

Journal of the House

Forty-seventh Legislative Assembly

SIXTY-FIRST DAY

Bismarck, November 16, 1981

At the hour of 1:00 p.m. on the sixteenth day of November, 1981, the North Dakota House of Representatives reconvened pursuant to Senate Concurrent Resolution No. 4033, with Speaker Peterson presiding.

Prayer was offered by Rev. Douglas Roberts, United Church of Christ, Bismarck, North Dakota.

COMMUNICATIONS

The list of the qualified member as certified by the Secretary of State was read by the Chief Clerk, Roy Gilbreath, as follows:

The Honorable Jim Peterson
Speaker of the House
Forty-seventh Legislative Assembly
State Capitol
Bismarck, North Dakota 58505

Dear Sir,

I hereby certify that Neil Romfo of Hannah, North Dakota was, according to the records of my office, elected as a State Representative to the Forty-seventh Legislative Assembly for the 10th Legislative District consisting of Cavalier and Towner counties in a Special Election held on November 3, 1981.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 12th Day of November, 1981.

BEN MEIER
Secretary of State
Great Seal

ROLL CALL

The roll was called and all members were present.

A quorum was declared by the Speaker.

SIXTEENTH ORDER OF BUSINESS

Rep. Strinden moved that the Speaker appoint a committee of two to escort Associate Justice Paul Sand to the rostrum. The motion prevailed, and Reps. Conmy and Kretschmar were so appointed.

Associate Justice Sand was escorted to the rostrum.

Rep. Strinden moved that the Speaker appoint a committee of two to escort Representative-elect Neil Romfo to the rostrum. The motion prevailed, and Reps. Nicholas and Solberg were so appointed. Rep.-elect Neil Romfo was escorted to the rostrum and the Oath of Office was administered by Associate Justice Paul M. Sand.

ANNOUNCEMENT OF APPOINTMENTS

Speaker Peterson announced the following appointments:

Joint Committee on Reapportionment:

Rep. W. Kretschmar
 Rep. R. Anderson
 Rep. B. Haugland
 Rep. A. Hausauer
 Rep. I. Jacobson
 Rep. B. Larson
 Rep. L. Marsden

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixtieth Day and finds the same to be correct.

BURNES REED, Chairman

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

MOTION

Rep. Kretschmar moved that the House waive the reading of the titles to House Bills Nos. 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, and 1670, which motion prevailed.

FIRST READING OF HOUSE BILLS

Rep. Matchie introduced:

House Bill No. 1660. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Matchie introduced:

House Bill No. 1661. — A Bill for an act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Matchie introduced:

House Bill No. 1662. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary

nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Nicholas introduced:

House Bill No. 1663. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Koski introduced:

House Bill No. 1664. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Reps. Mushik and Gerl introduced:

House Bill No. 1665. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Backes introduced:

House Bill No. 1666. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. E. Pomeroy and Sen. Grotberg introduced:

House Bill No. 1667. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills

Reps. Dagne Olsen and Gunderson and Sen. Mutch introduced:

House Bill No. 1668. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Reps. A. Hausauer and Kretschmar introduced:

House Bill No. 1669. — A Bill for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to state legislative apportionment and the staggering of terms of senators; to amend and reenact sections 11-07-04, 16.1-03-17, and 54-03-01.5 of the North Dakota Century Code, relating to the election of county commissioners, party reorganization after redistricting, and legislative apportionment requirements; to repeal section 54-03-01.6, relating to state legislative apportionment; to provide for temporary nonapplication of section 16.1-03-17; to declare legislative intent; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Wagner introduced:

House Bill No. 1670. — A Bill for an Act to appropriate money for the expenses of the legislative branch of government for the reconvened forty-seventh legislative assembly; and declaring an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. Wagner introduced:

House Concurrent Resolution No. 3085. — A concurrent resolution authorizing the Budget Section of the Legislative Council to hold required legislative hearings on state plans for the receipt and expenditure of block grants under the Omnibus Budget Reconciliation Act of 1981 as passed by Congress in July 1981.

Was read the first time and referred to the committee on Delayed Bills.

REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that House Bills Nos. 1660 thru 1670 be introduced.


 Rep. Strinden Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that House Concurrent Resolution No. 3085 be introduced.


 Rep. Strinden Chairman

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Rep. Nicholas moved that House Bill No. 1663 be returned to the House from the Committee on Delayed Bills for the purpose of withdrawal, which motion prevailed.

Rep. Nicholas requested permission to withdraw House Bill No. 1663, which request was granted.

