopted, recommends that HB 1484 DO PASS, which motion prevailed.

HB 1484 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1489 as recommended by the Committee on Judiciary as printed on page 707 of the House Journal be adopted, and when so adopted, recommends that HB 1489 BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

HB 1489 was placed on the Eleventh order of business on the calendar for the succeeding legislative day without recommendation.

REP. KNUDSON MOVED that the amendments to HB 1545 as recommended by the Committee on Education as printed on page 708 of the House Journal be adopted, and when so adopted, recommends that HB 1545 DO PASS, and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1545 was rereferred to the Committee on Appropriations.

REP. KNUDSON MOVED that the amendments to HB 1605 as recommended by the Committee on Education as printed on page 709 of the House Journal be adopted, and when so adopted, recommends that HB 1605 DO NOT PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1605 was rereferred to the Committee on Appropriations.

REP. KNUDSON MOVED that the amendments to HB 1620 as recommended by the Committee on Education as printed on pages 709-710 of the House Journal be adopted, and when so adopted, recommends that HB 1620 DO PASS, and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1620 was rereferred to the Committee on Appropriations.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1061

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1061

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE HOUSE CHAMBER

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

HB 1061

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 1047, HB 1064, HB 1144, HB 1188, HB 1268, HB 1290,
 HB 1297, HB 1313, HB 1331, HB 1363, HB 1385, HB 1420,
 HB 1483, HB 1486

ROY GILBREATH, Chief Clerk

RECOGNITION

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

MOTION

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

REQUEST

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

MOTION

REP. CONMY MOVED that HB 1553 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. UNHJEM REQUESTED the unanimous consent of the House to withdraw HB 1553. There being no objection, it was so ordered by the Speaker.

MOTION

REP. KUCHERA MOVED that HB 1498 be returned to the House floor from the Committee on Appropriations, which motion prevailed.

REQUEST

REP. BROKAW REQUESTED the unanimous consent of the House to withdraw HB 1498. There being no objection, it was so ordered by the Speaker.

MOTION

REP. LANG MOVED that HB 1478 be returned to the House floor from the Committee on Political Subdivisions, which motion prevailed.

REQUEST

REP. LAUGHLIN REQUESTED the unanimous consent of the House to withdraw HB 1478. There being no objection, it was so ordered by the Speaker.

MOTION

REP. KNUDSON MOVED that HB 1584 be returned to the House floor from the Committee on Education and be rereferred to the Committee on Judiciary, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1584 was rereferred to the Committee on Judiciary.

SECOND READING OF HOUSE BILLS

HB 1450: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to an exemption from sales taxes for purchases of property to replace property of public utilities lost during a disaster emergency declared by the governor.

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, 89 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Hoffner; Kingsbury; Kretschmar; Meyer; Nicholas; Nowatzki; Riehl; Vander Vorst

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

ABSENT AND NOT VOTING: Gullickson; Haugland; Lipsiea; Nalewaja; Pederson, R.; Peterson, J.; Shockman; Solberg, O.; Whalen

HB 1450 was declared lost.

HB 1493: A BILL for an Act to amend and reenact sections 28-22-03 and 28-22-03.1 of the North Dakota Century Code, relating to property exempt from all process.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 6 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; 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; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Dorso; Enget; Hughes; Timm; Wald

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nalewaja; Pederson, R.; Peterson, J.; Shockman; Solberg, O.; Whalen

HB 1493 passed and the title was agreed to.

HB 1497: A BILL for an Act to amend and reenact sections 65-04-01 and 65-04-04 of the North Dakota Century Code, relating to the requirements for premium rates and the amount of wages subject to workmen's compensation payments by employers.

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

CONFLICT OF INTEREST

REP. MERTENS STATED that in accordance with House Rule No. 319 he could not vote on HB 1497 because of a conflict of interest.

MOTIONS

REP. KRETSCHMAR MOVED that Rep. Mertens and all those with conflict of interest be allowed to vote on HB 1497, which motion prevailed.

REP. R. BERG MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 41 YEAS, 58 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Brokaw; Cleveland; Conmy; Dalrymple; Dorso; Gates; Gertholz; Gunsch; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Kent; Kingsbury; Knudson; Kuchera; Lang; Linderman; Lloyd; Martin; Martinson; Meyer; Murphy; Nicholas; Opedahl; Rice; Richard; Rydell; Schindler; Smette; Stofferahn; Thompson; Ulmer; Unhjem; Watne; Whalen; Winkelman; Wold

NAYS: Berg, G.; Berg, R.; DeMers; Dotzenrod; Eckroth; Enget; Frey; Goetz; Graba; Halmrast; Hamerlik; Haugland; Hill; Hoffner; Hughes; Keller; Kelly; Kloubec; Klundt; Koland; Kretschmar; Larson; Laughlin; Lautenschlager; Lindgren; Melby; Mertens; Moore; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson, J.; Retzer; Riehl; Riley; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Solberg, R.; Starke; Timm; Tollefson; Vander Vorst; Wald; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nalewaja; Pederson, R.; Shockman; Solberg, O.; Strinden

HB 1497 was declared lost.

