

NINTH DAY

Bismarck, January 16, 1981

The House convened at 12:30 p.m., with Speaker Peterson presiding. Prayer was offered by Reverend Donald Treick, Faith Reformed Chapel, Bismarck, North Dakota.

The roll was called and all members were present except Reps. C. Anderson, Conmy, Crabtree, Kingsbury, Meyer, Vig and Zimbleman. 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 Eighth day and recommends that the same be corrected as follows:

On page 195, line 8, delete the word "Tippet" and insert in lieu thereof the word "Tippett"

On page ~~191~~²⁰¹, after line 51, insert the following words: "Which the President has signed and your signature is respectfully requested."

On page 209, line 38, delete the word "Judiciary" and insert in lieu thereof the words "Industry, Business and Labor"

And when so corrected recommends that the same be approved.

Rep. Gorder..... moved that the report be adopted, which motion prevailed.

Burns Chairman

MOTIONS

Rep. Kloubec moved that House Bill No. 1098 be returned to the House from the Committee on Natural Resources for the purpose of withdrawal, which motion prevailed.

Rep. Kloubec requested permission to withdraw House Bill No. 1098, at the request of the Water Conservation Commission, which request was granted.

SIXTH ORDER OF BUSINESS

Rep. Martinson moved that the amendments to House Bill No. 1043 as recommended by the Committee on State and Federal Government as printed on page 202 of the Journal be adopted, which motion prevailed.

Rep. Rued moved that the amendments to House Bill No. 1101 as recommended by the Committee on Industry, Business and Labor as printed on pages 203 through 209 of the Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill :

House Bill No. 1137

and find the same correctly } Engrossed

Craig M. Richie Chairman

Representative Retzer motion prevailed, and the report was adopted.

Craig M. Richie moved that the report be adopted, which

SECOND READING OF HOUSE BILLS

House Bill No. 1137. — A Bill for an Act to amend and reenact sections 12-48.1-03, 12-53-12, 12-59-05, 12-59-08, and 12-59-15 of the North Dakota Century Code, relating to parole and probation.

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 ayes, 92; nays, 0; absent and not voting 8.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL-CALL (YEAS, N-V, NAYS), 1981 LEGISLATURE (YEAS, N-V, NAYS). Lists names of representatives and their voting status.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1123, has had the same under consideration and recommends, by a vote of

Ayes, 16; Nays, 0; Absent, 0, that the same

[X] do pass.

[] do not pass.

[] be placed on calendar without recommendation.

R. Kloubec

Rep. Kloubec _____ Chairman

House _____ Bill No. 1123 _____ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE

Bill No. 1129 _____, has had the same under consideration and recommends, by a vote of

Ayes, 13 _____; Nays, 0 _____; Absent, 3 _____, that the same

do pass. do not pass. be placed on calendar without recommendation.

Lang

Rep. Lang _____ Chairman

HOUSE _____ Bill No. 1129 _____ was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1144 _____, has had the same under consideration and recommends, by a vote of

Ayes, 15 _____; Nays, 0 _____; Absent, 1 _____, that the same

do pass. do not pass. be placed on calendar without recommendation.

R. Kloubec

Rep. Kloubec _____ Chairman

House _____ Bill No. 1144 _____ was placed on the 11th order of business on the calendar for the succeeding legislative day.

**MESSAGE FROM THE SENATE
Senate Chamber**

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

- Senate Bill No. 2042
- Senate Bill No. 2049
- Senate Bill No. 2056
- Senate Bill No. 2067
- Senate Bill No. 2073
- Senate Bill No. 2074
- Senate Bill No. 2110
- Senate Bill No. 2128
- Senate Bill No. 2160
- Senate Bill No. 2185
- Senate Bill No. 2191

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Kretschmar moved that the absent members be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the ninth order of business and at the conclusion of the ninth order the House be on the thirteenth order of business and at the conclusion of the thirteenth order, the House stand adjourned until 1:30 p.m., Monday, January 19, 1981.

**MESSAGE TO THE SENATE
House Chamber**

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

House Bill No. 1108
 House Bill No. 1110
 House Bill No. 1111
 House Bill No. 1157
 House Bill No. 1162
 House Bill No. 1187

ROY GILBREATH, Chief Clerk

FIRST READING OF HOUSE BILLS

Reps. Solberg and Martinson and Senator Olin introduced:

House Bill No. 1312. — A Bill for an Act to amend and reenact section 39-03.1-27 of the North Dakota Century Code, relating to benefits under the North Dakota highway patrolmen's retirement system.

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

Reps. Swiontek, Unhjem and Matchie and Senator Stenehjem introduced:

House Bill No. 1313. — A Bill for an Act authorizing the state department of health to provide financial and other assistance to local public agencies and private nonprofit organizations in developing and maintaining shelters and programs for victims of domestic violence; to amend and reenact sections 14-03-21 and 14-03-22 of the North Dakota Century Code, relating to records of marriage and marriage license fees; and to provide an appropriation.