ANNOUNCEMENT

Speaker Peterson announced that House Bill No. 1663 was withdrawn.

ANNOUNCEMENTS

Speaker Peterson announced that House Bill No. 1660 was rereferred to the Joint Committee on Reapportionment.

Speaker Peterson announced that House Bill No. 1661 was rereferred to the Joint Committee on Reapportionment.

Speaker Peterson announced that House Bill No. 1662 was rereferred to the Joint Committee on Reapportionment.

Speaker Peterson announced that House Bill No. 1664 was rereferred to the Joint Committee on Reapportionment.

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Speaker Peterson announced that House Bill No. 1667 was rereferred to the Joint Committee on Reapportionment.

Speaker Peterson announced that House Bill No. 1668 was rereferred to the Joint Committee on Reapportionment.

Speaker Peterson announced that House Bill No. 1669 was rereferred to the Joint Committee on Reapportionment.

Speaker Peterson announced that House Bill No. 1670 was rereferred to the Committee on Appropriations.

Speaker Peterson announced that House Concurrent Resolution No. 3085 was rereferred to the Committee on Appropriations.

REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker : Your Procedural Committee on Rules

has met and recommends that the following temporary House Rule be adopted only for the reconvened Session.

SECTION 1. A temporary rule to be in effect during the duration of the continued forty-seventh legislative assembly convening on Monday, November 16, 1981, through midnight, November 29, 1981.

501.1 This rule shall be in effect, and shall temporarily supersede subsection 12 of House Rule 501, from the date of its adoption until November 29, 1981, and thereafter this rule shall be of no force and effect. Subsection 12 of House Rule 501 shall again become effective on November 30, 1981. For the duration of the time period stated above, the House Delayed Bills Committee shall consist of those members of the House of Representatives holding the following positions:

1. Majority Leader
2. Assistant Majority Leader
3. Speaker
4. Majority Caucus Chairman
5. Appropriations Committee Chairman
6. Minority Leader
7. Assistant Minority Leader
8. Minority Caucus Chairman


Rep. R. Hausauer Chairman

Rep. Strinden moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION

Rep. Strinden moved that the House stand at recess until 5:00 p.m., which motion prevailed.

The House reconvened pursuant to recess taken, with Speaker Peterson presiding.

FIRST READING OF HOUSE BILLS

Rep. Kloubec introduced:

House Bill No. 1671 — A Bill for an Act to amend and reenact subsection 11 of section 57-02-01 and section 57-02-27 of the North Dakota Century Code, relating to the definition of "agricultural property" and to the assessment of platted agricultural land within cities; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Reps. Strinden, A. Olson and Olafson and Sens. Vosper and Tallackson introduced:

House Bill No. 1672. — A Bill for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to the valuation

and assessment of agricultural lands; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. O. Hanson and Sen. Sorum introduced:

House Bill No. 1673. — A Bill for an Act to amend and reenact section 57-50-01 of the North Dakota Century Code, relating to nonrefunded motor vehicle fuel and special fuel tax distributions to townships; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

Rep. D. Olson and Sens. Lodoen and Lips introduced:

House Bill No. 1674. — A Bill for an Act to create and enact a new subsection to section 57-02-01 of the North Dakota Century Code, relating to the definition of assessed valuation; to amend and reenact subsection 2 of section 15-60-03, subsection 4 of section 21-03-01, sections 57-02-27, 57-02-28, and 57-55-04 of the North Dakota Century Code, relating to the value of property for purposes of taxation and for determining indebtedness limitations of political subdivisions, the basis for the computation of taxes, and the taxation of mobile homes; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the committee on Delayed Bills.

REPORT OF PROCEDURAL COMMITTEE

Mr. Speaker Your Procedural Committee on Delayed Bills, recommends that House Bills 1671 thru 1674 be introduced.

 Chairman
Rep. Strinden

Rep. Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

ANNOUNCEMENT

Speaker Peterson announced that House Bills Nos. 1671, 1672, 1673 and 1674 were rereferred to the Committee on Finance and Taxation.

MOTION

Rep. Strinden moved that the rules be suspended and that the Bills and Resolutions introduced not be sent to the printer, but, in order to expedite the matters of the reconvened Session, be printed at the Capitol in the fastest manner possible, which motion prevailed.

MOTION

Rep. Strinden moved that the House stand adjourned until 9:00 a.m., Tuesday, November 17, 1981, which motion prevailed.

ROY GILBREATH, Chief Clerk