HB 1548: A BILL for an Act to amend and reenact section 21-03-07 and subsection 1 of section 57-15-17 of the North Dakota Century Code, relating to the voter approval requirements for the issuance of general obligation bonds and the use of school building funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 7 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Koland; Lang; Larson; Laughlin; 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;

Peterson, J.; Rice; Richard; Riehl; Riley; Rydell;
 Sauter; Schindler; Schmidt; Schneider; Shaw; Shide;
 Skjerven; Smette; Solberg, R.; Starke; Stofferahn;
 Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst;
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Belter; Conmy; Gunsch; Kingsbury; Knudson; Murphy;
 Wald

ABSENT AND NOT VOTING: Gullickson; Hanson, O.;
 Kretschmar; Kuchera; Lipsiea; Nalewaja; Pederson, R.;
 Retzer; Shockman; Solberg, O.; Strinden

HB 1548 passed and the title was agreed to.

HB 1614: A BILL for an Act to create and enact a new subsection to section 15-28-01 of the North Dakota Century Code, relating to certain school board elections and terms of office for school board members; and to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to certain school board elections and terms of office for school board members.

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, 2 NAYS, 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; Kelly; Kent;
 Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang;
 Larson; Laughlin; 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;
 Peterson, J.; Rice; Richard; Riehl; Riley; Rydell;
 Sauter; Schindler; Schmidt; Schneider; Shaw; Shide;
 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; Wold;
 Speaker Hausauer, R.

NAYS: Kingsbury; Murphy

ABSENT AND NOT VOTING: Gullickson; Kuchera; Lipsiea;
Nalewaja; Pederson, R.; Retzer; Shockman; Solberg, O.

HB 1614 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1105

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1105

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1105

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

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.

CALL OF THE HOUSE

REP. UNHJEM REQUESTED a call of the House, which request was granted.

MOTIONS

REP. UNHJEM MOVED that the House dispense with the call of the House, which motion prevailed.

REP. R. BERG MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 50 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Conmy; DeMers; Dotzenrod; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hoffner; Kelly; Kloubec; Koland; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martinson; Mertens; Moore; Nicholas; Oban; Opedahl; Peterson, J.; Riley; Rydell; Sauter; Schneider; Shaw; Solberg, R.; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple; Dorso; Eckroth; Enget; Gerntholz; Goetz; Gunsch; Hanson, O.; Haugland; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Klundt; Knudson; Lang; Larson; Martin; Melby; Meyer; Murphy; Myrdal; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Schindler; Schmidt; Shide; Skjerven; Smette; Starke; Thompson; Vander Vorst; Wald; Watne; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Cleveland; Gullickson; Lipsiea; Nalewaja; Pederson, R.; Shockman; Solberg, O.; Wentz; Whalen

HB 1232 was declared lost.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1279, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1279: A BILL for an Act to create and enact a new section to chapter 27-15 of the North Dakota Century Code, relating to judicial conference funding; to amend and reenact sections 27-02-05.2, 27-15-01, 27-15-02, 27-15-03, 27-15-04, 27-15-05, and 27-15-10 of the North Dakota Century Code, relating to changing the name of the judicial council to the judicial conference and changing the membership, terms, organization, duties, and payment of expenses of members of the judicial conference; and to repeal sections 27-15-06, 27-15-08, and 27-15-09 of the North Dakota Century Code, relating to hearings and reports of the judicial council, and the meeting of judges concerning judicial council recommendations.

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 91 YEAS, 5 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; 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, V.; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Kent; Kingsbury; Olson, A.; Shide

ABSENT AND NOT VOTING: Dorso; Frey; Gullickson; Lipsiea; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Whalen

HB 1279 passed and the title was agreed to.

HB 1292: A BILL for an Act to provide for the establishment of a rehabilitation teacher program throughout the state to serve the blind and visually impaired; and to provide an appropriation.

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 30 YEAS, 66 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Brokaw; Cleveland; DeMers; Enget; Halmrast; Hamerlik; Hoffner; Kelly; Klundt; Kretschmar; Laughlin; Lloyd; Mertens; Meyer; Murphy; Oban; O'Connell; Richard; Riehl; Rydell; Sauter; Schneider; Shaw; Solberg, R.; Starke; Ulmer; Vander Vorst; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Dalrymple; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Riley; Schindler; Schmidt; Shide; Smette; Stofferahn; Strinden; Thompson; Timm; Tollefson; Wald; Watne; Wentz; Whalen; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Conmy; Gullickson; Lipsiea; Nalewaja; Pederson, R.; Peterson, J.; Shockman; Skjerven; Solberg, O.; Unhjem

HB 1292 was declared lost.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1302, which motion prevailed.