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

Reps. Goetz and Wald introduced:

House Bill No. 1314. — A Bill for an Act to amend and reenact 39-18-08 of the North Dakota Century Code, relating to sales by a real estate broker of a used mobile home.

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

Reps. Martinson and Vig introduced:

House Bill No. 1315. — A Bill for an Act to amend and reenact sections 6-06-18 and 6-06-26 of the North Dakota Century Code, relating to interest rates for and payment of dividends by credit unions.

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

Rep. A. Olson introduced:

House Bill No. 1316. — A Bill for an Act to amend and reenact section 54-44.3-03 and 54-44.3-05 of the North Dakota Century Code, relating to employees who are eligible to vote for members of the state personnel board.

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

Rep. Unhjem introduced:

House Bill No. 1317. — A Bill for an Act to amend and reenact sections 54-52.1-03 and 54-52.1-06 of the North Dakota Century Code, relating to the payment of the uniform group health and life insurance premiums for the eligible state employee who retires from a state department, board, or agency; and to provide an appropriation.

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

Rep. Unhjem introduced:

House Bill No. 1318. — A Bill for an Act to amend and reenact section 39-05-17, relating to a requirement that transfer of title to a motor vehicle be acknowledged by a clerk of court or notary public.

Was read the first time and referred to the committee on Transportation.

Rep. Unhjem introduced:

House Bill No. 1319. — A Bill for an Act to amend and reenact sections 57-15-06, 57-15-08, and 57-15-14 of the North Dakota Century Code, relating to county, city, and school district tax levies and limitations, and to provide for petitions and special elections for certain mill levy increases; and to repeal section 57-15-10 of the North Dakota Century Code, relating to exceptions to the levy limitations in cities.

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

Rep. Martinson introduced:

House Bill No. 1320. — A Bill for an Act to provide a wildland fire prevention and control system, to designate the state forester as the responsible agency with the authority to inform the public of the potential fire dangers, to operate and maintain a statewide wildland fire danger rating system, to establish a state fire season, and extend that season, to establish a burning permit system, to issue burning restrictions, to promulgate rules, and to coordinate with other federal and state agencies; and to provide a penalty.

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

Reps. Black, Dick and Meyer introduced:

House Bill No. 1321. — A Bill for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to postretirement adjustments; and to provide an appropriation.

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

Reps. Unhjem and Crabtree introduced:

House Bill No. 1322. — A Bill for an Act to amend and reenact sections 44-06-01 and 44-06-03 of the North Dakota Century Code, relating to the term of office and bonding requirements of notaries public.

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

Reps. Unhjem and D. Olson introduced:

House Bill No. 1323. — A Bill for an Act to amend and reenact sections 15-28-03, 15-28-04, 15-28-07, 40-09-04, 40-21-02, 40-21-03, and 40-49-05 of the North Dakota Century Code to hold all general municipal and school elections on the second Tuesday in June.

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

Reps. G. Larson and Unhjem introduced:

House Bill No. 1324. — A Bill for an Act to reimburse state employees having at least ten years of service for accumulated unused sick leave upon termination or retirement; and to provide an appropriation.

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

Reps. Richard, G. Pomeroy, Hoffner, Black and Gates introduced:

House Bill No. 1325. — A Bill for an Act to create and enact a new section to chapter 6-03, a new section to chapter 6-06, and a new section to chapter 7-02 of the North Dakota Century Code, to require banks, credit unions, and savings and loan associations which offer loans on new mobile homes to provide loans for used mobile homes.

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

Rep. Dietz introduced:

House Bill No. 1326. — A Bill for an Act to provide for the correction of declarations to submit property to a condominium project; and to amend and reenact section 47-04.1-03 of the North Dakota Century Code, relating to the contents of declarations to submit property to a condominium project.

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

Rep. Dietz introduced:

House Bill No. 1327. — A Bill for an Act to create and enact a new section to chapter 40-50 of the North Dakota Century Code, relating to laying out townsites, additions, subdivisions, and platting of irregular shaped tracts; to amend and reenact sections 40-50-01 and 40-51.2-04 of the North Dakota Century Code, relating to and laying out of townsites, additions, and subdivisions; and to repeal section 57-02-39 of the North Dakota Century Code, relating to the platting of irregular tracts of land.

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

Rep. Wald introduced:

House Bill No. 1328. — A Bill for an Act to create and enact a new section to chapter 57-15 and a new subdivision to subsection 3 of section 57-15-06 of the North Dakota Century Code, to exempt from county tax limitations and to authorize a county tax for use in constructing, equipping, operating, and maintaining regional corrections centers; to provide an appropriation for establishing and equipping a regional corrections center at Dickinson; and to set forth the purpose of the appropriation.

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

Reps. Unhjem, Martinson and Boyum introduced:

House Bill No. 1329. — A Bill for an Act to provide that employees of the offices of tax commissioner and commissioner of labor are prohibited from participating in any political activity; and to provide a penalty.