SECOND READING OF HOUSE BILLS

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

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 40 YEAS, 53 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Cleveland; Conmy; DeMers; Dorso; Goetz; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Hughes; Keller; Kelly; Kent; Knudson; Koland; Kretschmar; Lang; Larson; Lindgren; Martin; Martinson; Moore; Nicholas; Oban; Opedahl; Peterson, J.; Retzer; Riehl; Riley; Sauter; Schindler; Schneider; Shaw; Ulmer; Wentz; Williams, C.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Dalrymple; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Hamerlik; Hanson, O.; Hedstrom; Hill;

Kingsbury; Kloubec; Klundt; Kuchera; Laughlin;
Lautenschlager; Linderman; Lloyd; Melby; Meyer; Murphy;
Myrdal; Nowatzki; O'Connell; Olsen, D.; Olson, A.;
Olson, V.; O'Shea; Payne; Rice; Schmidt; Shide; Smette;
Solberg, R.; Starke; Stofferahn; Strinden; Thompson;
Timm; Tollefson; Vander Vorst; Watne; Whalen;
Williams, A.; Williams, W.; Wold

ABSENT AND NOT VOTING: Dotzenrod; Gullickson; Lipsiea;
Mertens; Nalewaja; Pederson, R.; Richard; Rydell;
Shockman; Skjervan; Solberg, O.; Unhjem; Wald

HB 1302 was declared lost.

HB 1366: A BILL for an Act to provide an appropriation for additional compensation to North Dakota state employees at the institutions of higher education for the period beginning January 1, 1985, and ending June 30, 1987; and to declare an emergency.

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 11 YEAS, 83 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Cleveland; Conmy; DeMers; Frey; Hamerlik;
Haugland; Oban; O'Connell; Sauter; Wentz

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

ABSENT AND NOT VOTING: Gullickson; Kloubec; Lipsiea;
Nalewaja; Olson, A.; Pederson, R.; Richard; Shockman;
Skjervan; Solberg, O.; Unhjem; Wald

HB 1366 was declared lost.

HB 1379: A BILL for an Act to provide for a college work-study program to assist financially North Dakota resident students attending institutions of postsecondary education in this state; and to provide an appropriation.

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 13 YEAS, 84 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Cleveland; DeMers; Hamerlik; Haugland; Hoffner; Klundt; Martin; O'Connell; Rydell; Sauter; Starke; Unhjem; Wentz

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

ABSENT AND NOT VOTING: Gullickson; Kloubec; Lipsiea; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1379 was declared lost.

HB 1380: A BILL for an Act to create and enact six new sections to chapter 15-62.2 of the North Dakota Century Code, relating to the establishment of a North Dakota merit scholarship program; to amend and reenact sections 15-62.2-01, 15-62.2-02, and 15-62.2-04 of the North Dakota Century Code, relating to administration of the student financial assistance program and merit scholarship program; and to provide an appropriation.

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

YEAS: Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Eckroth; Frey; Gates; Graba; Halmrast; Hamerlik; Haugland; Hill; Hughes; Kelly; Kent; Klundt; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martinson; Myrdal; Nicholas; Oban; O'Shea; Payne; Peterson, J.; Retzer; Richard; Rydell; Sauter; Schmidt; Shaw; Starke; Stofferahn; Timm; Tollefson; Unhjem; Wentz; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Anderson, C.; Belter; Dalrymple; Dorso; Dotzenrod; Enget; Gerntholz; Goetz; Gunsch; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hoffner; Keller; Kingsbury; Knudson; Koland; Lang; Linderman; Martin; Melby; Meyer; Moore; Murphy; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Rice; Riehl; Riley; Schindler; Schneider; Shide; Smette; Solberg, R.; Thompson; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kloubec; Lipsiea; Mertens; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1380 was declared lost for want of a Constitutional majority.

HB 1395: A BILL for an Act to impose a privilege tax upon natural gas entering this state from a foreign country.

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 3 YEAS, 93 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Peterson, J.; Vander Vorst

NAYS: Anderson, C.; Anderson, R.; Belter; 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; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban;

O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Mertens; Nalewaja; Olson, A.; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1395 was declared lost.

HB 1424: A BILL for an Act to amend and reenact section 30.1-15-04 of the North Dakota Century Code, relating to the right of and the demand for a jury trial in contested formal testacy proceedings.

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, 2 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; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; 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; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Unhjem; Wentz

ABSENT AND NOT VOTING: Gullickson; Hughes; Klundt; Lipsiea; Mertens; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1424 passed and the title was agreed to.

HB 1427: A BILL for an Act to amend and reenact section 32-04-12 of the North Dakota Century Code, relating to specific performance of agreements to arbitrate.

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 94 YEAS, 2 NAYS, 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, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; 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; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; 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: Hanson, L.; Wold

ABSENT AND NOT VOTING: Gullickson; Kingsbury; Lipsiea; Mertens; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1427 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1429 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1447: A BILL for an Act to amend and reenact subsection 6 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county sheriffs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 87 YEAS, 10 NAYS, 9 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Berg, R.; Brokaw; Gunsch; Hamerlik; Hanson, O.; Melby; Murphy; Schmidt; Williams, A.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Mertens; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1447 passed and the title was agreed to.

HB 1479: A BILL for an Act to amend and reenact section 18-10-07 of the North Dakota Century Code, to allow rural fire protection districts to accumulate funds from year-to-year for major purchases of firefighting equipment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 1 NAY, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;

Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Murphy

ABSENT AND NOT VOTING: Cleveland; Gullickson; Lipsiea; Mertens; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1479 passed and the title was agreed to.

HB 1485: A BILL for an Act to amend and reenact sections 27-08.1-03 and 27-08.1-04 of the North Dakota Century Code, relating to a defendant's answer in small claims court.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; 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; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1485 passed and the title was agreed to.

HB 1529: A BILL for an Act to amend and reenact subsection 3 of section 19-13.1-04 of the North Dakota Century Code, relating to labeling of commercial feed.

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

NAYS: Murphy

ABSENT AND NOT VOTING: Cleveland; Gullickson; Lipsiea; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.; Strinden

HB 1529 passed and the title was agreed to.

HB 1535: A BILL for an Act to amend and reenact section 43-33-04, subsection 4 of section 43-33-07, and subdivision g of subsection 2 of section 43-33-12 of the North Dakota Century Code, relating to the licensure of hearing aid dealers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 11 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Brokaw; Conmy; Goetz; Hanson, O.; Hughes; Larson; Lindgren; Martinson; Murphy; Wald

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nalewaja; Pederson, R.; Shockman; Skjerven; Solberg, O.

HB 1535 passed and the title was agreed to.

HB 1582: A BILL for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to warehouse storage rates for dry edible beans.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 79 YEAS, 18 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Nicholas; Nowatzki; Oban; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Brokaw; Conmy; Hanson, O.;
Hausauer, A.; Kingsbury; Laughlin; Murphy; Myrdal;
O'Connell; Olsen, D.; Olson, A.; Rydell; Schindler;
Thompson; Timm; Watne; Winkelman

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nalewaja;
Olson, V.; Pederson, R.; Shockman; Skjerven;
Solberg, O.; Ulmer

HB 1582 passed and the title was agreed to.

HB 1594: A BILL for an Act to create and enact seven new sections to chapter 61-16 of the North Dakota Century Code, relating to the election of water resource district managers; and to amend and reenact sections 61-16-07, 61-16-08, and 61-16-09 of the North Dakota Century Code, relating to water resource district board managers.

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 19 YEAS, 78 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Belter; Conmy; Dalrymple; Dotzenrod; Halmrast;
Hanson, L.; Hedstrom; Hill; Kelly; Knudson; Martin;
Melby; Murphy; Olson, V.; O'Shea; Retzer; Unhjem; Wald;
Winkelman

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.;
Brokaw; Cleveland; DeMers; Dorso; Eckroth; Enget; Frey;
Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik;
Hanson, O.; Haugland; Hausauer, A.; Hoffner; Hughes;
Keller; Kent; Kingsbury; Kloubec; Klundt; Koland;
Kretschmar; Kuchera; Lang; Larson; Laughlin;
Lautenschlager; Linderman; Lindgren; Lloyd; Martinson;
Mertens; Meyer; Moore; Myrdal; Nicholas; Oban;
O'Connell; Olsen, D.; Olson, A.; Opedahl; Payne;
Pederson, J.; Rice; Richard; Riehl; Riley; Rydell;
Sauter; Schindler; Schmidt; Schneider; Shaw; Shide;
Solberg, R.; Starke; Stofferahn; Strinden; Thompson;
Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz;
Whalen; Williams, A.; Williams, C.; Williams, W.; Wold;
Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nalewaja;
Nowatzki; Pederson, R.; Shockman; Skjerven; Smette;
Solberg, O.

HB 1594 was declared lost.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3030: A concurrent resolution urging Congress and federal agencies to protect adequately against grasshopper infestations on federal land.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3030 was declared adopted on a voice vote.

DOCTOR OF THE DAY SCHEDULE

February 11 - Jane Dietz, M.D.
 February 12 - John Pate, M.D.
 February 13 - James Morrison, M.D.
 February 14 - Robert Eelkema, M.D.
 February 15 - Robert Jennings, M.D.