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

Reps. Koski, Martinson and Vig introduced:

House Bill No. 1330. — A Bill for an Act to amend and reenact section 51-05.1-01 of the North Dakota Century Code, relating to exemption of financial institutions from bonding requirements.

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

Reps. Koski, Unhjem and B. Larson introduced:

House Bill No. 1331. — A Bill for an Act to provide for full disclosure of real estate transactions; to amend and reenact sections 57-02-27, 57-02-28, and 57-55-04 of the North Dakota Century Code, providing for a classification system of assessing property including mobile homes; providing an effective date; and declaring an emergency.

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

Reps. Hedstrom, Swiontek, G. Reiten, Black and Martinson introduced:

House Bill No. 1332. — A Bill for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, providing a minimum fine for persons under twenty-one years of age who purchase or possess alcoholic beverages or enter licensed premises where alcoholic beverages are sold or displayed.

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

Rep. G. Reiten introduced:

House Bill No. 1333. — A Bill for an Act to authorize the state board of higher education to deed property owned by the state of North Dakota for the use and benefit of the university of North Dakota to the fellows of the university, inc., a nonprofit North Dakota corporation; and to declare an emergency.

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

Reps. Vig, Koski and Martinson introduced:

House Bill No. 1334. — A Bill to create and enact subsection 6 to section 21-04-01 of the North Dakota Century Code, defining financial institutions; to amend and reenact sections 21-04-03, 21-04-05, 21-04-06, 21-04-07, 21-04-08, 21-04-09, 21-04-10, 21-04-12, 21-04-14, 21-04-15, 21-04-16, 21-04-17, 21-04-18, and 21-04-21 of the North Dakota Century Code to include financial institutions within class of depositories for public funds.

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

Rep. Backes introduced:

House Bill No. 1335. — A Bill for an Act to create and enact a new section to chapter 47-10 of the North Dakota Century Code, relating to the inclusion of a mineral interest in the transfer of a surface estate.

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

Reps. Schindler, A. Olson and Berger and Senator Leibhan introduced:

House Bill No. 1336. — A Bill for an Act to amend and reenact subsection 2 of section 15-47-38 of the North Dakota Century Code, relating to dismissal of teachers under the Administrative Agencies Practices Act.

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

FIRST READING OF SENATE BILLS

Senate Bill No. 2043. — A Bill for an Act to amend and reenact section 28-32-02 of the North Dakota Century Code, relating to the rulemaking power of an agency under the law governing the practice and procedure of administrative agencies.

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

Senate Bill No. 2047. — A Bill for an Act to amend and reenact section 54-44.3-12.1 of the North Dakota Century Code to allow changes to the central personnel compensation plan during a biennium.

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

Senate Bill No. 2048. — A Bill for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to self-insurance of life insurance benefits coverage under the state

uniform group insurance program; and to amend and reenact sections 54-52.1-01 and 54-52.1-04 of the North Dakota Century Code, relating to definitions and board authority to contract for insurance under the uniform group insurance program.

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

Senate Bill No. 2070. — A Bill for an Act to amend and reenact subsection 12 of section 26-41-03 of the North Dakota Century Code, relating to the definition of a motor vehicle owner for purpose of no-fault insurance requirements.

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

Senate Bill No. 2071. — A Bill for an Act to repeal section 62-04-05 of the North Dakota Century Code, relating to the use or sale of blank cartridge firearms or firecrackers.

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

Senate Bill No. 2099. — A Bill for an Act to amend and reenact subsection 4 of section 6-06-08 of the North Dakota Century Code, relating to examination fees for credit unions.

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

Senate Bill No. 2100. — A Bill for an Act to amend and reenact sections 6-06-02, 6-06-03, 6-06-14, 6-06-19, subsection 2 of section 6-06-35, and section 6-06-40 of the North Dakota Century Code, relating to a credit union's organization, authority to borrow, conversion and insurance.

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

Senate Bill No. 2109. — A Bill for an Act to amend and reenact section 15-39.1-12 of the North Dakota Century Code, relating to early retirement for teachers.

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

Senate Bill No. 2132. — A Bill for an Act to amend and reenact sections 14-10-05 and 50-12-17 of the North Dakota Century Code, relating to the penalty imposed for the illegal placement of a child for adoption.

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

Senate Bill No. 2151. — A Bill for an Act to amend and reenact section 21-03-30 of the North Dakota Century Code, relating to the sale of municipal bonds to the North Dakota municipal bond bank.

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

Senate Bill No. 2156. — A Bill for an Act to amend and reenact section 57-40.3-11 of the North Dakota Century Code, relating to motor vehicle excise tax penalties.

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

Senate Bill No. 2187. — A Bill for an Act to amend and reenact subsection 2 of section 57-36-11 of the North Dakota Century Code, relating to fees for county auditors for tobacco products tax meter settings; and to repeal subsection 7 of section 57-40.2-04 of the North Dakota Century Code, relating to use tax exemption for mixed drinks.

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

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

ROY GILBREATH, Chief Clerk