POINT OF PERSONAL PRIVILEGE

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

I voted wrong on HB 1497. The record shows I voted "yea" and intended to vote "nay".

MOTION

REP. STRINDEN MOVED that 500 copies of HB 1502 be reprinted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that the following bills be introduced:

HB 1646, HB 1647

REP. STRINDEN, Chairman

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

MOTIONS

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand

adjourned until 12:30 p.m., Monday, February 11, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1182 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. TIMM, Chairman

HB 1182 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 1191 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, after the word "bureau" insert the words "in bankruptcy, probate, insolvency, and receivership proceedings"

On page 1, line 10, after the word "prior" insert the word "income"

On page 1, line 11, after the word "liens" insert the words ", except that this lien shall not be enforceable against a purchaser (including a lien creditor) of real estate or personal property for valuable consideration without notice. Notice of this lien shall be filed in the place and manner provided for in section 57-38-49"

On page 1, line 12, delete the words "shall be" and insert in lieu thereof the word "is"

And renumber the lines accordingly

REP. KLOUBEC, Chairman

HB 1191 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1273 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1273 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1299 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same

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

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new chapter to title 60 and a new section to chapter 60-04 of the North Dakota Century Code, relating to a grain warehouse indemnity fund and warehousemen insolvencies; to amend and reenact subsection 2 of section 60-02-01 and section 60-02-19.1 of the North Dakota Century Code, as amended and reenacted by House Bill No. 1202, as approved by the forty-ninth legislative assembly, subsection 2 of section 60-04-01, as amended and reenacted by Senate Bill No. 2132, as approved by the forty-ninth legislative assembly, and section 60-04-02 of the North Dakota Century Code, relating to warehousemen insolvencies and notice of bond coverage; and to provide a penalty.

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

SECTION 1. A new chapter to title 60 of the North Dakota Century Code is hereby created and enacted to read as follows:

Definitions. In this chapter, unless the context or subject matter otherwise requires:

1. "Board" means the grain warehouse indemnity fund board.
2. "Claimant" means a person who has sold grain on a credit-sale contract to a public warehouseman who has become insolvent and who has not received full payment for the grain under the contract.
3. "Commission" means the public service commission.
4. "Credit-sale contract" means a credit-sale contract as defined by section 60-02-01.
5. "Fund" means the grain warehouse indemnity fund.
6. "Grain" means commodities defined as grain by section 60-02-01.
7. "Public warehouseman" means a public warehouseman as defined by section 60-02-01.
8. "Seller" means a person selling grain on a credit-sale contract.

Grain warehouse indemnity fund board. The grain warehouse indemnity fund board is created, consisting of the commissioner of agriculture, the commissioner of insurance, the state treasurer, a grain producer appointed by the commissioner of agriculture, and a licensed public warehouseman appointed by the commissioner of agriculture. The commissioner of agriculture shall serve as chairman of the board. The board must meet at the call of the chairman, as is necessary to fulfill its duties under this chapter. Board members who are not state officials are entitled to receive fifty dollars for each day of official service, as directed by the board. The board members are entitled to receive expenses as provided in sections 44-08-04 and 54-06-09.

Powers of the board. The board has powers on behalf of the fund to:

1. Borrow funds from the Bank of North Dakota if necessary to pay claims or the costs of administering the fund. The Bank shall take adequate guarantees necessary to ensure the repayment of the loan and may charge interest not to exceed the Bank's base rate.
2. Purchase insurance to cover payment of claims against the fund in amounts it determines appropriate.
3. Seek the collection of assigned claims from the public warehouseman or any other source of potential recovery.
4. Institute actions for the collection of assigned claims.
5. Pay moneys from the fund to the commission as trustee for reimbursement to claimants.
6. Pay from the fund the costs incurred in administering the fund, including the cost of collecting assigned claims.
7. Reimburse the commission for costs incurred in the collection of assessments.

Assessments. Every public warehouseman shall collect, from a seller selling grain on a credit-sale contract, a one dollar fee for every one thousand dollars of grain sold under the contract. The public warehouseman shall provide funds to match each dollar collected. All funds must be deposited with the commission pursuant to rules adopted by the commission.

Grain warehouse indemnity fund - Administration. The commission shall deposit the assessments received pursuant to this chapter with the state treasurer. Any interest generated by the fund must be transferred to the fund. The board shall administer the fund in a manner provided in this chapter so as to compensate claimants.

Reduction, suspension, and reinstatement of assessments. The commission shall reduce assessments to fifty cents per thousand dollars of grain sold under a credit-sale contract if the amount of uncommitted money credited to the fund is at least four million dollars. The commission shall suspend assessments if the amount of uncommitted money in the fund is at least six million dollars. The commission shall reinstate assessments if the amount of uncommitted money credited to the fund drops below six million dollars. When reinstating assessments, the commission shall assess only on contracts executed after the assessment was reinstated.

Disbursements from the fund. A claimant is entitled to recover from the fund an amount equal to the unpaid balance under the credit-sale contract with interest at the weighted average base rate charged by the Bank of North Dakota since the date payment under the credit-sale contract was due.

Proration of payments - Insolvency of the fund. The board shall prorate the payments from the fund to the commission as trustee if the total amount of uncommitted money credited to the fund is not sufficient to pay all claims against the fund. The state is not liable for nonpayment of claims against the fund due to the insolvency of the fund.

Assignment of claim for relief to board. Any claimant receiving a payment from the fund shall assign to the board any claim for relief against the public warehouseman or any other source of recovery, to the extent of the recovery from the fund.

Penalty - License revocation. Any public warehouseman who violates this chapter or any rule adopted pursuant to this chapter is guilty of an infraction. Violation of this chapter or any rule adopted pursuant to this chapter by a public warehouseman constitutes cause for suspension or revocation of the public warehouseman's license in accordance with section 60-02-10.1.

SECTION 2. AMENDMENT. If House Bill No. 1202, as approved by the forty-ninth legislative assembly, becomes effective, then subsection 2 of section 60-02-01 of the North Dakota Century Code as contained in House Bill No. 1202 is hereby amended and reenacted to read as follows:

2. "Credit-sale contract" means a written contract for the sale of grain pursuant to which the sale price is to be paid or may be paid more than thirty days after the delivery or release of the grain for sale and which contains the notice provided in subsection 7 of section 60-02-19.1. Where a part of the sale price of a contract for the sale of grain is to be paid or may be paid more than thirty days after the delivery or release of the grain for sale, only such part of the contract is a credit-sale contract.

SECTION 3. AMENDMENT. If House Bill No. 1202, as approved by the forty-ninth legislative assembly, becomes effective, then section 60-02-19.1 of the North Dakota Century Code as contained in House Bill No. 1202 is hereby amended and reenacted to read as follows:

60-02-19.1. Credit-sale contracts. A warehouseman shall not purchase grain by a credit-sale contract except as provided in this section. All credit-sale contracts must be in writing and must be consecutively numbered at the time of printing the contract. The warehouseman shall maintain an accurate record of all credit-sale contract numbers including the disposition of each numbered form, whether by execution, destruction, or otherwise. Each credit-sale contract must contain or provide for all of the following:

1. The seller's name and address.
2. The conditions of delivery.
3. The amount and kind of grain delivered.
4. The price per unit or basis of value.
5. The date payment is to be made.
6. The duration of the credit-sale contract.
7. Notice in a clear and prominent manner that the sale is not protected by the bond coverage provided for in section 60-02-09; however, if the warehouseman has obtained bond coverage in addition to that required by section 60-02-09 and such coverage extends to the benefit of credit-sale contracts, the warehouseman may state the same in the credit-sale contract along with the extent of such coverage.

The contract must be signed by both parties and executed in duplicate. One copy shall be retained by the warehouseman and one copy shall be delivered to the seller. Upon

revocation, termination, or cancellation of a warehouseman's license, the payment date for all credit-sale contracts shall, at the seller's option, be advanced to a date not later than thirty days after the effective date of the revocation, termination, or cancellation, and the purchase price for all unpriced grain shall be determined as of the effective date of revocation, termination, or cancellation in accordance with all other provisions of the contract. However, if the license of the warehouseman is transferred to another licensed warehouseman, credit-sale contracts may be assigned to the transferee.

SECTION 4. AMENDMENT. If Senate Bill No. 2132, as approved by the forty-ninth legislative assembly, becomes effective, then subsection 2 of section 60-04-01 of the North Dakota Century Code as contained in Senate Bill No. 2132 is hereby amended and reenacted to read as follows:

2. "Credit-sale contract" means a written contract for the sale of grain pursuant to which the sale price is to be paid or may be paid more than thirty days after the delivery or release of the grain for sale ~~and which contains the notice provided in subsection 7 of section 60-02-19-1.~~ Where a part of the sale price of a contract for the sale of grain is to be paid or may be paid more than thirty days after the delivery or release of the grain for sale, only such part of the contract is a credit-sale contract.

SECTION 5. AMENDMENT. Section 60-04-02 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-04-02. Insolvency of warehouseman. Whenever any warehouseman, by reason of the destruction of ~~his~~ the warehouseman's warehouse or for any other cause, shall refuse, neglect, or be unable, upon proper demand, to redeem any receipt issued by ~~him~~ the warehouseman, through redelivery or cash payment, ~~such~~ or make payment in accordance with the terms of a credit-sale contract, the warehouseman shall be is deemed to be insolvent within the meaning of this chapter.

SECTION 6. A new section to chapter 60-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Credit-sale contract claims. Upon the insolvency of any warehouseman, the commission shall apply to the district court, of any county in which the warehouseman operates a licensed warehouse, for authority to take all action necessary to act as trustee for the benefit of all

claimants under section 1 of this Act. The commission shall act as trustee under section 1 of this Act in the same manner and pursuant to the same procedure as for the trust fund established pursuant to section 60-04-03.1. Upon authority of the district court, after the commission files its report pursuant to section 60-04-09, the commission shall seek payment from the grain warehouse indemnity fund for payment to claimants under section 1 of this Act. Costs incurred by the commission in the administration of its duties as trustee pursuant to section 1 of this Act and as trustee of the trust fund established under section 60-04-03.1 must be allocated against the trust fund and the grain warehouse indemnity fund in a manner deemed equitable by the commission and approved by the district court."

And renumber the lines and pages accordingly

REP. NICHOLAS, Chairman

HB 1299 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1319 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. LANG, Chairman

HB 1319 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1330 has had the same under consideration and recommends by a vote of 9 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. TIMM, Chairman

HB 1330 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 1334 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide criminal and civil penalties for theft of cable television and an exemption for persons licensed by the federal communications commission.

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

SECTION 1. Theft of cable television services - Penalty. A person is guilty of a class B misdemeanor if the person:

1. Knowingly obtains or attempts to obtain cable television service from another by any means, artifice, trick, deception, or device without the payment to the cable television operator of all lawful compensation for each type of service obtained;
2. Knowingly assists or instructs any other person in obtaining or attempting to obtain any cable television service without the payment to the cable television operator of all lawful compensation for each type of service obtained or attempted to be obtained;
3. Knowingly tampers or otherwise interferes with or connects to by any means, whether mechanical, electrical, acoustical or other means, any cables, wires, or other devices used for the distribution of cable television without authority from the cable television operator; or
4. Knowingly manufactures, imports into this state, distributes, sells, offers for sale or rental, possesses for sale, or advertises for sale, any device, plan or kit for a device, or printed circuit, designed to unlock, decode, descramble, or otherwise make intelligible any locked, encoded, scrambled, or other nonstandard signal carried by the cable television system, thereby facilitating the doing of any acts specified in subsections 1, 2, and 3.

SECTION 2. Civil penalties for theft of cable television services.

1. Any person who violates subsection 1, 2, or 3 of section 1 of this Act is liable to the franchised or otherwise duly licensed cable television system for the greater of one thousand dollars or three times the amount of actual damages, if any, sustained by the system, plus reasonable attorney fees.
2. Any person who violates subsection 4 of section 1 of this Act is liable to the franchised or otherwise duly licensed cable television system for the greater of ten thousand dollars or three times the amount of actual damages, if any, sustained by the plaintiff, plus reasonable attorney fees. A second or subsequent conviction

is punishable by the greater of twenty thousand dollars or three times the amount of actual damages, if any, plus reasonable attorney fees.

SECTION 3. Theft of cable television services - Action - Injunction - Property forfeiture.

1. Any franchised or otherwise duly licensed cable television system may bring an action to enjoin and restrain violation of section 1 of this Act or an action for conversion, or both, and may in the same action seek damages as provided for in section 2 of this Act.
2. Any communications paraphernalia prohibited under section 1 of this Act may be seized and, upon conviction, is forfeited to the jurisdiction where the arrest was made. The paraphernalia may be, pursuant to court order, sold or destroyed.
3. It is not a necessary prerequisite to an action pursuant to section 2 of this Act that the plaintiff has suffered, or is threatened with, actual damages.

SECTION 4. Shortwave transmitting equipment - Exemption.

This Act does not prohibit the sale, purchase, possession, or operation of any shortwave transmitting equipment by persons duly licensed by the federal communications commission."

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

HB 1334 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1349 has had the same under consideration and recommends by a vote of 19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

HB 1349 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1354 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1354 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 1364 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 2 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 4, after the word "schools" insert the words "; and to provide an expiration date"

On page 5, after line 20, insert the following new section:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective. However, subsection 2 of section 15-38.1-13 as it existed on December 31, 1984, shall be in effect after June 30, 1987."

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HB 1364 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1371 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. TIMM, Chairman

HB 1371 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1418 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 20, after the word "government" insert an underscored comma, and delete the word "not"

On page 1, line 21, delete the words "prior to" and insert in lieu thereof the word "after"

On page 1, line 22, delete the "ten" and insert in lieu thereof the word "fifty"

On page 2, line 26, after the word "government" insert an underscored comma, and delete the word "not"

On page 2, line 27, delete the words "prior to" and insert in lieu thereof the word "after"

On page 2, line 28, delete the word "ten" and insert in lieu thereof the word "fifty"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1418 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 1474 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 1 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 9, delete the words "extension division" and insert in lieu thereof the words "agricultural experiment station"

On page 1, line 20, delete the words "extension division" and insert in lieu thereof the words "agricultural experiment station"

On page 2, line 2, after the word "extending" insert the words "twenty mills less than", after the word "the" insert the word "total", and after the word "levies" insert the words "for school purposes"

On page 2, line 9, delete the word "extension" and insert in lieu thereof the words "agricultural experiment station"

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

On page 2, line 11, delete the words "extension division" and insert in lieu thereof the words "agricultural experiment station"

On page 2, line 17, delete the words "extension division" and insert in lieu thereof the words "agricultural experiment station"

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

HB 1474 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1490 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. TIMM, Chairman

HB 1490 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your **Committee on Transportation** to which was referred HB 1491 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 NOT PASS.

REP. TIMM, Chairman

HB 1491 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 1500 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the words "any of its officers having control, or supervision of, or" and insert in lieu thereof the words "the chairman, president, or chief operating officer, individually or severally"

On page 1, line 14, delete the words "for making" and insert in lieu thereof the words "of supervising the preparation of"

And renumber the lines accordingly

REP. KLOUBEC, Chairman

HB 1500 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your **Committee on Natural Resources** to which was referred HB 1521 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HB 1521 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your **Committee on Social Services and Veterans Affairs** to which was referred HB 1531 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

HB 1531 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1537 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1537 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1544 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1544 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1547 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HB 1547 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 1549 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 4, after the word "districts" insert the semicolon and words "; and to declare an emergency"

On page 8, immediately following line 27, insert the following:

"SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HB 1549 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1554 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1554 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1555 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1555 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1566 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1566 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1591 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1591 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1603 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HB 1603 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1604 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

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

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1618 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1618 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1640 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1640 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HCR 3031 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. TIMM, Chairman

HCR 3031 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HCR 3043 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HCR 3043 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HCR 3044 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HCR 3044 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

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 1241, HB 1347, HB 1394, HB 1545, HB 1605, HB 1620

REP. HEDSTROM, Chairman

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

FIRST READING OF HOUSE BILLS

Rep. Unhjem introduced:

(Approved by the Committee on Delayed Bills)

HB 1646: A BILL for an Act to amend and reenact subsection 5 of section 57-38-30.3 of the North Dakota Century Code, relating to the definition of "federal income tax liability" for purposes of the simplified optional method of computing income taxes; and to provide an effective date.

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

Rep. Kloubec introduced:

(Approved by the Committee on Delayed Bills)

HB 1647: A BILL for an Act to amend and reenact section 6-09-10 of the North Dakota Century Code, relating to requirement of federal deposit insurance corporation insurance for Bank of North Dakota deposits.

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

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Strinden introduced:

HCR 3067: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of placing the delivery of vocational education services and programs under the supervision of the Superintendent of Public Instruction, to review the administrative structures for the delivery of vocational education services and programs in other states, and to review federal requirements regarding the delivery of vocational education services and programs by states.

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

FIRST READING OF SENATE BILLS

SB 2018: A BILL for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

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

SB 2019: A BILL for an Act making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

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

SB 2027: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota.

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

SB 2277: A BILL for an Act to create and enact a new section to chapter 50-10.2 of the North Dakota Century Code, relating to enforcement of the rights of long-term care facility residents; and to amend and reenact sections 50-10.2-01,

50-10.2-02, and 50-10.2-03 of the North Dakota Century Code, relating to rights of long-term care facility residents.

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

SB 2287: A BILL for an Act to amend and reenact section 29-28-07 of the North Dakota Century Code, relating to the right of the state to appeal in criminal prosecutions.

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

SB 2319: A BILL for an Act to authorize counties or cities to impose an excise tax on telephone access lines for funding emergency services communication systems.

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

SB 2324: A BILL for an Act to amend and reenact subsection 5 of section 16.1-16-01 of the North Dakota Century Code, relating to election recount procedures.

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

SB 2332: A BILL for an Act to amend and reenact section 16.1-06-19 of the North Dakota Century Code, relating to the posting of maps showing precinct boundaries at the polling place.

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

SB 2352: A BILL for an Act to provide for a bill of rights for public employees; and to provide a penalty.

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

SB 2357: A BILL for an Act to provide for the payment of interest on delinquent accounts.

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

SB 2361: A BILL for an Act to amend and reenact sections 61-16.1-08 and 61-16.1-25 of the North Dakota Century Code, relating to financial reporting for water resource districts.

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

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

ROY GILBREATH, Chief Clerk